



North Carolina Department of Environment and Natural Resources
Pat McCrory
Governor

Donald R. van der Vaart
Secretary

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

LARGE TYPE 3 SOLID WASTE COMPOST FACILITY
Permit No. 1905-COMPOST

Judy D. Brooks Contractor, Inc. dba Brooks Contractor
(Owner/Operator)
and
William D. Brooks & Judy D. Brooks
(Landowners)

are hereby issued a

PERMIT TO OPERATE
BROOKS COMPOST FACILITY

located at 1195 Beal Road, southwest of Goldston in Chatham County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The legal description of the site is identified on the deeds recorded for this property listed in Attachment No. 1 of this permit.

Ellen B. Lorscheider, Section Chief
Solid Waste Section
Division of Waste Management

ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit Issuance	Date	Doc ID
MSW Pilot Composting Project Approval	August 11, 1994	24873
MSW Pilot Composting Project Approval	August 1, 1995	24873
MSW Pilot Composting Project Approval	August 28, 1996	24873
Permit to Operate, Large Type 3 - New	August 1999	n/a
Permit to Operate, Large Type 3 - Amendment	August 6, 2004	24875
Permit to Operate, Large Type 3 - Amendment	January 22, 2010	24876
Permit to Operate, Large Type 3 - Amendment	August 18, 2015	24811

1. The compost facility is located on the Brooks farm in rural Chatham County southwest of Goldston NC. The composting operation was initially established in 1994 as a Pilot Composting Project approved by the NC Division of Waste Management. The facility operated as a Pilot Composting Project from 1994 to 1999.
2. In August 1999, DWM permitted the facility as a Large, Type 3 solid waste compost facility.

PART II: LIST OF DOCUMENTS FOR APPROVED PLAN

1. *Brooks Compost Facility Operations & Maintenance Manual & Permit Application.*
 Prepared by: MacConnell & Associates, Morrisville NC. January 2015. Doc ID 24736.

Note: Documents referenced in this permit (e.g., Doc ID 24736) can be viewed online at the NC Solid Waste Section website in the [SWS Documents Portal](#).

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Chatham County, N.C. Register of Deeds				
Book	Pages	Parcel ID	Grantee	Size
542	0906-0910	8695-12-2720	William D. & Judy D. Brooks	91.79 acres

NOTE: The composting operations area consists of approximately 25 contiguous acres within the parcel tract.

PART IV: GENERAL PERMIT CONDITIONS

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B .0201(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct shall be implemented in accordance with Attachment 2 of this permit. The Permit to Operate shall expire **January 22, 2020**. The Permit to Operate must be implemented in accordance with Attachment 3 of this permit.
2. The persons to whom this permit is issued (“permittee”) are the owners and operators of the solid waste management facility.
3. By receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
4. Construction and operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit, and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition. Failure to comply may result in compliance action or permit revocation.
5. This permit is issued based on the documents submitted in support of the application for permitting the facility identified in Attachment 1, “List of Documents for Approved Plan,” which constitutes the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.
6. This permit may be transferred only with the approval of the Section, through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g), the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to, a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.
7. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for sedimentation and erosion control, and a General or Individual National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit, if applicable. Issuance of this permit does not remove the permittee’s responsibilities for compliance with any other local, state or federal rule, or statute.

- End of Section -

ATTACHMENT 2
CONDITIONS OF PERMIT TO CONSTRUCT

[NOT APPLICABLE]

- End of Section -

ATTACHMENT 3

CONDITIONS OF OPERATING PERMIT

1. **The Permit to Operate shall expire January 22, 2020.** Pursuant to 15A NCAC 13B .0201(g), no later than September 22, 2019, the permittee must submit a request to the Section for permit review and must update pertinent facility plans.
2. This permit approves the continued operation of the Type 3 compost operation. The Type 3 compost operation must be conducted in accordance with the approved plans (Doc ID 24736).
3. The facility must be adequately secured by means of gates, chains, berms, fences, or other measures approved by the Section to prevent unauthorized entry.
4. A sign must be maintained at the site entrance providing site information including the permit number, prohibited materials, and emergency contact information.
5. A responsible individual trained in facility operations must be onsite during all operating hours of the facility, in accordance with NCGS 130A-309.25.
6. Interior roadways must be of all-weather construction and maintained in good condition. All sides of storage and compost areas for flammable materials must be clear and drivable, to provide vehicular access in the event of a fire.
7. Only materials specifically listed in the permit application may be accepted for composting at this facility. These include silviculture waste, yard waste, agricultural wastes including manures, pre-consumer and post-consumer food wastes, commercial & industrial specialty waste, source separated paper, unpainted and untreated wood waste, and other feedstock (as listed in the approved Operations & Maintenance Manual, page 6 – DIN 24736). A request must be submitted to receive additional feedstock and may require a permit modification.
8. The total capacity of the site is 75,000 tons of materials received and composted per year. This amount includes the summation of all feedstocks, amendments, and recycled material utilized in the compost process. A permit modification is required for a request to increase capacity.
9. Liquid and semi-liquid waste receipt and unloading, and mixing and storage of wet-mixed feedstock must be confined to the concrete pad and in the Liquid Waste Solidification Basin, as described in the permit application. These areas must contain drains that are designed and constructed on the low elevations of the pad in order to collect process water and leachate. Wet-mixed feedstock will remain on the concrete pad until no further leachate or seepage is observed.

10. An appropriate Division of Water Resources (DWR) or Division of Energy, Mineral and Land Resources (DEMLR) permit for managing any stormwater and/or wastewater at the facility must be maintained as required. Any leachate generated at the facility and any runoff from the facility must be managed in such a manner that ground or surface water quality will not be adversely affected. The current DWR permit WQ00036333 expires on September 18, 2018 and must be renewed in order to maintain compliance with this permit, as required. The facility must be maintained to prevent the accumulation of stormwater and leachate on composting areas, storage areas, and roads.
11. Feedstocks must not be received that are in an anaerobic state.
12. Thermometers used for documenting composting temperatures must be calibrated annually. Documentation of calibration must be kept in the facility records.
13. Temperature monitoring data to meet Rule requirements must be maintained in writing, and made available to the Section during business hours. If a temperature test taken to meet the Rule requirements is below 131°F, the time and temperature testing must restart from the beginning.
14. If leachate, process water, or stormwater pond water is added to the active compost, then the composting time and temperature requirements restart.
15. Compost process data must be maintained as required to document temperatures, moisture levels, and aeration intervals.
16. In the event of a mechanical failure, the facility must immediately use its best effort to utilize substitute equipment for completion of the composting operation.
17. The odor management procedures must be followed to minimize odors at the facility boundary (as described in the approved O&M Manual DIN 24736, pages 20-22). Upon receipt of an odor complaint, the facility operator must investigate and take action as necessary to minimize the cause of the complaint. A copy of all written complaints regarding this facility must be maintained for the duration of the permit including the operator's actions taken to resolve the complaints.
18. Windrow turning must not occur without consulting weather forecasts for favorable conditions including wind direction and precipitation.
19. The facility must be operated in a manner that reduces the potential for vector attraction.
20. The compost operation and the compost pad must be operated and maintained with sufficient dust control measures to minimize airborne emissions and to prevent dust from becoming a nuisance or safety hazard. Facility operation must meet Division of Air Quality Rules 15 NCAC 2D. Fugitive dust emissions from the facility that contribute to substantive complaints may subject the facility to the Division of Air Quality requirements as listed in 15A NCAC 2D .0540.
21. Trash and unacceptable wastes received at the site must be stored in containers and promptly removed from the site for proper disposal.

22. Windrow dimensions for active composting must be limited to a maximum of 8 feet high and 20 feet wide, with at least 10 feet spacing between rows, as specified in the approved O&M Manual (Doc ID 24736, page 13), and unless otherwise approved by the Section.
23. Stockpiling of all feedstock, pre-processed wood debris, and ground or mulched wood debris must be limited to a maximum of 30 feet high and 50 feet wide.
24. Stockpiling of finished product shall be limited to a height of 60 feet.
25. All compost produced at the facility must meet the requirements of Rule .1407 of the Solid Waste Compost Rules and the permit application.
26. Testing of finished compost and reporting must be conducted in accordance with the requirements of Rule .1408 and the permit application. The sample collected for metals analysis is to be a composite sample from subsamples accumulated from each batch produced during the six month period, or 20,000 tons of compost produced, whichever comes first.
27. An annual report of facility activities for the fiscal year July 1 to June 30 must be submitted to the Section by August 1 of each year on forms provided by the Section. This report must include the amount of materials composted in tons.
28. Copies of this permit, the approved plans and drawings, and all records required to be maintained by the permittee must be maintained at the facility, or another site approved by the Section, and made available to the Section upon request during normal business hours.
29. Facility construction, operations or practices must not cause or result in a discharge of pollution, dredged material, and/or fill material into waters of the state in violation of the requirements under Sections 401 and 404 of the Clean Water Act, as amended.
30. Open burning of solid waste is prohibited. Fires must be reported to the regional environmental senior specialist with 24 hours of the occurrence, followed by a written report of the details of the fire within 10 days of the occurrence.
31. Groundwater quality at this facility is subject to the classification, monitoring, and remedial action provisions of 15A NCAC 2L. Groundwater monitoring may be required if there is an indication for the potential for groundwater contamination.

- *End of Permit Conditions* -