

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 848
House Committee Substitute Favorable 7/24/01

Short Title: Water Quality/Livestock Markets/Animal Ops.

(Public)

Sponsors:

Referred to:

April 4, 2001

1 A BILL TO BE ENTITLED
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 AND TO PROVIDE THAT AN ANIMAL WASTE
6 MANAGEMENT SYSTEM THAT SERVES A PUBLIC LIVESTOCK MARKET
7 MAY BE PERMITTED EITHER AS AN ANIMAL OPERATION OR UNDER
8 THE STATE'S GENERAL WATER QUALITY STATUTES.

9 The General Assembly of North Carolina enacts:

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

11 "§ 143-215.10B. Definitions.

12 As used in this Part:

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

1 (5) 'Feedlot' means a lot or building or combination of lots and buildings
2 intended for the confined feeding, breeding, raising, or holding of
3 animals and either specifically designed as a confinement area in
4 which animal waste may accumulate or where the concentration of
5 animals is such that an established vegetative cover cannot be
6 maintained. A building or lot is not a feedlot unless animals are
7 confined for 45 or more days, which may or may not be consecutive,
8 in a 12-month period. Pastures shall not be considered feedlots for
9 purposes of this Part.

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

13 **SECTION 2.** G.S. 143-215.10C is amended by adding a new subsection to
14 read:

15 "(i) A person who obtains an individual permit under G.S. 143-215.1 for an
16 animal waste management system that serves a public livestock market shall not be
17 required to obtain a permit under this Part and is not subject to the requirements of this
18 Part."

19 **SECTION 3.** This act becomes effective 1 August 2001.