

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 145

Local Government and Regional Affairs Committee Substitute Adopted 3/7/91

House Committee Substitute Favorable 6/18/92

Short Title: Solid Waste Amendments '92.

(Public)

Sponsors:

Referred to:

February 20, 1991

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE REQUIREMENT THAT TWENTY-FIVE PERCENT OF PLASTIC BAGS BE RECYCLED TO A GOAL, TO EXTEND THE DATE ON WHICH TWENTY-FIVE PERCENT OF CERTAIN POLYSTYRENE FOAM PRODUCTS MUST BE RECYCLED, TO AUTHORIZE COUNTIES TO BILL AND COLLECT FEES FOR SUBSURFACE DISCHARGE WASTEWATER MANAGEMENT SYSTEMS AND SERVICES IN THE SAME MANNER AS PROPERTY TAXES, AND TO ALLOW REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES TO MANAGE NONHAZARDOUS SLUDGES ON THE SAME BASIS AS INDIVIDUAL UNITS OF LOCAL GOVERNMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-309.10(c) reads as rewritten:

"(c) (1) After 1 January 1991, no plastic bag shall be provided at any retail outlet to any retail customer to use for the purpose of carrying items purchased by that customer unless the bag is composed of material which is recyclable. Notice of recyclability shall be printed on each bag purchased by the retailer after 1 January 1991.

(2) ~~After 1 January 1993, no plastic bag shall be provided at any retail outlet to any retail customer to use for the purpose of carrying items purchased by that customer unless the Secretary certifies that not less than twenty five percent (25%) of such bags are being recycled. It is the goal of the State that, by 1 January 1993, at least twenty-five~~

1 percent (25%) of the plastic bags provided at retail outlets in the State
2 to retail customers for carrying items purchased by the customer be
3 recycled."

4 Sec. 2. G.S. 130A-309.10(d) reads as rewritten:

5 "(d) (1) After 1 October 1991, no person shall distribute, sell, or
6 offer for sale in this State any polystyrene foam product which is to
7 be used in conjunction with food for human consumption unless
8 such product is composed of material which is recyclable.

9 (2) After 1 October ~~1993-1997~~, no person shall distribute, sell, or offer for
10 sale in this State any polystyrene foam product ~~which~~that is to be used
11 in conjunction with food for human consumption unless the Secretary
12 certifies that ~~not less than~~at least twenty-five percent (25%) of such
13 products are being recycled. This subdivision does not apply to any
14 polystyrene foam product containing at least twenty-five percent
15 (25%) polystyrene derived from products that have been collected for
16 recycling after those products have served the purpose for which they
17 were manufactured."

18 Sec. 3. Part 1 of Article 15 of Chapter 153A of the General Statutes is
19 amended by adding a new section to read:

20 "**§ 153A-277.1. Collection of fees for subsurface discharge wastewater management**
21 **systems and services.**

22 A county may adopt an ordinance providing that any fee imposed under G.S. 153A-
23 277 relating to subsurface discharge wastewater management systems and services may
24 be billed with property taxes, may be payable in the same manner as property taxes,
25 and, in case of nonpayment, may be collected in any manner by which delinquent
26 personal or real property taxes can be collected. If an ordinance states that delinquent
27 fees can be collected in the same manner as delinquent real property taxes, the fees are a
28 lien on the real property described on the bill that included the fee."

29 Sec. 4. G.S. 153A-421 reads as rewritten:

30 "**§ 153A-421. Definitions; applicability; creation of authorities.**

31 (a) Unless a different meaning is required by the context, terms relating to the
32 management of solid waste used in this Article have the same meaning as in G.S. 130A-
33 2 and in G.S. 130A-290. As used in this Article, the term 'solid waste' means
34 nonhazardous solid waste, that is, solid waste as defined in G.S. 130A-290 but not
35 including hazardous ~~waste or sludge~~waste.

36 (b) This Article shall not be construed to authorize any authority created pursuant
37 to this Article to regulate or manage hazardous ~~wastes or sludge~~waste. An authority
38 created under this Article may manage sludges, other than a sludge that is a hazardous
39 waste, under rules of the Commission for Health Services and criteria established by the
40 Department of Environment, Health, and Natural Resources for the management of
41 sludge.

42 (c) Any two or more units of local government may create a regional solid waste
43 management authority by adopting substantially identical resolutions to that effect in
44 accordance with the provisions of this Article. The resolutions creating a regional solid

1 waste management authority and any amendments thereto are referred to in this Article
2 as the 'charter' of the regional solid waste management authority. Units of local
3 government which participate in the creation of a regional solid waste management
4 authority are referred to in this Article as 'members'.

5 (d) As used in G.S. 153A-427(a)(24), the term 'transferred' means placed at or
6 delivered to any (i) place normally and customarily used by the authority for the
7 collection of solid waste, (ii) other place agreed upon by the generator or owner of
8 recyclable materials and the authority, or (iii) facility owned, operated, or designated by
9 the authority."

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