

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

H

1

HOUSE BILL 1537*

Short Title: Ext. Animal Waste Mgmt. System Inspct. Pilot.

(Public)

Sponsors: Representatives Hill, Warwick, and Gibson.

Referred to: Environment and Natural Resources.

June 6, 2002

A BILL TO BE ENTITLED

1 AN ACT TO EXTEND THE PILOT PROGRAM FOR INSPECTION OF ANIMAL
2 WASTE MANAGEMENT SYSTEMS BY THE DIVISION OF SOIL AND
3 WATER CONSERVATION OF THE DEPARTMENT OF ENVIRONMENT AND
4 NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL
5 REVIEW COMMISSION.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Section 15.4(a) of S.L. 1997-443, as amended by Section 3.1
9 of S.L. 1999-329 and Section 5 of S.L. 2001-254, reads as rewritten:

10 "(a) The Department of Environment and Natural Resources shall develop and
11 implement a pilot program to begin no later than 1 November 1997, and to terminate 1
12 September ~~2002~~,2003, regarding the annual inspections of animal operations that are
13 subject to a permit under Article 21 of Chapter 143 of the General Statutes. The
14 Department shall select two counties located in a part of the State that has a high
15 concentration of swine farms to participate in this pilot program. In addition, Brunswick
16 County shall be added to the program. Notwithstanding G.S. 143-215.10F, the Division
17 of Soil and Water Conservation of the Department of Environment and Natural
18 Resources shall conduct inspections of all animal operations that are subject to a permit
19 under Article 21 of Chapter 143 of the General Statutes in these three counties at least
20 once a year to determine whether any animal waste management system is causing a
21 violation of water quality standards and whether the system is in compliance with its
22 animal waste management plan or any other condition of the permit. The personnel of
23 the Division of Soil and Water Conservation who are to conduct these inspections in
24 each of these three counties shall be located in an office in the county in which that
25 person will be conducting inspections. As part of this pilot program, the Department of
26 Environment and Natural Resources shall establish procedures whereby resources
27 within the local Soil and Water Conservation Districts serving the three counties are
28 used for the quick response to complaints and reported problems previously referred

1 only to the Division of Water Quality of the Department of Environment and Natural
2 Resources."

3 **SECTION 2.** Section 3.3 of S.L. 1999-329, as amended by Section 6 of S.L.
4 2001-254, reads as rewritten:

5 "Section 3.3. The Department of Environment and Natural Resources, in
6 consultation with both the Division of Water Quality and the Division of Soil and Water
7 Conservation, shall submit interim reports no later than 15 October 1999, 15 April 2000,
8 15 October 2000, 15 April 2001, 15 October 2001, and 15 April 2002 and shall submit a
9 final report no later than 15 October 2002 to the Environmental Review Commission
10 and to the Fiscal Research Division. These reports shall indicate whether the pilot
11 program has increased the effectiveness of the annual inspections program or the
12 response to complaints and reported problems, specifically whether the pilot program
13 had resulted in identifying violations earlier, taking corrective actions earlier, increasing
14 compliance with the animal waste management plans and permit conditions, improving
15 the time to respond to discharges, complaints, and reported problems, improving
16 communications between farmers and Department employees, and any other
17 consequences deemed pertinent by the Department. These reports shall also compare the
18 costs of conducting operations reviews and inspections under the pilot program with the
19 costs of conducting operations reviews and inspections pursuant to G.S. 143-215.10D
20 and G.S. 143-215.10F. The final report shall include a recommendation as to whether to
21 continue or expand the pilot program under this act. The Environmental Review
22 Commission may recommend to the 2003 General Assembly whether to continue or
23 expand the pilot program under this act and may make any related legislative
24 proposals."

25 **SECTION 3.** This act is effective when it becomes law.