



HOUSE BILL 479: ERC Studies/Scope.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	May 1, 2019
Introduced by:	Rep. Dixon	Prepared by:	Chris Saunders Staff Attorney
Analysis of:	Second Edition		

OVERVIEW: *House Bill 479 would (i) direct the Environmental Review Commission to study matters related to the decommissioning of utility-scale solar projects, the solid waste disposal tax, the process for adoption of general permits for animal waste management systems, and ways to optimize and modernize North Carolina's recycling requirements for discarded computer equipment and televisions; and (ii) modify the scope of the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources to include oversight of marine fisheries issues.*

BILL ANALYSIS:

Section 1 of the bill would direct the ERC to study matters related to the decommissioning of utility-scale solar projects and report its findings, including any legislative proposals to the 2020 Regular Session of the 2019 General Assembly upon its convening. The study must include analysis of the need for performance bonding to ensure proper decommissioning and closure of future-built solar facilities, whether materials used in utility scale solar projects are classified as hazardous material, whether solar panels can be safely disposed of in construction and demolition or municipal solid waste landfills, and other issues.

Section 2 would direct the ERC to study North Carolina's solid waste disposal tax of two dollars (\$2.00) per ton of waste and report its findings, including any legislative proposals to the 2020 Regular Session of the 2019 General Assembly upon its convening. The ERC would be directed to study (i) a history of the annual revenue generated from the tax, and its distribution over time; (ii) a history of expenditures by the Department of Environmental Quality (DEQ) of tax proceeds received to date; (iii) all work completed by DEQ using proceeds of the tax; (iv) plans for future work to be conducted by DEQ using proceeds of the tax; (v) the current balance of the Inactive Hazardous Sites Cleanup Fund; and (vi) any other issue ERC deems relevant.

Section 3 would direct the ERC to study DEQ's process for the development and adoption of general permits for animal waste management systems for swine, cattle, and poultry operations, which must specifically include consideration of whether the general permit process should comply with the Administrative Procedure Act, and report its findings and recommendations, including any legislative proposals, to the 2020 Regular Session of the 2019 General Assembly upon its convening.

Section 4 would grant the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources legislative oversight authority over the management of marine fisheries in the State, and would direct DEQ to submit Fishery Management Plans adopted by the Marine Fisheries Commission to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources and the Fiscal Research Division.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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Section 5 would direct the ERC to study ways to optimize and modernize North Carolina's recycling requirements for discarded computer equipment and televisions, and report its findings, together with any proposed legislation to modernize the recycling requirements for computers and televisions, to the 2021 Regular Session of the General Assembly upon its convening.

EFFECTIVE DATE: This act would be effective when it becomes law.