

A RESOLUTION TO PREVENT THE SITING OF LANDFILLS WHICH WOULD DISPROPORTIONATELY IMPACT MINORITY OR LOW INCOME COMMUNITIES.

WHEREAS, African-American communities in North Carolina are twice as likely as others to be burdened with landfills and other solid-waste facilities; and

WHEREAS, In Randolph County, only 7.9 percent of residents live within one mile of a solid waste facility; and

WHEREAS, Over 72 percent of Randolph County's minority community residents live within one mile of a solid waste facility; and

WHEREAS, In 2007, NC General Statute 130A-294. (a) (4) c.9.: "The cumulative impact of the proposed facility, when considered in relation to other similar impacts of facilities located or proposed in the community, would have a disproportionate adverse impact on a minority or low-income community protected by Title VI of the federal Civil Rights Act of 1964." prevented the disproportionate siting of new landfills near minority communities; and

WHEREAS, Session Law 2013-413 modified G.S. 130A-294 (a) (4) c.9. by adding "This subdivision shall apply only to the extent required by federal law. " ; and

WHEREAS, that modification lifted the protection for minority communities as long as the new landfill is funded without the use of federal money; and

WHEREAS, that modification was used to site the Great Oak Landfill, a 200-acre new landfill that can accept refuse from anywhere in North Carolina, in a location that is already the site of an old leaking landfill and once again mainly impacts minority and low income residents; therefore, be it

RESOLVED, That G.S. 130A-294 (a) (4) c.9. be modified by removing the phrase, "This subdivision shall apply only to the extent required by federal law. " ; and,

BE IT FURTHER RESOLVED, That North Carolina landfills will no longer be sited in areas that disproportionately impact minority and low income communities regardless of their source of funding.