

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1995**

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SENATE BILL 493

Short Title: Warren PCB Landfill Cleanup Funds.

(Public)

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Sponsors: Senator Ballance.

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Referred to: Appropriations

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March 28, 1995

A BILL TO BE ENTITLED

1 AN ACT TO APPROPRIATE FUNDS FOR THE CLEANUP OF THE  
2 POLYCHLORINATED BIPHENYL LANDFILL LOCATED IN WARREN  
3 COUNTY.  
4

Whereas, in 1978, polychlorinated biphenyl (PCB) was deliberately spilled along the highway shoulders in 14 counties in North Carolina, constituting the largest PCB spill in American history; and

Whereas, in December 1978, the State announced it would site a PCB landfill in Warren County despite strong public sentiment against this; and

Whereas, despite scientific evidence indicating that the proposed site was intrinsically unsafe, the State facility was sited in Warren County for the disposal of PCBs and dioxins; and

Whereas, in 1982, approximately 40,000 cubic yards of PCB-contaminated soil were trucked to this landfill; and

Whereas, the landfill was designed as a "dry tomb" or lined landfill, considered to be a state-of-the-art landfill at the time it was constructed; and

Whereas, monitoring wells were placed outside the landfill to detect leakage from the landfill; and

Whereas, in May 1993, the State announced a "crisis" at the landfill: 1,400,000 gallons of water were captured in the landfill and threatened, and continue to threaten, to breach the liner of the landfill; and

Whereas, in 1994, State and independent testing both confirmed that significant levels of dioxins and furans, including 2, 3, 7, 8, polychlorinated dibenzo dioxin, tetra dioxin, the most toxic of all dioxins, are located with significant levels of the most toxic kinds of PCBs at this site; and

Whereas, tetra dioxin was found in two monitoring wells outside of the landfill; and

Whereas, cost-effective technology to detoxify the landfill is now available; and

Whereas, one such detoxification technology is the Base Catalyzed Decomposition process, a detoxification process that removes the chlorine from the PCBs and dioxins and renders them nontoxic; Now, therefore,

1 The General Assembly of North Carolina enacts:

2           Section 1. There is appropriated from the General Fund to the Department of  
3 Environment, Health, and Natural Resources, Division of Solid Waste Management, the  
4 sum of five million dollars (\$5,000,000) for the 1995-96 fiscal year and the sum of five  
5 million dollars (\$5,000,000) for the 1996-97 fiscal year for the costs of cleaning up and  
6 detoxifying the polychlorinated biphenyl disposal facility located in Warren County now  
7 that cost-effective technology is available to render feasible a cleanup and detoxification  
8 of the facility.

9           Sec. 2. An advisory committee is created to advise the Department of  
10 Environment, Health, and Natural Resources on the detoxification of the polychlorinated  
11 biphenyl disposal facility in Warren County. This advisory committee shall consist of all  
12 members of the General Assembly who represent Warren County, or their designees,  
13 three members to be appointed by the Board of Commissioners of Warren County, at  
14 least one of whom shall be a member of the Board of Commissioners of Warren County,  
15 and three members to be appointed by the Joint State/County PCB Landfill Working  
16 Group. This advisory committee shall terminate when the detoxification of the landfill is  
17 complete.

18           Sec. 3. The funds appropriated in Section 2 of this act shall not revert but shall  
19 remain available for the purpose stated in Section 2 of this act. Any funds remaining of  
20 the funds appropriated in Section 2 of this act after the detoxification of the landfill is  
21 complete shall be transferred to Warren County to be used for economic development of  
22 Warren County.

23           Sec. 4. This act becomes effective July 1, 1995.