

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 848**

Short Title: Water Quality/Livestock Markets/Animal Ops. (Public)

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Sponsors: Senator Kerr.

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Referred to: Agriculture/Environment/Natural Resources.

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April 4, 2001

A BILL TO BE ENTITLED

1  
2 AN ACT TO INCLUDE PUBLIC LIVESTOCK MARKETS WITHIN THE  
3 DEFINITION OF ANIMAL OPERATIONS FOR THE PURPOSE OF  
4 REGULATING THE ANIMAL WASTE MANAGEMENT SYSTEMS THAT  
5 SERVE THESE MARKETS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 143-215.10B reads as rewritten:

8 "**§ 143-215.10B. Definitions.**

9 As used in this Part:

- 10 (1) 'Animal operation' means any agricultural farming activity involving  
11 250 or more swine, 100 or more confined cattle, 75 or more horses,  
12 1,000 or more sheep, or 30,000 or more confined poultry with a liquid  
13 animal waste management system. ~~Public livestock markets or sales~~  
14 ~~regulated under Articles 35 and 35A of Chapter 106 of the General~~  
15 ~~Statutes shall not be considered animal operations for purposes of this~~  
16 ~~Part.~~ A public livestock market regulated under Article 35 of Chapter  
17 106 of the General Statutes is an animal operation for purposes of this  
18 Part.
- 19 (2) 'Animal waste' means livestock or poultry excreta or a mixture of  
20 excreta with feed, bedding, litter, or other materials from an animal  
21 operation.
- 22 (3) 'Animal waste management system' means a combination of structures  
23 and nonstructural practices serving a feedlot that provide for the  
24 collection, treatment, storage, or land application of animal waste.
- 25 (4) 'Division' means the Division of Water Quality of the Department.
- 26 (5) 'Feedlot' means a lot or building or combination of lots and buildings  
27 intended for the confined feeding, breeding, raising, or holding of  
28 animals and either specifically designed as a confinement area in

1           which animal waste may accumulate or where the concentration of  
2           animals is such that an established vegetative cover cannot be  
3           maintained. A building or lot is not a feedlot unless animals are  
4           confined for 45 or more days, which may or may not be consecutive,  
5           in a 12-month period. Pastures shall not be considered feedlots for  
6           purposes of this Part.

7           (6) 'Technical specialist' means an individual designated by the Soil and  
8           Water Conservation Commission, pursuant to rules adopted by that  
9           Commission, to certify animal waste management plans."

10          **SECTION 2.** This act becomes effective 1 July 2001.