

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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HOUSE BILL 1504

Short Title: Certain Limited Permitting for Swine Farms.

(Public)

Sponsors: Representative Wainwright.

Referred to: Agriculture, if favorable, Environment and Natural Resources.

April 17, 2007

A BILL TO BE ENTITLED
AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION
TO ISSUE A PERMIT FOR AN ANIMAL WASTE MANAGEMENT SYSTEM
FOR A SWINE FARM UNDER CERTAIN LIMITED CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding Subsection (a1) of Section 1.1 of S.L. 1997-458, as amended by Section 2 of S.L. 1998-188, Section 2.1 of S.L. 1999-329, Section 1 of S.L. 2001-254, and Section 1 of S.L. 2003-266, and upon the application of a person who, at the time of an invalid regulatory action by a unit of local government, held a contract to purchase a swine farm that is subject to this act, the Environmental Management Commission shall issue a permit for an animal waste system located on the property of another swine farm so long as the following conditions are satisfied:

- (1) The animal waste system on the other swine farm meets all other requirements under Part 1A of Article 21 of Chapter 143 of the General Statutes, any rules adopted under that Part, and any other applicable laws, rules, and regulations for animal waste management systems.
- (2) The other swine farm meets all the siting requirements under Article 67 of Chapter 106 of the General Statutes.

SECTION 2. A swine farm is subject to this act if the animal waste management system located on that swine farm was, by rule, deemed permitted as of January 1, 1997, but an invalid regulatory action by a unit of local government delayed the construction or prevented the operation of the animal waste management system.

SECTION 3. This act is effective when it becomes law.