A BILL TO BE ENTITLED
AN ACT TO EXEMPT ADVANCED RECYCLING FACILITIES FROM SOLID WASTE PERMITTING REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 130A-290 reads as rewritten:

"§ 130A-290. Definitions.

(a) Unless a different meaning is required by the context, the following definitions shall apply throughout this Article:

…

(24) "Recovered material" means a material that has known recycling potential, can be feasibly recycled, and has been diverted or removed from the solid waste stream for sale, use, or reuse. In order to qualify as a recovered material, a material must meet the requirements of G.S. 130A-309.05(c). Recovered material includes post-use polymers and recovered feedstocks that are processed at an advanced recycling facility or held at such facility prior to processing.

…

(35) "Solid waste" means any hazardous or nonhazardous garbage, refuse or sludge from a waste treatment plant, water supply treatment plant or air pollution control facility, domestic sewage and sludges generated by the treatment thereof in sanitary sewage collection, treatment and disposal systems, and other material that is either discarded or is being accumulated, stored or treated prior to being discarded, or has served its original intended use and is generally discarded, including solid, liquid, semisolid or contained gaseous material resulting from industrial, institutional, commercial and agricultural operations, and from community activities. Notwithstanding sub-sub-subdivision b.3. of this subdivision, the term includes coal combustion residuals. The term does not include:

…

f. Recovered material, including post-use polymers and recovered feedstocks converted at an advanced recycling facility or held at such facility prior to conversion through an advanced recycling process.

…

(38) "Solid waste management" means purposeful, systematic control of the generation, storage, collection, transport, separation, treatment, processing,
recycling, recovery and disposal of solid waste. Solid waste management does not include advanced recycling.

(39) "Solid waste management facility” means land, personnel and equipment used in the management of solid waste. Solid waste management facility does not include an advanced recycling facility.

(46) "Advanced recycling" means a manufacturing process for the conversion of post-use polymers and other recovered feedstocks into basic raw materials, feedstocks, chemicals, and other recycled products through processes that include pyrolysis, gasification, depolymerization, catalytic cracking, reforming, solvolysis, chemolysis, and other similar technologies. Advanced recycling does not include incineration of plastics or waste-to-energy processes.

(47) "Advanced recycling facility" means a manufacturing facility that receives, stores, and converts post-use polymers and other recovered feedstocks it receives using advanced recycling.

(48) "Depolymerization” means a manufacturing process in which post-use polymers are broken into smaller molecules such as monomers, oligomers, plastic or chemical feedstocks, waxes, lubricants, coatings, or other raw, intermediate, or final products.

(49) "Gasification" means a manufacturing process through which post-use polymers or other recovered feedstocks are heated in an oxygen-controlled atmosphere and converted into synthesis gas, followed by conversion into valuable raw, intermediate, or final products, including plastic monomers, chemicals, waxes, lubricants, coatings, and plastic and chemical feedstocks.

(50) "Post-use polymer" means a plastic to which all of the following apply:

a. It is derived from any industrial, commercial, agricultural, or domestic activities and may include pre-consumer or postconsumer recovered materials.

b. It has been sorted from solid waste and other regulated waste but may contain residual amounts of waste such as organic material and incidental contaminants or impurities such as paper labels and metal rings.

c. It is not mixed with solid waste or hazardous waste on-site or during processing at the advanced recycling facility.

d. Its use or intended use is as a feedstock for the manufacturing of feedstocks, raw materials, or other intermediate or final products using advanced recycling.

e. It is processed at an advanced recycling facility or held at such facility prior to processing.

(51) "Pyrolysis” means a manufacturing process through which post-use polymers or other recovered feedstocks are heated in the absence of oxygen until melted and thermally decomposed and are then cooled, condensed, and converted into valuable raw, intermediate, or final products, including plastic monomers, chemicals, waxes, lubricants, and plastic and chemical feedstocks.

(52) "Recovered feedstock” means a post-use polymer or materials for which the United States Environmental Protection Agency has made a non-waste determination pursuant to 40 C.F.R. § 241(c) or has otherwise determined are feedstocks and not solid waste, that has been processed so that it may be used as feedstock in an advanced recycling facility. Recovered feedstock does not include unprocessed municipal solid waste or waste that has been mixed with
solid waste or hazardous waste on-site or during processing at an advanced
recycling facility.

(53) "Solvolysis" means a manufacturing process through which post-use
polymers are purified with the aid of solvents, allowing additives and
contaminants to be removed in order to produce monomers, intermediates,
valuable chemicals, plastic and chemical feedstocks, and other raw materials.
Solvolysis includes hydrolysis, aminolysis, ammonolysis, methanolysis, and
glycolysis.

SECTION 1. (b) The Revisor of Statutes is authorized to renumber the subdivisions
of G.S. 130A-290, as amended by subsection (a) of this section, to ensure that the subdivisions
are listed in alphabetical order and in a manner that reduces the current use of alphanumeric
designations, to make conforming changes, and to reserve sufficient space to accommodate
future additions to the statutory section.

SECTION 2. This act is effective when it becomes law.