SPONSOR: Sen. Huxtable & Rep. Carson
Sens. Brown, Buckson, Gay, Hansen, Hocker, Hoffner, Lawson, Lockman, Mantzavinos, S. McBride, Paradee, Pettyjohn, Pinkney, Poore, Richardson, Sokola, Sturgeon, Townsend, Walsh, Wilson; Reps. Baumbach, Osienski

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE BILL NO. 30
AS AMENDED BY
SENATE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SILVICULTURE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 6002, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 6002. Definitions.

~~The following words and phrases shall have the meaning ascribed to them in this chapter unless the context clearly indicates otherwise:~~ As used in this chapter:

(2) "Agricultural Operations" means as defined in § 8141(a) of Title 10.

(21) "Forest products" means any material derived from a silvicultural activity for direct consumption or commercial use, including lumber, sawdust, bark, pine needles, woodchips, wood shavings, slabs, edgings, or trim blocks.

(25) "Incinerator," "incinerator structure or facility," and "waste incinerator" include any structure or facility operated for the combustion (oxidation) of solid waste, even if the by-products of the operation include useful products such as steam and electricity. "Incinerator" ~~shall not include:~~ does not include any of the following:

a. ~~Crematoriums;~~ Crematoriums.

b. The disposal of the bodies of animals through ~~incineration;~~ incineration.

c. The burning of poultry waste or poultry manure at the same site where the waste or manure was generated, ~~which shall include~~ including the burning of poultry waste or poultry manure generated upon an adjacent ~~farm;~~ farm.

d. The disposal of all materials used in the discovery, development, and manufacture of veterinary products, medicines and ~~vaccines; or~~ vaccines.

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e. The disposition of mortalities from poultry operations in facilities approved by the Delaware Department of Natural Resources and Environmental Control which comply with United States Department of Agricultural Natural Resources Conservation Service Interim Conservation Practice Standard Incinerator 769 or any successor standard.

f. The disposal of unadulterated sawdust, wood shavings, bark, woodchips, slabs, edgings, or trim blocks produced because of a production process for lumber, by burning in an enclosed incinerator as part of a sawmill. Any products incinerated as part of a sawmill must be the residual materials of lumber sawn in that sawmill. This exemption does not apply in the coastal zone, as defined in § 7002(i) of Title 7.

(51) "Sawmill" means a facility in which unadulterated logs are sawn into lumber and other products of a uniform and known composition.

(54) "Silviculture" means the care and cultivation of forest trees.

(55) "Silvicultural activity" means any forest management activity, including the harvesting of timber, the construction of roads and trails for forest management purposes, the preparation of property for reforestation, or the piling and burning of tree parts.