

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 114
Second Edition Engrossed 4/24/89
House Committee Substitute Favorable 7/12/90

Short Title: Delay Medical Waste Incinerators.

(Public)

Sponsors:

Referred to:

February 6, 1989

A BILL TO BE ENTITLED

1 AN ACT TO DELAY THE ISSUANCE OF AIR QUALITY PERMITS FOR NEW
2 COMMERCIAL MEDICAL WASTE INCINERATORS AND TO PROHIBIT THE
3 DISPOSAL OF CERTAIN SPECIAL NONHAZARDOUS WASTES IN
4 INCINERATORS.
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6 The General Assembly of North Carolina enacts:

7 Section 1. Notwithstanding the provisions of Article 21B of Chapter 143 of
8 the General Statutes or any other provision of law, the Department of Environment,
9 Health, and Natural Resources and the Environmental Management Commission shall
10 not accept an application for an air quality permit and shall not issue an air quality
11 permit for a new commercial medical waste incinerator until the Environmental
12 Management Commission has adopted rules setting emission standards for medical
13 waste incinerators as required by Section 45(b) of Chapter 168 of the 1989 Session
14 Laws. Notwithstanding the provisions of G.S. 143-215.108 or any other provision of
15 law, until the Environmental Management Commission has adopted rules setting
16 emission standards for medical waste incinerators, an application for an air quality
17 permit shall not be considered approved by reason of the failure of the Department or
18 the Commission to act on such application. Rules setting emission standards for
19 medical waste incinerators shall become effective on 1 July 1991. Notwithstanding the
20 provisions of G.S. 150B-13 or any other provision of law, the Environmental
21 Management Commission shall not adopt temporary rules setting emission standards for

1 medical waste incinerators. This section shall not affect any air quality permit in force
2 on 1 July 1990 and shall not affect the renewal of a permit in force on 1 July 1990.

3 Sec. 2. As used in this act, "commercial medical waste incinerator" means a
4 medical waste incinerator that accepts medical waste from the general public or from
5 another person for a fee. As used in this act, "medical waste" has the same meaning as
6 in G.S. 130A-290.

7 Sec. 3. Rules adopted by the Environmental Management Commission for
8 the regulation of medical waste incinerators shall encourage the incineration of medical
9 waste by the generator whenever it is environmentally sound and economically feasible
10 to do so.

11 Sec. 4. G.S. 130A-309.10 is amended by adding a new subsection to read:

12 "(h) No person shall knowingly dispose of the following special wastes in an
13 incinerator:

14 (1) Lead-acid batteries.

15 (2) White goods."

16 Sec. 5. This act is effective upon ratification.