



CHAPTER 130A
ARTICLE 9 - SOLID WASTE MANAGEMENT

N.C.G.S. § 130A-303.

Imminent hazard; emergency.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2020-74, s. 3 — sixth act in the lineage	RETRIEVED 21 September 2026, 03:44 UTC	SOURCE FINGERPRINT 7b4b761216abf76bdb9d9c1e - 6477ba9f9f600aeb045e5cf7 - 344010baf8368874
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- § 130A-303(a)

The judgment of the Secretary that an imminent hazard exists concerning solid waste shall be supported by findings of fact made by the Secretary.
- § 130A-303(b)

In order to eliminate an imminent hazard, the Secretary may, without notice or hearing, issue an order requiring that immediate action be taken to protect the public health or the environment. This order may be directed to a generator or transporter of solid waste or to the owner or operator of a solid waste management facility. Where the imminent hazard is caused by an inactive hazardous substance or waste disposal site, the Secretary shall follow the procedures set forth in G.S. 130A-310.5.
- § 130A-303(c)

When a state of emergency, as defined in G.S. 166A-19.3, has been declared by the Governor due to a natural disaster such as a pandemic, epidemic, hurricane or flood, or due to a pending disaster, the Secretary, or an authorized representative of the Secretary, may, upon request of a public or private landfill operator, or on the Secretary's own initiative, develop and implement any emergency measures and procedures that the Secretary deems necessary for the proper management of solid waste generated during the declared emergency. All State agencies and political subdivisions of the State shall cooperate with the implementation of the emergency measures and procedures developed pursuant to this section. Such emergency procedures and measures may include any of the following: (i) restrictions on the collection, storage, and transportation of solid waste, (ii) decisions on facility operational conditions such as operational times and waste acceptance, and (iii) any other measures or procedures necessary to allow for the proper disposal of solid waste within impacted communities. Written notice of emergency measures and

procedures developed and implemented pursuant to this subsection shall be provided to news media, waste organizations, governmental agencies, solid waste facilities, and any other interested or affected parties as determined by the Secretary. Emergency measures and procedures developed and implemented pursuant to this section shall expire no more than 60 days after a declaration of a state of emergency has expired or been rescinded by the Governor.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
6 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1977	1999		2020
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1977	2nd Sess., c. 1216	ENACTED
02	1981	c. 704, s. 7	AMENDED
03	1983	c. 891, s. 2	AMENDED
04	1987	c. 574, s. 3	AMENDED
05	2009	S.L. 2009-570, s. 27	AMENDED
06	2020	S.L. 2020-74, s. 3	AMENDED

APPARATUS II
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 130A-310.5	(b)	"follow the procedures set forth in"
G.S. 166A-19.3	(c)	"state of emergency, as defined in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 130A-303 (2020).

PINPOINT

N.C. Gen. Stat. § 130A-303(a) (2020).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1977, 2nd Sess., c. 1216; 1981, c. 704, s. 7; 1983, c. 891, s. 2; 1987, c. 574, s. 3; 2009-570, s. 27; 2020-74, s. 3.)

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