

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1989

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SENATE BILL 1469*

Short Title: Haz. Waste Facility/PCB Landfill. (Public)

Sponsors: Senator Royall.

Referred to: Environment and Natural Resources.

June 4, 1990

1 **A BILL TO BE ENTITLED**

2 AN ACT TO EXTEND TO THIRTY-FIVE MILES THE CURRENT LIMITATION
3 THAT PROHIBITS THE SITING OF A HAZARDOUS WASTE FACILITY,
4 OPERATED PURSUANT TO CHAPTER 130B OF THE GENERAL STATUTES,
5 WITHIN TWENTY-FIVE MILES OF A POLYCHLORINATED BIPHENYL
6 LANDFILL FACILITY.

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 130A-294(h) reads as rewritten:

9 "(h) Rules adopted by the Commission shall be subject to the following requirements:

10 (2) Hazardous waste shall be treated prior to disposal in North Carolina.
11 The Commission shall determine the extent of waste treatment
12 required before hazardous waste can be disposed of in a hazardous
13 waste disposal facility.

14 (3) Any hazardous waste disposal facility hereafter constructed in this
15 State shall meet, at the minimum, the standards of construction
16 imposed by federal regulations adopted under the RCRA at the time
17 the permit is issued.

18 (4) No hazardous waste disposal facility or polychlorinated biphenyl
19 disposal facility shall be located within 25 miles of any other
20 hazardous waste disposal facility or polychlorinated biphenyl disposal
21 facility.

22 (5) No hazardous waste facility operated pursuant to Chapter 130B of the
23 General Statutes shall be located within 25—35 miles of a
24 polychlorinated biphenyl landfill facility.

- 1 (6) The following will not be disposed of in a hazardous waste disposal
2 facility: ignitables as defined in the RCRA, polyhalogenated
3 biphenyls of 50 ppm or greater concentration, and free liquids whether
4 or not containerized.
- 5 (7) Facilities for disposal or long-term storage of hazardous waste shall
6 have at a minimum the following: a leachate collection and removal
7 system above an artificial impervious liner of at least 30 mils in
8 thickness, a minimum of five feet of clay or clay-like liner with a
9 maximum permeability of 1.0×10^{-7} centimeters per second (cm/sec)
10 below said artificial liner, and a leachate detection system immediately
11 below the clay or clay-like liner.
- 12 (8) Hazardous waste shall not be stored at a hazardous waste treatment
13 facility for over 90 days prior to treatment or disposal.
- 14 (9) The Commission shall consider any hazardous waste treatment process
15 proposed to it, if the process lessens treatment cost or improves
16 treatment over then current methods or standards required by the
17 Commission."

18 Sec. 2. There is appropriated from the General Fund to the North Carolina
19 Hazardous Waste Management Commission the sum of \$10,000 for the 1990-91 fiscal
20 year to be used for the Commission to revise its rules, procedures, and site selection
21 process so that they are consistent with the provisions of Section 1 of this act.

22 Sec. 3. Section 1 of this act is effective upon ratification and applies to any
23 application for a new or draft license or permit pursuant to Chapter 130B of the General
24 Statutes that is pending or that is filed on or after that date. Section 2 of this act shall
25 become effective July 1, 1990.