



2015-2016 General Assembly

# SENATE BILL 513: North Carolina Farm Act of 2015, Sec. 16: Amend the Definition of "New Animal Waste Management System" and the Application of Swine Waste Management System Performance Standards

**Committee:**  
**Introduced by:**  
**Analysis of:** Sec. 16 of S.L. 2015-263

**Date:**  
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Staff Attorney

**SUMMARY:** *Sec. 16 of S.L. 2015-263 amends the implementation of animal waste management system regulations to provide that:*

- *A "new animal waste management system" does not include a system that has been abandoned or unused for a period of four years or more and is then put back into service.*
- *Certain swine waste management system performance standards do not apply to any facility that meets all the following conditions:*
  - *Has had no animals on site for five continuous years or more.*
  - *Notifies the Division of Water Resources (Division) in the Department of Environmental Quality in writing at least 60 days prior to bringing any animals back onto the site.*
  - *The system depopulated after January 1, 2005, and the system ceased operation no longer than 10 years prior to the current date.*
  - *At the time the system ceased operation, it was in compliance with an individual permit or a general permit.*
  - *The Division issues an individual permit or a certificate of coverage under a general permit for operation of the system before any animals are brought on the facility.*
  - *The permit for the animal waste management system does not allow production to exceed the greatest steady state live weight previously permitted for the system.*
  - *No component of the animal waste management system and swine farm, other than an existing swine house or land application site, may be constructed in the 100-year floodplain.*
  - *The inactive animal waste management system was not closed using the expenditure of public funds and was not closed pursuant to a settlement agreement, court order, cost-share agreement, or grant condition.*

*This section became effective September 30, 2015.*

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Director



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