

Regulating Intensive Livestock Operations in North Carolina

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On December 10, 1992, the North Carolina Environmental Management Commission adopted a rule modification (15A NCAC 2H .0217) to establish procedures for properly managing and reusing animal wastes from intensive livestock operations. The rule applies to new, expanding or existing feedlots with animal waste-management systems designed to serve more than or equal to the following animal populations: 100 head of cattle, 75 horses, 250 swine, 1,000 sheep, or 30,000 birds with a liquid-waste system. This rule requires all animal operations with these threshold numbers of animals to develop and implement a certified animal waste-management plan.

Since the adoption of this rule, North Carolina has become a leader in regulating intensive livestock operations. As the number of hogs in North Carolina rapidly increased to ten million, substantial legislation that continued to increase the regulatory requirements for intensive livestock operations was developed by the 1995, 1996, and 1997 North Carolina General Assemblies.

Existing intensive livestock operations currently are required to receive coverage under a general permit or receive an individual permit from the Department of Environment and Natural Resources (DENR). New and expanding operations must receive a permit prior to beginning any construction. The permits incorporate site-specific conditions that were developed and implemented as part of the facility's certified animal waste-management plan.

In addition to requiring a permit, all intensive livestock operations undergo yearly operation reviews by staff from the DENR (the Division of Soil and Water), as well as, yearly compliance inspections by DENR (the Division of Water Quality) staff. Facility owners and operators are required to keep extensive records of animal waste-management practices and operations and to make these records available to staff during annual reviews and inspections. DENR has been tracking the results of these two annual visits since they began in January 1997.

All intensive livestock operations are required to have a certified animal waste-management operator. These operators must attend a ten-hour training course, pass an exam, and pay an annual fee. In order to be able to renew their certification, an operator must attend six hours of approved continuing education courses over a three-year period.

The 1997 North Carolina General Assembly enacted House Bill 515 (an Act to Enact the Clean Water Responsibility and Environmentally Sound Policy Act), which established a moratorium on the construction or expansion of swine farms. The purpose of the moratorium was to allow counties time to develop local zoning ordinances, as well as to allow studies to be done as to the impact of swine operations on the environment and public health in North Carolina. In addition, the North Carolina Environmental Management Commission recently adopted air-quality regulations for intensive livestock operations.

Regulating intensive livestock operations has developed very rapidly in North Carolina. We are confident that time will show that the efforts made by the State in regulating animal waste-management operations have made a positive impact on our environment, public health, as well as the industry itself.

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