

1 ...
 2 c. The Department shall deny an application for a permit for a solid
 3 waste management facility if the Department finds that:

4 ...
 5 3. Construction or operation of the facility would result in
 6 significant damage to ecological systems, natural resources,
 7 cultural sites, recreation areas, or historic sites of more than
 8 local significance. These areas include, but are not limited to,
 9 national or State parks or forests; wilderness areas; historic
 10 sites; recreation areas; school grounds or athletic fields;
 11 existing community facilities hosting outdoor activities;
 12 segments of the natural and scenic rivers system; wildlife
 13 refuges, preserves, and management areas; areas that provide
 14 habitat for threatened or endangered species; primary nursery
 15 areas and critical fisheries habitat designated by the Marine
 16 Fisheries Commission; and Outstanding Resource Waters
 17 designated by the Commission.

18"

19 SECTION 2. G.S. 130A-309.11 reads as rewritten:

20 "§ 130A-309.11. Compost standards and applications.

21 ...

22 (b) The Commission shall adopt rules to establish standards for the production of
 23 compost. Rules shall be adopted not later than 24 months after the initiation of rule making.
 24 Such rules shall include:

- 25 (1) Requirements necessary to produce hygienically safe compost products for
 26 varying applications.
- 27 (2) A classification scheme for compost based on:
 - 28 a. The types of waste composted, including at least one type containing
 29 only yard trash;
 - 30 b. The maturity of the compost, including at least three degrees of
 31 decomposition for fresh, semi-mature, and mature; and
 - 32 c. The levels of organic and inorganic constituents in the compost.
- 33 (3) Requirements necessary to substantially reduce and minimize fugitive
 34 emissions and offensive odors from the composting facility that will
 35 adversely affect the general health, safety, and welfare of persons beyond the
 36 facility's boundary.

37 ...

38 (f) The Department shall not issue or renew a permit for the construction, operation,
 39 expansion, or modification of a solid waste management facility that will produce compost
 40 from solid waste or solid waste co-composted with other wastes without first conducting a
 41 public information hearing in the county where the proposed facility is to be located. The
 42 Department shall give notice of the public information hearing at least 15 days and no more
 43 than 30 days prior to the hearing by publication on the Department's Web site, by publication in
 44 a daily or weekly local newspaper of general circulation, and by any other method deemed
 45 necessary or appropriate by the Division to give actual notice of the activities to persons
 46 potentially affected. No permit shall be issued or renewed less than 90 days following the
 47 public information hearing required by this subsection."

48 SECTION 3. This act becomes effective October 1, 2017.