

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

**SESSION LAW 2013-228
SENATE BILL 205**

AN ACT TO ELIMINATE UNNECESSARY SOIL TESTING REQUIREMENTS IN
ANIMAL WASTE MANAGEMENT PLANS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-215.10C(e) reads as rewritten:

"(e) An animal waste management plan for an animal operation shall include all of the following components:

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- (6) Provisions regarding periodic testing of waste products used as nutrient sources as close to the time of application as practical and at least within 60 days of the date of application and periodic testing, at least ~~annually, once every three years,~~ of soils at crop sites where the waste products are applied. Nitrogen shall be a rate-determining element. Phosphorus shall be evaluated according to the nutrient management standard approved by the Soil and Water Conservation Commission of the Department of Agriculture and Consumer Services and the Natural Resources Conservation Service of the United States Department of Agriculture for facilities that are required to be permitted under 40 Code of Federal Regulations § 122, as amended at 73 Federal Register 70418 (November 20, 2008). If the evaluation demonstrates the need to limit the application of phosphorus in order to comply with the nutrient management standard, then phosphorus shall be a rate-determining element. Zinc and copper levels in the soils shall be monitored, and alternative crop sites shall be used when these metals approach excess levels.

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SECTION 2. This act becomes effective August 1, 2013, and applies to any animal waste management plan submitted to or approved by the Department after that date.

In the General Assembly read three times and ratified this the 27th day of June, 2013.

s/ Daniel J. Forest
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 10:31 a.m. this 3rd day of July, 2013

