

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 266

AMENDMENT NO. A1

(to be filled in by
Principal Clerk)

S266-ARI-45 [v.2]

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Amends Title [NO]
Second Edition

Date _____, 2025

Senator Moffitt

moves to amend the bill on page 2, line 22 through line 39,
by rewriting those lines to read:

"SECTION 2.(a) The Department of Environmental Quality, the Department of Agriculture and Consumer Services, and a unit of local government, as applicable, shall waive all of the following permits or requirements, to the extent the permits or requirements are State or local in origin and not otherwise required to satisfy federal law, as they may apply to persons or entities undertaking activities to process tree stumps and other vegetative debris into mulch, compost, or soil amendments in the counties designated before, on, or after the effective date of this act under a major disaster declaration by the President of the United States under the Stafford Act (P.L. 93-288) as a result of Hurricane Helene:

- (1) A solid waste composting permit for Type 1 facilities under 15A NCAC 13B, provided that a person or entity undertaking such activity submits written notice at least 10 days prior to commencement of operations to the Department of Environmental Quality with all of the following information:
 - a. The facility location.
 - b. The name(s) and contact information of the owner and operator.
 - c. The type and amount of wastes to be received.
 - d. The composting process to be used.
 - e. The intended distribution of the finished product.
- (2) Approval of erosion and sediment control plans under 15A NCAC 04B, where activities do not involve the removal of trees or other existing groundcover.
- (3) Air quality permit requirements for vegetative debris processing equipment under 15A NCAC 02D.
- (4) Notwithstanding Article 2A of Chapter 106 of the General Statutes, and rules adopted thereunder, soil amendment or compost product registration required by the Department of Agriculture and Consumer Services.
- (5) State Fire Code limitations on mulch pile storage.

SECTION 2.(b) With respect to the permits or requirements set forth under subdivisions (2) through (5) of subsection (a) of this section, a person or entity undertaking such activity shall submit written notice at least 10 days prior to commencement of operations to the Department of Environmental Quality or the Department of Agriculture and Consumer Services,



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as applicable, and the unit of local government within which activities will be conducted, that includes a description of the general nature of the materials to be managed and the method(s) of management, the location of activities, and the date on which activities will be commenced.

SECTION 2.(c) Individual sites under this section are limited to a maximum allowance of 25,000 cubic yards, composed of both processed and unprocessed material.

SECTION 2.(d) The waiver of a permit pursuant to this section does not exempt activities conducted from compliance with other applicable regulations.

SECTION 2.(e) Mulch used for the purposes of temporary erosion control shall not be applied at a rate to exceed four (4) inches in depth.

SECTION 2.(f) Material to be used as a soil amendment must be used at normally accepted agronomic rates as determined by industry practice. Recommendations for appropriate application rates should be determined in consultation with an agronomist with the Department of Agriculture and Consumer Services, a County or State Agriculture Extension agent, or licensed soil scientist.

SECTION 2.(g) This section is effective when it becomes law and expires July 1, 2027. Any material managed under this section shall be removed from the site for its intended purpose no later than July 1, 2027."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**