



Background: North Carolina Swine Waste General Permit

What's on the table?

- North Carolina is the No. 2 state in the U.S. for pork production, with the nation's highest concentration of swine operations. Its nearly 10 million hogs produce 9.5 billion gallons of waste annually.
- The state requires the vast majority of the state's swine operations to manage waste under the standards set by a single "general permit."
- The permit is being revised this year for the first time in five years. The comment period before renewal presents a rare opportunity for public input
- A civil rights case Waterkeeper Alliance and other environmental groups settled with the state informed proposals in the draft permit.

Why is this important?

- These unlined cesspools and waste spray fields are not only a hazard during hurricanes, as we saw recently, they also pose an environmental threat during fair weather. The system is cheap for producers, but it costs North Carolina an uncounted fortune: Toxic emissions from industrial hog operations [foul our air](#), contaminants from the operations [pollute our waters](#), and neighbors of its industrial operations suffer adverse health impacts and [live shorter lives](#).
- [85 percent of hog operations' neighbors](#) depend on well water.
- Industrial swine operations are concentrated in communities of color, and the proportions of African-Americans, Latinos, and Native Americans living within three miles of such facilities are significantly higher than the proportion of non-Hispanic whites.
- Three nuisance lawsuits resulted in nearly \$500 million damages awards due to harm caused to African-American plaintiffs by waste management practices at swine operations covered under the permit. But the North Carolina General Assembly twice enacted legislation, over Governor Cooper's veto, limiting property rights and legal remedies for neighbors harmed by swine operations.

What's the big picture of what we're asking for?

- Smithfield Foods, the multinational company that makes millions off this industry, and other corporations that contract with North Carolina operations for swine production, should have responsibility for managing the waste produced by the animals they own.
- The NC Department of Environmental Quality needs to either collect or require the collection of the information required to assess hog waste pollution on a large-scale basis.

What are our specific asks?

- NCDEQ should ensure that responsibility for managing swine waste is not solely borne by farmers, but instead shared by integrators that own the animals and dictate the conditions under which animals are raised.

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- NCDEQ should require the monthly electronic submission of records required to be created under the Permit (especially records of land application of waste, cropping, stocking, and soil or lagoon sampling) to better inform the public and the agency.
- NCDEQ should require every permittee to evaluate the threat of nutrient loss by completing the state-specific Phosphorus Loss Assessment Tool, which was created at significant taxpayer expense for precisely this purpose, and limiting phosphorus application where necessary to prevent or mitigate nutrient pollution.
- NCDEQ should evaluate cumulative exposures, demographics, permittee concentration, and other relevant factors through the creation and use of an Equity Tool prior to issuing the Permit so that the agency can, in the context of a decision with clear environmental justice implications, demonstrate its recent commitment to data-driven, equity focused, permitting actions.
- NCDEQ should collect, or amend the Permit to require collection of, adequate air, surface water, and groundwater data to inform regional evaluation of the impacts of operations governed by the Permit.
- NCDEQ should reject applications for coverage under the Permit submitted by facilities located in the 100-year floodplain.
- NCDEQ facilities modifying waste management technology by installing covers or digesters on waste lagoons to conduct additional monitoring of groundwater and air emissions.
- NCDEQ should, during the upcoming process of renewing the Permit, minimize the involvement of staff responsible for issuance of the Permit in 2014.
- NCDEQ should demand the installation of environmentally superior technology, as currently defined by G.S. 143-215.10I, by any operation that modifies its waste management technology by covering a waste lagoon.
- NCDEQ should evaluate the cumulative impact of poultry operations on communities and waterbodies vulnerable to pollution due to the co-location of multiple concentration animal feeding operations.
- NCDEQ should include, in the final permit, provisions proposed in the draft version of the Permit as a result of the agency's settlement of the Title VI challenge.

What's the process? What's going on with the meeting?

- The state sought stakeholder input on the permit at a meetings on Nov 27.
- Under the terms of a civil rights agreement (the Title VI agreement), N.C.'s Department of Environmental Quality is obligated to hold a meeting in Sampson or Duplin county, where people live with the highest density of hog operations in the country. The agency is also obligated to announce the meeting's time and place at least a month in advance.
- The agency initially announced no plans to hold a meeting in Sampson or Duplin.
- Instead, the agency announced in October that the first meeting would be in Greenville. When we reminded the agency on Nov. 15 of its obligation to meet in Sampson or Duplin, it moved the Nov. 27 meeting to Sampson county, with much less than the one month's notice required by the civil rights agreement.
- Following a formal renewal period required by law, which presents another opportunity for formal public input, the state will adopt a final version of the permit later this year.

Can the permit make Smithfield to be a co-permittee, alongside its contractors?

No. Only the legislature can do this. But we are asking for Smithfield to shoulder responsibility for managing its waste to set the table for legislative action.

What are we asking people to do?

- Submit a comment
- [Write a letter to the editor](#)
- Spread the word on social media

