

VOTE NO on [S605](#), the North Carolina Farm Act of 2021

Sponsors: Senators B. Jackson, Sanderson, Edwards

Summary: Section 11 of the farm act would create a general permit for biogas production at North Carolina's industrial hog operations.

A general permit is not appropriate here.

A general permit is typically used where there are a large number of very similar projects with very little environmental impact. It is not appropriate for projects that vary widely in size, geography, and environmental impact. Further, while there is a mandate under the Renewable Energy Portfolio Standards (REPS) for biogas electricity generation, this mandate is only for 0.2% of North Carolina's overall energy portfolio. An existing biogas project, Align RNG's Grady Road project, is projected to generate approximately 40% of this energy by itself. There is no foreseeable need for a large number of swine waste to energy facilities. An individual permit, as is currently used, is more appropriate.

Biogas production as proposed by Smithfield and contemplated by this legislation will lock in the harmful lagoon and sprayfield system used at industrial hog operations, increase the risk of water pollution and exacerbate environmental justice concerns.

Biogas risks making water pollution worse, as it concentrates nitrogen in liquid waste which increases the risk of groundwater contamination and contamination from runoff.

Biogas production creates new air emissions sources, including flares and vents. A general permit would not address air quality impacts.

Biogas is not a climate solution. It increases the production of methane, risks leaks, and produces energy from a non-renewable source (hog waste). Biogas is not a climate solution. It increases the production of methane and risks methane leaks. And billions of gallons of hog waste stored in lagoons is hardly a "renewable" or "clean" source of energy..

This action would be a betrayal of the communities who live around industrial hog operations.

For over 20 years, the NCGA and Smithfield have been promising neighbors of hog factories that when they can do better, they will. Now Smithfield IS DOING BETTER in other states, but wants to guarantee it will never have to do so in North Carolina.

Smithfield uses a combination of barn scrapers, a type of solid-liquid separation technology, and nitrification-denitrification at many of its operations in Missouri.¹ Together these technologies better protect water quality than simply capping a hog waste lagoon with a digester. These technologies could be a starting point for what is possible in North Carolina.

¹ Barn scraper technology: <https://extension.missouri.edu/publications/g2531>

Smithfield Foods reported \$9.9 billion in assets in 2015 and has more than \$24 billion in annual sales so the company has the resources to address the longstanding concerns of neighbors.

Not only does this bill break that promise, but it attempts to silence those communities

The use of general permits substantially limits public participation and will not allow public participation and comment on each new biogas facility.

The bill as amended would create a special procedure for challenging this type of permit. It singles out biogas facilities for special treatment and that's both unfair and inappropriate. DEQ currently has to proactively provide a permit; this bill would create a situation where automatic approval occurs after a certain deadline is passed.

This bill protects increased profits over the health of people

This bill is protection of the status quo, increased profits for Smithfield, and not protective of the health of the communities living near hog farms.

This bill does not provide any added requirements for air monitoring at digester sites. Flaring at the digester site will emit a host of harmful air pollutants. Flaring and venting at hog operations with digesters will pollute the air for residents living near these sites.

This bill does not require any additional testing and data collection to prove that this technology is environmentally superior rather than accepting mere assertions that it is. Data collection is necessary to provide information about whether the currently permitted operations meet any of the performance standards for animal waste management systems as defined in NCGS § 143-215.10I before considering adding another system to an already antiquated process for collection and disposal of waste.

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