

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

1

HOUSE BILL 1518

Short Title: ABC Licensees to Recycle Beverage Containers. (Public)

Sponsors: Representatives Hackney; Harrison, Insko, Martin, Starnes, Underhill,
and Weiss.

Referred to: Alcoholic Beverage Control.

April 21, 2005

A BILL TO BE ENTITLED

AN ACT TO REQUIRE HOLDERS OF CERTAIN ABC PERMITS TO RECYCLE
ALL RECYCLABLE CONTAINERS OF ALL BEVERAGES SOLD AT RETAIL
ON THE PREMISES AND TO PROHIBIT THE DISPOSAL OF THOSE
CONTAINERS IN LANDFILLS OR BY INCINERATION.

The General Assembly of North Carolina enacts:

SECTION 1. Article 10 of Chapter 18B of the General Statutes is amended
by adding a new section to read:

**"§ 18B-1006.1. Additional requirement for certain permittees to recycle beverage
containers.**

Holders of on-premises malt beverage permits, on-premises unfortified wine
permits, on-premises fortified wine permits, and mixed beverages permits shall
separate, store, and provide for the collection for recycling of all recyclable beverage
containers of all beverages sold at retail on the premises. A permittee has satisfied the
requirements of this subsection if it implements a recycling program that meets the
minimum standards of the model recycling program developed by the Commission
pursuant to G.S. 130A-309.14(m)."

SECTION 2. G.S. 130A-309.14 is amended by adding a new subsection to
read:

"(m) The Alcoholic Beverage Control Commission, with the assistance of the
Department, shall develop a model recycling program for holders of on-premises malt
beverage permits, on-premises unfortified wine permits, on-premises fortified wine
permits, and mixed beverages permits under G.S. 18B-1001 that are required to recycle
beverage containers under G.S. 18B-1006.1. The model program shall provide for the
separation, storage, and collection for recycling of all beverage containers that are
required to be recycled under G.S. 18B-1006.1 and shall provide alternatives that reflect
variations in local circumstances across the State. The Alcoholic Beverage Control
Commission may adopt rules to comply with this section."

1 **SECTION 3.** Subsections (f) and (f1) of G.S. 130A-310.10 read as
2 rewritten:

3 (f) No person shall knowingly dispose of the following solid wastes in landfills:

4 (1) Repealed by Session Laws 1991, c. 375, s. 1.

5 (2) Used oil.

6 (3) Yard trash, except in landfills approved for the disposal of yard trash
7 under rules adopted by the Commission. Yard trash that is source
8 separated from solid waste may be accepted at a solid waste disposal
9 area where the area provides and maintains separate yard trash
10 composting facilities.

11 (4) White goods.

12 (5) Antifreeze (ethylene glycol).

13 (6) Aluminum cans.

14 (7) Whole scrap tires, as provided in G.S. 130A-309.58(b). ~~The~~
15 ~~prohibition against landfilling~~ The prohibition of the disposal of whole
16 scrap tires in landfills applies to all whole pneumatic rubber coverings,
17 but does not apply to whole solid rubber coverings.

18 (8) Lead-acid batteries, as provided in G.S. 130A-309.70.

19 (9) Beverage containers that are required to be recycled under
20 G.S. 18B-1006.1.

21 (f1) No person shall knowingly dispose of the following solid wastes by
22 incineration in an incinerator for which a permit is required under this Article:

23 (1) Antifreeze (ethylene glycol) used solely in motor vehicles.

24 (2) Aluminum cans.

25 (3) Repealed by Session Laws 1995 (Regular Session, 1996), c. 594, s. 17.

26 (4) White goods.

27 (5) Lead-acid batteries, as provided in G.S. 130A-309.70.

28 (6) Beverage containers that are required to be recycled under
29 G.S. 18B-1006.1."

30 **SECTION 4.** This act becomes effective 1 October 2005.