



HOUSE BILL 244: Public Participation/Composting Facilities.

2017-2018 General Assembly

Committee:	House Health. If favorable, re-refer to Environment	Date:	March 14, 2017
Introduced by:	Reps. Howard, McElraft, McGrady, Setzer	Prepared by:	Jennifer Mundt
Analysis of:	PCS to First Edition H244-CSMH-1		Committee Staff

OVERVIEW: *House Bill 244 would (i) broaden the scope of impacts to be considered when evaluating applications for solid waste management permits, (ii) reduce odors from composting facilities, and (iii) require the Department of Environmental Quality to give notice of and hold a public information hearing for composting facilities.*

CURRENT LAW and BILL ANALYSIS:

G.S. 130A-294(a)(4)a. directs the Department of Environmental Quality (DEQ or Department) to develop a permit system for solid waste management facilities Under current law, the Department must evaluate several criteria in applications for solid waste management facility permits including whether the proposed facility would result in significant damage to ecological systems, natural resources, cultural sites, recreation areas, or historic sites of more than a local significance.

Section 1 of the bill would add *school grounds or athletic fields and existing community facilities hosting outdoor activities* to the statutory list of examples of ecological systems, natural resources, cultural sites, recreation areas, or historic sites of more than a local significance.

G.S. 130A-309.11 sets out the standards by which the Environmental Management Commission (Commission) adopted rules for compost production at solid waste facilities including rules for the production of (1) hygienically safe compost products for various applications and (2) the development of a classification scheme for different composts based on type of trash, maturity of the compost, and levels of inorganic and organic constituents in the compost (15A NCAC 13B .1400 et seq).

Section 2 of the bill would require the Commission to adopt rules to substantially reduce and minimize fugitive emissions and offensive odors from composting facilities that will adversely affect the general health, safety, and welfare of persons beyond the facility's boundary.

The Proposed Committee Substitute (PCS) would amend **Section 3** of the bill to direct DEQ to deny the issuance or renewal of a permit for the construction, operation, expansion, or modification of a solid waste management facility that will produce compost from solid waste or solid waste co-composted with other wastes without first conducting a public information hearing in the county where the facility is proposed to be located. The PCS directs DEQ to give notice of the public information hearing and provides that no permit can be issued or renewed less than 90 days following the hearing.

EFFECTIVE DATE: This act would become effective October 1, 2017.

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