

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 505

Short Title: Extend SWCD Animal Waste Inspections. (Public)

Sponsors: Representatives Waddell, Millis, Iler, and McElraft (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Environment.

April 3, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO CODIFY AND MAKE PERMANENT THE PROGRAM FOR INSPECTIONS
3 OF CERTAIN ANIMAL OPERATIONS BY THE DIVISION OF SOIL AND WATER
4 CONSERVATION.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 15.4(a) of S.L. 1997-443, as amended by Section 3.1 of S.L.
7 1999-329, Section 5 of S.L. 2001-254, Section 1.1 of S.L. 2002-176, Section 6.1 of S.L.
8 2003-340, Section 12.7(a) of S.L. 2005-276, Section 2 of S.L. 2007-536, Section 1 of S.L.
9 2009-84, Section 13.21(a) of S.L. 2011-145, and Section 29 of S.L. 2011-391, is repealed.

10 **SECTION 2.** G.S. 143-215.10F reads as rewritten:

11 "**§ 143-215.10F. Inspections.**

12 (a) ~~The~~ Except as provided in subsection (b) of this section, the Division shall conduct
13 inspections of all animal operations that are subject to a permit under G.S. 143-215.10C at least
14 once a year to determine whether the system is causing a violation of water quality standards
15 and whether the system is in compliance with its animal waste management plan or any other
16 condition of the permit.

17 (b) As an alternative to the inspection program set forth in subsection (a) of this section,
18 the Division of Soil and Water Conservation of the Department of Agriculture and Consumer
19 Services shall conduct inspections of all animal operations that are subject to a permit under
20 G.S. 143-215.10C at least once a year to determine whether the system is causing a violation of
21 water quality standards and whether the system is in compliance with its animal waste
22 management plan or any other condition of the permit. The alternative inspection program shall
23 be located in up to four counties selected using the criteria set forth in Section 15.4(a) of
24 Session Law 1997-443, as amended. The Department of Agriculture and Consumer Services
25 shall establish procedures whereby resources within the local Soil and Water Conservation
26 Districts serving the counties are used for quick response to complaints and reported problems
27 previously referred only to the Division of Water Quality."

28 **SECTION 3.** The Department of Environment and Natural Resources and the
29 Division of Soil and Water Conservation of the Department of Agriculture and Consumer
30 Services shall continue and transition the inspection program and practices required by and
31 developed pursuant to Section 15.4(a) of S.L. 1997-443, as amended by Section 3.1 of S.L.
32 1999-329, Section 5 of S.L. 2001-254, Section 1.1 of S.L. 2002-176, Section 6.1 of S.L.
33 2003-340, Section 12.7(a) of S.L. 2005-276, Section 2 of S.L. 2007-536, and Section 1 of S.L.
34 2009-84, as repealed by Section 1 of this act, into the inspection program and practices required



1 by G.S. 143-215.10F, as amended by Section 2 of this act, including the counties in which the
2 alternative inspection program is conducted.

3 **SECTION 4.** This act is effective when it becomes law.