A BILL TO BE ENTITLED
AN ACT TO PROHIBIT THE DISPOSAL OF CLEAN WOOD WASTE, ELECTRONIC DEVICES, MOTOR VEHICLE OIL FILTERS, PLASTIC BOTTLES, AND WOODEN PALLET S IN LANDFILLS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 130A-290 reads as rewritten:

"§ 130A-290. Definitions.

(a) Unless a different meaning is required by the context, the following definitions shall apply throughout this Article:

(1d) 'Clean wood waste' means lumber, wood waste, or wood scraps from a manufacturing process, from the shipping of goods, or from the construction, remodeling, or repair of a residential or commercial structure or building that is free from adhesive glue, paint, stain, fire retardant, pesticide, sealant, and is not treated with a chemical preservative. Clean wood waste does not include any wooden material physically attached to a nonwood material.

(6a) 'Electronic device' means a computer central processing unit whether sold alone or with accessories; computer monitor; laptop computer; and television with a video display that has a viewable area greater than nine inches when measured diagonally.

(17a) "Medical waste" means any solid waste which is generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals, but does not include any hazardous waste identified or
listed pursuant to this Article, radioactive waste, household waste as defined in 40 Code of Federal Regulations § 261.4(b)(1) in effect on 1 July 1989, or those substances excluded from the definition of "solid waste" in this section.

(18) 'Motor vehicle oil filter' means a filter that removes impurities from the oil used to lubricate an internal combustion engine in a motor vehicle.

... (22a) 'Plastic bottle' means a plastic container that has a neck smaller than the body of the container, accepts a screw top, snap cap, or other closure and has a capacity of less than five gallons.

... (44a) 'Wooden pallet' means a wooden object consisting of a flat or horizontal deck or platform supported by structural components that is used as a base for assembling, stacking, handling, and transporting goods.

SECTION 2. G.S. 130A-309.10(f) reads as rewritten:

"(f) No person shall knowingly dispose of the following solid wastes in landfills:

(1) Repealed by Session Laws 1991, c. 375, s. 1.
(2) Used oil.
(3) Yard trash, except in landfills approved for the disposal of yard trash under rules adopted by the Commission. Yard trash that is source separated from solid waste may be accepted at a solid waste disposal area where the area provides and maintains separate yard trash composting facilities.
(4) White goods.
(5) Antifreeze (ethylene glycol).
(6) Aluminum cans.
(7) Whole scrap tires, as provided in G.S. 130A-309.58(b). The prohibition against disposal of whole tires in landfills applies to all whole pneumatic rubber coverings, but does not apply to whole solid rubber coverings.
(8) Lead-acid batteries, as provided in G.S. 130A-309.70.
(9) Electronic devices.
(10) Clean wood waste.
(11) Motor vehicle oil filters.
(12) Plastic bottles.
(13) Wooden pallets."

SECTION 3. G.S. 130A-309.10 is amended by adding a new subsection to read:

"(k) A county or city may petition the Department for a waiver from the prohibition on disposal of a material described in subdivisions (9), (10), (11), (12), and (13) of subsection (f) of this section in a landfill based on a showing that prohibiting the
disposal of the material would constitute an economic hardship based on the absence of
a market for the material."

SECTION 4. This act becomes effective October 1, 2009.