

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1097

Short Title: Eng. Barriers/Haz. Waste Landfills.

(Public)

Sponsors: Representatives Hightower; Barnes, Beall, Church, J. W. Crawford, Cunningham, Ethridge, Fletcher, Green, Hardaway, H. Hunter, Kahl, Mercer, Nesbitt, Smith, Wainwright, and Warner.

Referred to: Environment.

April 24, 1991

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE ALL HAZARDOUS WASTE LANDFILLS TO HAVE
2 ENGINEERED BARRIERS.
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4 The General Assembly of North Carolina enacts:

5 Section 1. Part I of Article 9 of Chapter 130A of the General Statutes is
6 amended by adding a new section to read:

7 **"§ 130A-295.02. Engineered barriers.**

8 (a) For purposes of this section, the term 'engineered barrier' means a man-made
9 structure or device that is intended to meet the objectives set out in subsection (c) of this
10 section.

11 (b) Hazardous waste disposal facilities shall incorporate engineered barriers for
12 all waste types. The Commission shall specify minimum design criteria for engineered
13 barriers. Different engineered barrier design criteria may be specified for different
14 waste types. Engineered barriers shall not substitute for a suitable site and the facility
15 site shall meet all hydrological and other standards and criteria applicable to hazardous
16 waste disposal site suitability as though engineered barriers were not required.
17 Engineered barriers shall be designed and constructed of materials having physical and
18 chemical properties so as to provide reasonable assurance that the barriers will maintain
19 their functional integrity under all reasonable foreseeable conditions during any period
20 such facility remains in operation and during any post-closure monitoring period. To
21 the maximum extent possible, engineered barriers shall be chemically nonreactive with
22 waste, waste containers, and surrounding soil.

1 (c) Disposal units and the incorporated engineered barriers shall be designed and
2 constructed to meet the following objectives:

- 3 (1) Prevention of the migration of water into the disposal unit.
4 (2) Prevention of the migration of waste or waste-contaminated water out
5 of the disposal unit.
6 (3) Detection of water and other fluids in the disposal unit.
7 (4) Temporary collection and retention of water and other liquids for a
8 time sufficient to allow for their detection and removal or other
9 remedial measures without contamination of groundwater or
10 surrounding soil.
11 (5) Facilitation of recovery of waste, in the packing or container in which
12 the waste was placed for disposal.
13 (6) Facilitation of remedial measures without disturbing other disposal
14 units.
15 (7) Reasonable assurance that waste will be isolated for the time period
16 established by the Commission.
17 (8) Prevention of contact between waste and the surrounding earth, except
18 for earth that may be used as fill within the disposal unit.

19 (d) All waste shall be packed in containers for disposal. For purposes of this
20 section, the term 'container' means any portable device into which waste is placed for
21 storage, transportation, treatment, disposal, or other handling, and includes the first
22 enclosure which encompasses the waste. The Commission shall adopt standards for the
23 design and construction of containers for disposal. Standards for containers may vary
24 for different types of waste. The standards for disposal containers may supplement or
25 duplicate any of the requirements for engineered barriers set out in this section,
26 however, the requirements for engineered barriers are separate and cumulative, and
27 engineered barriers and containers may not substitute for or replace one another."

28 Sec. 2. This act is effective upon ratification.