



2015-2016 General Assembly

HOUSE BILL 765: Regulatory Reform Act of 2015, Sec. 4.39: Allow Alternate Disposal of Biodegradable Agricultural Plastics

Committee:
Introduced by:
Analysis of: Sec. 4.39 of S.L. 2015-286

Date:
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Staff Attorney

SUMMARY: *Sec. 4.39 of S.L. 2015-286 allows burning of polyethylene agricultural plastic without an air quality permit, provided that the burning:*

- *Does not violate State or federal ambient air quality standards.*
- *Is conducted between an hour after sunrise and an hour before sunset.*
- *Is set back at least 250 feet from a paved public roadway and at least 500 feet from an occupied structure outside the property where the burning is conducted.*
- *Is conducted in a manner such that it does not constitute a public nuisance.*
- *Is conducted by any of the following means: (i) by professionally manufactured equipment solely for the purpose of plastic mulch burning or incineration and approved by the Commissioner of Agriculture; (ii) by a fire that is enclosed in a noncombustible container; or (iii) by a fire that is restricted to a pile no greater than eight feet in diameter on cleared ground.*

The Department of Agriculture and Consumer Services is given authority to adopt rules to implement the provisions of this section.

This section is retroactively effective on January 1, 2015.

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Director



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