

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

S

4

SENATE BILL 114
Second Edition Engrossed 4/24/89
House Committee Substitute Favorable 7/12/90
Fourth Edition Engrossed 7/18/90

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.
5

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

1 provisions of G.S. 150B-13 or any other provision of law, the Environmental
2 Management Commission shall not adopt temporary rules setting emission standards for
3 medical or nonhazardous solid waste incinerators. This section shall not affect any air
4 quality permit in force on 1 July 1990 and shall not affect the renewal of a permit in
5 force on 1 July 1990. This section shall not apply to any new commercial nonhazardous
6 solid waste incinerator which is owned or operated by a unit of local government or on
7 behalf of a unit of local government by a private contractor.

8 Sec. 2. As used in this act, "commercial medical waste incinerator" means a
9 medical waste incinerator that accepts medical waste from the general public or from
10 another person for a fee. The definitions set out in G.S. 130A-290 shall apply to this
11 act.

12 Sec. 3. Rules adopted by the Environmental Management Commission for
13 the regulation of medical waste incinerators shall encourage the incineration of medical
14 waste by the generator whenever it is environmentally sound and economically feasible
15 to do so.

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

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

19 (1) Lead-acid batteries.

20 (2) White goods."

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