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Solid Waste Section

Asheville Regional Office

OPERATIONS PLAN

**MACON COUNTY MSW LANDFILL
PERMIT TO CONSTRUCT
PHASE 3 CELL 1
MACON COUNTY, NORTH CAROLINA**

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OPERATIONS PLAN
Macon County MSW Landfill

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OPERATIONS PLAN
Macon County MSW Landfill

Introduction

Macon County currently manages the operation of a single active MSW cell - Phase 2 Cell 1 - at the Macon County Municipal Solid Waste Landfill (MSWLF) Facility. Phase 2 Cell 1 began receiving waste in February 1999 and is expected to reach capacity in the spring of 2017, at which time, the County will begin to utilize proposed Phase 3 Cell 1. The proposed Phase 3 Cell 1 area received Site Study Approval in 1997 at the same time as the existing Phase 2 Cell 1 area. Phase 3 Cell 1 is a standalone landfill unit. The County has recently purchased adjoining property and will expand the Facility Boundary as part of the Permit to Construct Phase 3 Cell 1. Existing MSWLF facilities that will remain in operation include a landfill office, scales and scalehouse, Waste Treatment and Processing Facility, equipment storage building, leachate collection system, yard waste facility and a recycling processing center. Proposed MSW Phase 3 Cell 1 is expected to provide five (5) years of additional landfill airspace. The location of MSW Phase 3 Cell 1 along with the proposed Facility Boundary is shown on Sheet C-101 of the Permit to Construct drawings. Appendix 7 includes the waste and volume projections for the five (5)-year permitting period for MSW Phase 3 Cell 1.

The Macon County Municipal Solid Waste Landfill is owned and operated by Macon County, North Carolina. Operation and maintenance of the landfill is under the supervision of the Macon Solid Waste Director, Mr. Chris Stahl.

This Operations Plan has been prepared as required under Rule .1617 and in accordance with Rule .1625 of the North Carolina Solid Waste Management Rules (15A NCAC 13B). Macon County shall maintain and operate the Macon County MSW Landfill in accordance with the following requirements.

1.0 Waste Acceptance and Disposal Requirements

The Macon County Municipal Solid Waste Landfill will only accept municipal solid waste, construction and demolition waste, and non-hazardous industrial waste generated in Macon County, and the Town of Highlands. Macon County will notify the Division of Waste Management, Solid Waste Section within 24 hours of any attempts to dispose of non-permitted waste.

1.1 Prohibited Wastes

The following wastes are prohibited from disposal at the landfill:

- Hazardous waste as defined within 15A NCAC 13A, including hazardous waste from conditionally exempt small quantity generators.
- Polychlorinated biphenyls (PCB) waste as defined in 40 CFR 761.
- Liquid wastes unless they are managed in accordance with Rule .1626(9).
- Wastes prohibited by Statute GS 130A-309.10 of the North Carolina Solid Waste Management Rules. These wastes include:
 - Used oil,
 - Yard trash,
 - White goods,
 - Antifreeze (ethylene glycol),
 - Lead-acid batteries,
 - Aluminum cans,
 - Whole scrap tires.
 - Motor oil filters,
 - Recyclable plastic bottles (excluding motor oil bottles),
 - Wooden pallets.
 - Electronics
- Wastes prohibited by Macon County Solid Waste Ordinance passed on July 2, 1996. These wastes include:
 - Burning or smoldering materials, or any other materials that would create a fire hazard,
 - Cardboard,
 - Radioactive Waste,
 - Wet sludges that cannot pass the paint filter test,
 - Aluminum cans,
 - Metal drums of 50 gallons or more capacity unless drain holes are provided to prevent containers from holding liquid or unless filled with identifiable solid waste which is otherwise acceptable,
 - Automobiles, truck or other motor vehicle bodies, large pieces of metal such as manufactured homes or farm equipment,
 - Ash unless approved by the Solid Waste Director,
 - Regulated medical waste,
 - Wood waste greater than 6 inches in diameter at the butt end and greater than 4 feet in length, and
 - Friable Asbestos.

1.2 Hazardous Wastes

Hazardous waste may be gases, liquid, solids or sludges that are listed or exhibit the characteristics described in 40 CFR Part 261.

PCB wastes are defined in 40 CFR 761. They may be liquids or non-liquids (sludges or solids). PCB wastes do not include small capacitors found in white goods (e.g., washers, dryers, refrigerators) or other consumer electrical products (e.g., radio and television units).

1.3 Liquid Wastes

Bulk or non-containerized liquid waste may not be placed in Macon County Municipal Solid Waste Landfill cell unless:

1. The waste is household waste other than septic waste.
2. The waste is leachate or gas condensate derived from the cell itself.

Containers holding liquid waste may not be placed in the Macon County Municipal Solid Waste Landfill unless:

1. The container is a small container similar in size to that normally found in household waste.
2. The container is designed to hold liquids for use other than storage.
3. The waste is household waste.

Note: Liquid Waste means any waste material that is determined to contain “free liquids” as defined by Method 9095 (Paint Filter Liquids Test), as described in “Test Methods for Evaluating Solid Wastes, Physical/Chemical methods” (EPA Pub. No. SW-846).

1.4 White Goods

The Macon County Municipal Solid Waste Landfill does accept white goods, which are taken to a white goods pad that is located behind the Recycling Processing Center. All appliances containing chlorofluorocarbon (CFC) refrigerants are segregated from the other scrap metals. Freon (type 12 for refrigeration units and type R22 for air conditioning units) is removed by certified staff (State Board of Refrigeration Examiners certification number NC-820-3177) using model CR-600 refrigerant extraction pumps. The Freon is collected into 50-pound storage tanks and then transferred to a 250-pound storage tank located inside the Recycling Facility. The Freon is shipped to a certified Freon recycler for final processing when the 250-pound tank is full. Once a white good unit is empty, it is marked, logged into the Freon records book and transferred to the scrap metal pile located on the same concrete pad behind the refrigeration units. Any refrigerators with locking doors will have the door removed immediately.

Non-freon containing white goods are placed into the scrap metal area on the white goods pad for removal by a contractor. Freon and non-freon items are stored separately on the pad prior to Freon removal.

1.5 Car Wash Sediment

The Macon County Municipal Solid Waste Landfill does not accept car wash sediment unless a TCLP test on metals has been performed at the potential customer's expense and the test is negative. Any waste accepted must not contain any free liquids and must pass the paint filter test as well.

1.6 Mercury Containing Products

Mercury containing devices are accepted as Universal Wastes from residents and commercial entities at the Materials Recovery Facility (MRF) located at the MSW Landfill. These devices include intact mercury thermostat switches, and mercury containing lamps. These devices will be packaged and stored according to the Universal Waste regulations, and will be sent to qualified Universal Waste handlers for processing and recycling. A detailed plan for management of Mercury containing devices can be found in Appendix 8.

1.7 Automobile Fuel Tanks

Steel automobile gasoline tanks are accepted at the Macon County MSW Facility as long as they do not contain any explosive vapors or any free liquids and they have been perforated or rendered incapable of retaining liquids. Terne-coated gasoline tanks cannot be landfilled due to the tanks exhibiting TCLP leachability for lead well in excess of 5.0 ppm, which is the EPA hazardous threshold.

1.8 Asbestos

All waste containing asbestos shall be managed in accordance with 40 CFR 61. Only non-friable asbestos is accepted at the Macon County Municipal Solid Waste Landfill. A small sample of the asbestos must be brought to the Landfill for inspection prior to bringing the full load to the landfill. The Solid Waste Director or a NCDENR representative will verify if the asbestos is acceptable for disposal in the Macon County Municipal Solid Waste Landfill. Asbestos is considered non-friable if it cannot be crushed into a powder form or into multiple smaller pieces when squeezed in a fist. Non-friable asbestos will only be accepted between 8:00 am and 3:00 pm, Monday through Friday. The asbestos must be double-bagged in heavy duty trash bags. Prior to sealing the bags, the asbestos must be sprayed with water to discourage creation of airborne particles in the event that the bags rip or become opened. Asbestos waste should be brought to the landfill separately from any other waste. Upon entry to the landfill, the generator/hauler will inform the scalehouse attendant of the nature of the waste. The scalehouse attendant will direct the customer to a landfill operator at the Waste

Treatment and Processing Facility, not to the landfill. One of the Waste Treatment and Processing Facility or landfill operators will escort the customer to a determined disposal location and stay with the customer until the waste is deposited. The landfill operator will excavate a hole in the working face for placement of the asbestos waste materials. The operator will then immediately cover the waste with additional loose waste at the toe of the working face to cover the bags. Asbestos waste will not be placed with a compactor or bulldozer.

1.9 Food, Animal, & Regulated Medical Waste

No hazardous, liquid, or regulated medical waste shall be accepted or disposed of in the Landfill. Spoiled foods, animal carcasses, abattoir waste, hatchery waste, and other animal waste delivered to the disposal site shall be covered immediately. These wastes will be placed at the toe of the working face and shall be covered immediately.

1.10 Wastewater Sludge

Wastewater sludges may be disposed of in the landfill. Sludges disposed in the landfill must pass the paint filter test and must be designated non-hazardous with the Toxicity Characteristic Leaching Procedure (TCLP) test.

1.11 Electronic Waste Recycling

Macon County accepts a full range of electronics from residents at the Macon County MSWLF. Electronic waste to be collected and recycled includes, but is not limited to; computer equipment, televisions, hard drives, scanners, fax machines, copiers, and other miscellaneous electronic equipment. Electronics are brought into the Waste Treatment and Processing Facility where they are prepared by County staff for shipping. The County contracts with an approved vendor that has e-steward or R2 certification to remove the collected electronic waste back to their facility for recycling and/or further disposal. Once the electronic waste is collected, the vendor will send the County a statement that provides the tonnage of material disposed, broken down by computer equipment, televisions, and other electronic material.

2.0 Random Waste Inspections

Macon County has a program in place for detecting and preventing the disposal of hazardous and banned wastes by conducting a random inspection program. The frequency of random inspections shall be based on the type and quantity of wastes received daily, and the accuracy and confidence desired in conclusions drawn from inspection observations. Currently, the random inspection rate represents approximately 5–10% of the average daily waste load. At a minimum, inspected loads will always represent at least 1% of the waste stream. Inspections will be performed at the Waste Treatment and Processing Facility. If these inspections indicate that unauthorized wastes are being brought to the Macon County Municipal Solid Waste Landfill site, then the random inspection program should be modified to increase the frequency of inspections.

Inspection priority also will be given to haulers with unknown service areas, to loads brought to the facility in vehicles not typically used for disposal of municipal solid waste, and to loads transported by previous would-be offenders. For wastes of unidentifiable nature, the inspector should question the transporter about the source/composition of the materials. The program will include the following:

Landfill personnel will conduct random inspections of incoming loads. The frequency of the random inspections will be based on the type and quantity of waste, but not less than 1% of the waste stream. Inspections will occur at the Waste Treatment and Processing Facility. The driver will be directed to dump his/her load on the tipping floor of the Facility off to the side of the regular waste stream. The load will be carefully spread using the bucket of a rubber-tired loader. Landfill personnel who have been adequately trained to identify hazardous and banned waste will then inspect the load. Any unacceptable wastes are removed from the load and taken to the proper disposal area. If hazardous or unknown wastes are discovered, the waste is secured away from the operating area at an isolated location of the tipping floor. The waste generator/hauler would then be questioned on the source and nature of the waste and the Solid Waste Director notified immediately. If the nature of the waste presents an acute or immediate hazard to personal safety, the Emergency Management Services will be contacted. NCDENR will be notified of the situation by telephone within 24 hours and in writing within 15 days of the occurrence. The written notice will take the form of a Special Waste Handling Occurrence Report, which is located at the Solid Waste Administration Building.

2.1 Waste Inspection Records and Notices

A record will be kept of each inspection that is performed. These records will be included and maintained in the operating record of the landfill. A copy of the waste inspection record and a procedure of the random waste screening process are attached as Appendix 3.

Signs shall be placed in clear view of each incoming waste transporter, which shall include the following notice:

NOTICE: RANDOM WASTE SCREENING IS PRACTICED HERE. WE RESERVE THE RIGHT TO INSPECT ANY LOAD OR PORTION OF A LOAD ARRIVING AT OUR FACILITY. WE WILL REJECT ALL: HAZARDOUS WASTES, PCBs, LIQUIDS AND ANY UNACCEPTABLE WASTE AS DETERMINED BY OUR MANAGEMENT. YOUR PARTICIPATION IN THIS PROGRAM IS NOT OPTIONAL!

2.2 Training of Facility Personnel

Landfill Operators and Transfer Station Operators shall become certified and maintain their Continuing Education Units (CEU's) through training courses offered by SWANA. Documentation of training will be placed in the operating record for the facility. There are at least four (4) certified Landfill Operators employed at the Macon County MSW Landfill in addition to the Solid Waste Director, who currently has a Manager of Landfill Operations and a MSW Systems Management Certification. At no time will non-certified employees staff the landfill without a certified operator present.

Macon County, with the assistance of J&B Disposal, operates eleven (11) staffed convenience centers throughout rural parts of the County. Personnel at the convenience centers are trained to identify hazardous, liquid, and special wastes. If any banned or hazardous wastes are identified by center personnel, they will instruct the individual attempting to dispose of the waste to remove it and require the individual to dispose of the waste in a hazardous facility or direct them to the landfill for proper disposal. Macon County will provide at least annual training to all landfill personnel in regard to recognizing hazardous and liquid waste.

2.3 Contingency Plan

A Contingency Plan for handling prohibited wastes is included as part of the training plan. The Contingency Plan is described in the Waste Screening and Special Waste Handling Occurrence Procedures included in Appendix 3. The plan involves the identification of the waste by inspection. If the load has been determined to be of a hazardous nature, the landfill will not accept the waste and require that hauler remove the waste from the facility. The hauler will then be required to find a facility suitable for accepting the hazardous waste.

3.0 Waste Treatment and Processing Facility

3.1 Overview

Macon County utilizes the Waste Treatment and Processing Facility to receive incoming waste at the Macon County MSWLF. The Waste Treatment and Processing Facility consists of a pre-engineered metal building with a concrete tipping floor and concrete push wall. Incoming waste collection vehicles will deposit municipal solid waste (MSW) and construction & demolition wastes directly onto the concrete tipping floor of the Facility. Once the wastes have been dumped onto the tipping floor, it will be inspected for illegal and banned wastes, hazardous wastes, and/or other wastes requiring special handling. Illegal and hazardous wastes will be diverted from the waste stream and disposed of properly in a hazardous waste landfill. Once the wastes have been inspected for unacceptable materials, a loader will spread the remaining wastes over the tipping floor so that recyclable materials can be removed from the waste stream. Cardboard and scrap metal will be the principle materials targeted for recovery, along with clean wood and pallets, rigid plastics, #1 and #2 plastics, and electronics. Other recyclable wastes will only be recovered if they arrive in bulk form and/or are easily separable from the waste stream. The remaining wastes will be pushed to the rear of the Facility via a rubber tired loader. The waste will be collected along the push-wall that runs parallel to a 48-ft. walking floor trailer. The loader will pick up the waste along the push-wall and deposit it into the walking floor trailer. A road tractor will then carry the waste in the trailer to the landfill for disposal. It is anticipated that 1-3 loads will be taken to the landfill daily. The cycle time for off-loading the trailer is approximately 15 minutes. Wastes will be collected at the toe of the push-wall while the trailer is away from the facility. At the end of each operating day, all wastes will be removed from the tipping floor and partial trailer loads will be stored overnight in the walking floor trailer within the Treatment and Processing Facility.

Normal working hours for the Waste Treatment and Processing Facility are 7:30 a.m. to 4:30 p.m., Monday through Friday and 8:00 am to 2:00 pm on Saturdays. Note that should unexpectedly heavy volumes occur, Facility personnel would continue to load MSW wastes after the regularly scheduled hours. The Facility is closed on Sunday and the following holidays: Thanksgiving Day, Christmas Day and any federal holiday which falls on Tuesday through Thursday.

3.2 Personnel

The Facility is owned and operated by Macon County. The operation is staffed at all times that waste is being received in the Waste Treatment and Processing Facility. These employees are properly trained in safety procedures and the inspection of incoming wastes. Training materials published by the Solid Waste Association of North America (SWANA) are utilized for initial training of on-site personnel and for continuing education. The Waste Treatment and Processing Facility employees also direct and coordinate the movement of collection vehicles into and out of the Facility

3.3 Characterization of Waste Stream

The waste received at the Waste Treatment and Processing Facility will have the same characterization as the waste accepted by the MSW landfill. Certain waste types will bypass the Facility and be taken directly to the landfill for disposal. These materials include such wastes as asbestos wastes, sludges, non-regulated medical wastes, and potentially any other wastes that are difficult to process and/or contain no recoverable materials.

3.4 Inspection of Wastes

Properly trained employees control access to the Waste Treatment and Processing Facility. As the contents of the collection vehicles are emptied onto the tipping floor, an employee will conduct periodic visual inspections of the waste materials as outlined in the Waste Screening and Special Waste Handling Occurrence Procedure found in Appendix 3. If unacceptable waste is found, the driver of the vehicle will be instructed to terminate dumping and the unacceptable waste will be reloaded onto the vehicle for removal from the site. Examples of unacceptable wastes include large containers of liquid waste, sludges, drums that have not been emptied and crushed prior to delivery, and containers either smoking or emitting noxious vapors. If any hauler using the Facility develops a pattern of deceptive waste identification in order to circumvent proper regulation, the Asheville regional office of NCDENR will be notified within 24 hours of attempted disposal and informed as to the type of material and the hauler so that follow-up investigations can be conducted, if necessary.

If hazardous waste is identified during vehicle dumping, Facility personnel will immediately notify the driver and if necessary, contact NCDENR and the Hazardous Materials Emergency Response Team for the region, RRT6. The appropriate information concerning the waste will be provided to those officials and the recommended steps will be taken until properly trained handlers of hazardous waste arrive on-site.

Infectious or medical waste haulers are advised that the Facility does not accept such wastes and that the hauler will have to transport the infectious wastes to an approved facility for disposal.

Should a “hot load” occur in a vehicle using the Facility, the attendant will not permit the load to be unloaded. No asbestos or animal wastes will be accepted at the Treatment and Processing Facility.

The above limitations on the types of wastes that will be accepted do not circumvent the incidental wastes that may be found in the residential waste stream that is expected at the facility.

3.5 Traffic Control

Site personnel control access to the Waste Treatment and Processing Facility. As vehicles arrive at the Facility, site personnel will direct the driver to position the vehicle at the correct unloading location once there is sufficient room to maneuver on the concrete floor. When the contents of the vehicle are emptied, the driver is instructed to move the vehicle away from the tipping floor and exit the Facility. Directional signs located at the facility will aid traffic control.

During times when several vehicles are at the Facility at the same time, haulers are instructed to wait within the staging area located outside the entrance to the building. The tipping area will allow up to four (4) trucks to dump simultaneously.

3.6 Housekeeping, Litter, and Vector Control

Incoming wastes will be transported to the Facility in covered or enclosed vehicles. Throughout the day and at the end of each working day, facility personnel will police the building and surrounding site for litter. Collected litter is placed in containers for proper disposal. A yard hydrant is available to wash down the concrete tipping floor and adjacent equipment areas when needed. The equipment used for pushing trash on the tipping floor also has a bucket equipped with a squeegee. The wash water flows into drains located throughout the tipping floor. A metal grate covers the drain to block large debris that might clog the drains. The metal grates are raked periodically and the collected trash is placed into containers for proper disposal. The drain is connected to a six (6)-inch sewer line that also services the office, breakroom, and restrooms. The sewer line drains to a duplex pump station outside the Facility. This pump station pumps through a two (2)-inch force main to a 10-inch force main that runs between the East Franklin Pump Station and the Franklin Wastewater Treatment Plant. The pump station has an excess volume capacity of 200 gallons and a pumping capacity of 20 gpm. The pump station is equipped with automatic controls and high-water alarm. Final disposal of the leachate is at the Franklin Wastewater Treatment Plant. The Town of Franklin operates this wastewater treatment plant. See Appendix 1 for a letter from the Town of Franklin, which states that the Town of Franklin Wastewater Treatment Plant will accept an average flow of 875 gallons per day from the former Baling Facility (now the Waste Treatment and Processing Facility) at the Franklin Landfill.

Odors are controlled by prompt unloading and transfer of all delivered wastes at the Facility, which has seven (7) roll-up doors to allow adequate access to all areas of the building to ease operations, maintenance, and cleaning. The doors allow adequate fresh air exchange when opened, which aid in odor control. The building is also equipped with ventilation fans for operation during cold weather.

The daily removal of solid waste in conjunction with daily housekeeping procedures effectively controls the development of vector related problems. The tipping floor is constructed of concrete, which is a relatively impervious, cleanable material. Floor and equipment wash-downs at the Facility also reduce both odor and vector problems. As

described previously, wash water is diverted to the duplex pump station located outside the building. Licensed exterminators are also available to visit the Facility as needed.

3.7 Waste Treatment and Processing Facility Bypass Procedures

Wastes from commercial haulers and convenience centers are disposed directly at the working face of the landfill, unless large quantities of recoverable materials are identified. Smaller loads utilize the Waste Treatment and Processing Facility. Unregulated wastes from hospitals and retirement facilities, animal wastes, and asbestos wastes are disposed directly at the working face of the landfill. Asbestos wastes require special handling as outlined in Section 1.8.

In the event that wastes cannot be processed through the Waste Treatment and Processing Facility due to equipment failure, the Facility may be bypassed. If the Facility is anticipated to be out of operation for only a short period, wastes will be stockpiled on the tipping floor. The tipping floor at the Facility can comfortably accommodate approximately 150 tons of wastes. If the Facility is anticipated to be out of operation for more than 2 or 3 hours, the Facility will be bypassed. The waste would then be taken directly to the MSW landfill by the collection trucks. All rules that apply to traditional landfilling practices will be followed. Inspections will be performed in the landfill adjacent to the working face and materials will be separated as required. The MSW will then be compacted and sufficiently covered. In all cases, wastes will not be allowed to remain on the tipping floor of the Facility overnight.

3.8 Dust and Fire Control

Since collection and transfer vehicles travel at low speeds on paved roads, dust generation to the Facility is not a problem. The road from the Facility to the MSW Landfill is gravel so the County periodically wets the road to contain dust. Furthermore, periodic washdown of the tipping floor and equipment will also prevent excessive build-up of dirt and dust at the facility.

Hand-held fire extinguishers and two fire hoses located inside the building provide fire control. Fire protection will be provided by the local fire department, which is aware of the fire control needs for the Facility. In the event that a fire occurs, the local authorities will be notified immediately if help is needed. The telephone numbers of local fire, police, ambulance and hospital facilities are posted in and around the Facility at all times. Should a fire occur at the Facility, the NCDENR will be notified within 24 hours and written notification will be submitted within 15 days.

3.9 Wastewater Collection

Wastewater flow at the Facility consists of wash-down water and liquids escaping the deposited wastes. These sources of wastewater are directed into six drains located throughout the Facility floor. The metal roof covering the Facility minimizes the generation of wastewater. The drains empty into the duplex pumping station located

outside of the building. The wastewater that accumulates in the pump station is pumped to the Franklin Wastewater Treatment Plant. Refer to Appendix 1 for a letter from the Town of Franklin, accepting flow from the former Baling Facility (now Waste Treatment and Processing Facility).

3.10 Stormwater Management and Erosion Control

Areas adjacent to the Facility are graded away from the building. Gutters and downspouts are positioned on the building to divert discharge of stormwater to diversion ditches and stormdrains. The Macon County Landfill operates under a stormwater discharge permit issued by the NCDENR-Division of Water Quality, permit number: NCG120083, which requires regular monitoring of stormwater discharge locations.

3.11 Zoning

Since the Waste Treatment and Processing facility is located on the Macon County Landfill property, zoning approved for the current solid waste management facilities allows for the Waste Treatment and Processing Facility. Refer to Appendix 4 for a letter from the county where zoning for the Macon County Landfill property is given.

3.12 Facility Inspections

Regular maintenance inspections of the Facility are conducted at least annually. The inspections are conducted by site personnel who are familiar with the buildings and equipment at the site, as well as operations of the Facility. No records of inspections are kept. Observations include the following:

1. Building, foundation, and push walls
2. Ventilation system
3. Fire equipment
4. Electrical systems
5. Floor drains and yard hydrant
6. Leachate pump station

If the Waste Treatment and Processing Facility personnel note any unsatisfactory conditions, the concerns will be reported to the Macon County Solid Waste Director. If a threat to safety or to the environment is identified, immediate action will be taken to correct the situation. If necessary, operations at the Facility will be suspended temporarily until the proper authority can be contacted.

4.0 Waste Placement & Cover Material Requirements

Macon County would like to conduct waste filling operations in an uphill direction, and therefore will begin waste filling at the southern margin of the site, adjacent to the sump area. However, the County will still maintain a stormwater pumping area on top of the stormwater cover above the leachate sump for as long as possible. In addition to pumping stormwater from the low point of the cell, a stormwater control berm will be installed and will divert runoff to the low point of the liner edge near the southwest corner of Phase 3 Cell 1. Waste fill operations will continue up the hill on the eastern side of the cell. Waste fill operations for the five-year permitting period are shown on Sheets C-108 through C-112 of the Permit to Construct Drawings.

Waste placement will continue in a phased manner until the final grades are reached. The initial 6 – 10 foot depth of waste in each subcell shall be carefully screened for objects that could be pushed through the composite liner. A compactor shall not be used on this initial lift of waste to reduce the potential for impacting the geomembrane. The initial lift of waste will be compacted only by the equipment used to place the waste. Following placement of the initial lift, the solid waste will be placed and compacted as densely as possible using compactors and dozers. Waste placement will be in lifts not to exceed 10 feet. In order to increase compaction, waste should be placed from the downgradient to upgradient direction when possible. The working face shall be maintained in as small an area as possible to increase compaction and to reduce the amount of daily cover required. All windblown material resulting from daily waste placement will be recovered and returned to the cell for disposal at the end of each workday.

4.1 Daily Cover

Macon County shall cover the disposed solid waste with six (6) inches of earthen material at the end of each operating day, or at more frequent intervals if necessary, to control disease vectors, fires, odors, blowing litter, and scavenging.

4.2 Alternative Daily Cover

As an alternative to the six inches of earthen material, Macon County may use an alternative daily cover (ADC) that has been approved by the Solid Waste Division. The County will abandon the use of the 4 mm thick polyethylene film as an ADC in conjunction with the removal of the baling process from the landfill operation. Two types of ADC have been approved by the NCDENR-Solid Waste Division for use at the landfill. Macon County has obtained the approval of a 48ft x 50ft landfill tarp as an ADC. The tarp will be spread over the sloped working face of the landfill at the end of each day. The second method of approved ADC is the use of 3-inches of ground pallets and wood waste in conjunction with 3-inches of native soil instead of the 6-inches of earthen material. Correspondence pertaining to both of the approved ADC's is included in Appendix 6.

Each day at closing, the ADC tarp is walked onto the landfill face. The sides of the tarp will be weighted with soil as needed to prevent the tarp from being blown off of the landfill face by high winds. The size of the working face will be maintained so that the tarp completely covers all wastes not otherwise covered with at least six inches of earthen material or approved ADC. On rare occasions, such as the beginning or end of a landfill lift, it may be necessary to maintain a larger working face. Under such circumstances, a second tarp will be taken to the landfill for additional temporary coverage. The second tarp will be placed so that a maximum overlapping of the tarps is maintained. Care is taken to make sure that no vehicle traffic or landfill equipment is allowed to pass over the cover, which could result in shearing or tearing of the cover. The spare tarp will be stored at the Waste Treatment and Processing Facility.

The second type of approved ADC consists of a 6-inch thick lift consisting of a 50/50 mixture of native soil and ground pallets and yard waste. The ground wood waste and soil are mixed in the buffer area prior to transport to the landfill and spread as cover at the end of the day. The mixed material will be used on internal slopes and working faces.

The ADC's will be placed to meet or exceed the performance criteria of an ADC as outlined in Rule .1626 2 (b) by providing control of disease vectors, fires, odors, blowing litter, and scavenging.

Macon County shall cover all waste areas that will be inactive for more than twelve (12) months and have not reached final elevations with a minimum of one foot of intermediate cover. Any area inactive for more than ninety (90) days will be hydro-seeded to prevent erosion of the cover layer.

4.3 Disease & Vector Control

Macon County will control the spread of disease vectors by maintaining daily cover requirements and picking up windblown trash at the end of each day.

5.0 Explosive Gases Control

Refer to the Landfill Gas Monitoring Plan prepared by Bunnell-Lammons Engineering, Inc. for Phases 1, 2, and 3 (Cell1) dated May 28, 2015. The plan was prepared in accordance with North Carolina Rules for Solid Waste Management, 15A NCAC 13B Rule .1624(4).

6.0 Air Quality

6.1 Clean Air Act

The Macon County MSW Landfill is not required to have an air quality permit as promulgated by the U.S. EPA Administrator pursuant to Section 110 of the Clean Air Act, as amended. The Macon County Landfill would be required to obtain a Title V operating permit at the point in time that the Macon County MSW Landfill reaches an on-site volume of more than 2.5 million Megagrams of waste. The Phase 1/Phase 2 area contains approximately 0.59 million Megagrams of waste (as of April 29, 2015) and will accommodate a total of approximately 0.64 million Megagrams of waste at full capacity. MSW Phase 3 Cell 1 has the capacity of approximately 0.20 million Megagrams, which will bring the total disposed waste at the Macon County MSWLF to 0.84 million Megagrams at the end of the Phase 3 Cell 1 five-year permitting period.

6.2 Open Burning

No open burning of solid waste shall be allowed at the landfill, except for the infrequent burning of land clearing debris generated on site or debris from emergency clean-up operations. The Division of Solid Waste must approve any such infrequent burning.

6.3 Hot Loads

If a hot load of waste is delivered to the landfill, the driver shall not be allowed to dump the load. If a hot load must be dumped, it will be dumped on an inactive portion of the landfill near the working face so that liquids in the waste or liquids used to extinguish the fire are confined in the landfill. The waste may be smothered with clean dirt, or the local fire department may be called for assistance. Once the load has been extinguished and the cause determined, the load will be taken to the working face for disposal.

If a load of “hot” waste is unknowingly discharged in the Landfill, it will immediately be watered or smothered with dirt until extinguished by landfill personnel if possible and the local fire department called if needed. The Waste Treatment and Processing Facility is equipped with a two-inch hose bib at the side of the tipping floor. Hoses will remain connected to the hose bib to allow quick access. Fire hydrants are located just outside the Waste Treatment and Processing Facility.

Equipment and a stockpile of soil shall also be maintained in close proximity to the Landfill for controlling accidental fires. The local fire department has been contacted and informed of the potential fire hazards at the Landfill. Arrangements have been made with the fire department to provide access to the landfill site. The fire department has also been provided with operational information of the facility in case of emergency.

6.4 Fire Notification Requirements

Macon County shall provide verbal notification to the Solid Waste Division within 24 hours of a fire at the Landfill and written notice within 15 days. The Fire Occurrence Notification Form is included in Appendix 3.

7.0 Access and Safety Requirements

A fence currently encloses the site with access controlled by means of gates. A security check station and weigh scales is located at the landfill entrance to evaluate waste stream and proper disposal. An attendant will be on duty at the site at all times while it is open for public use to insure compliance with operational requirements. Access roads to the site shall be of all weather construction and maintained in good condition.

7.1 Dust Control

Dust generated due to landfill activities will be controlled. Dust will be controlled through the application of water by truck or other approved dust control products, if necessary. Removal of mud and dirt from the roads will also be a part of the dust control measures. Additionally, final cover will be vegetated as soon as practical in order to minimize the blowing of dust on-site.

7.2 Signage

Signs providing information on disposal procedures, the hours that the site is open for public use, the permit number, stating that no hazardous or un-permitted waste can be received without written permission, stating that no liquid waste can be received for disposal, and other pertinent information will be posted at the site entrance. Traffic signs and markers shall be provided as necessary to promote an orderly traffic pattern to and from the discharge area and maintain efficient operating conditions.

7.3 Scavenging

Scavenging of solid waste is prohibited unless approved by the owner or operator and the removal is not performed on the working face.

7.4 Barrels and Drums

Barrels and drums shall not be disposed of unless they are empty and perforated sufficiently to ensure that no hazardous or liquid waste is contained therein. The only exception is drums that contain non-friable asbestos.

8.0 Erosion and Sedimentation Control Requirements

Existing and proposed erosion/sedimentation control structures include sediment basins, storm drains, temporary slope drains, check dams, and diversion ditches. Existing and proposed erosion/sedimentation control structures include sediment basins, storm drains, temporary slope drains, check dams, and diversion ditches. The County will install at least 6 new sediment/skimmer basins as part of the development of Phase 3 Cell 1. An erosion control plan submittal to the NCDENR-Land Quality Section for the work associated with the construction of Phase 3 Cell 1 is pending. The County will provide a copy of the Erosion Control Permit to the Solid Waste Section upon receipt. The Erosion Control Plan will be designed to restrain the sedimentation associated with the construction and operation of Phase 3 Cell 1 and the construction and operation of Phase 3 Cell 2. The Plan will address the construction of access roads and stockpile/borrow areas for approximately 10 years of landfill operations.

Sedimentation basins will be checked after periods of significant runoff. Sediment will be removed from the basin to its original dimension when sediment accumulates to one half of the design depth. The sedimentation basins, embankments, ditches, inlets and outlets will also be inspected for erosion damage. All necessary repairs will be made immediately. Any trash or debris within the riser pipes will be removed. The Macon County Landfill operates under a storm water permit issued for the NCDENR-Division of Water Resources, permit number: NCG120083.

Storm drain outlets and diversion ditches will be inspected for damage after each runoff event. Rip rap will be placed in ditches and at pipe outlets to prevent erosion and wash outs. Provisions for a vegetative ground cover sufficient to control erosion must be accomplished within fourteen (14) working days upon completion of any phase of MSWLF development.

Embankment slopes shall be periodically inspected for erosion. The embankment slopes shall be mowed at a frequency sufficient to maintain a good stand of vegetation. The slopes shall be mowed a minimum of twice per one (1) year period. The embankment slopes shall be refertilized in the second year unless vegetation growth is fully adequate. Any damaged areas will be reseeded, fertilized, and mulched immediately. Seeding, fertilizing and mulching shall be in accordance with the North Carolina Erosion and Sedimentation Control Guidelines.

9.0 Drainage Control and Water Protection Requirements

9.1 Surface Water Diversion

Surface water from outside the operational area will be diverted from the waste area by the use of perimeter ditches. The perimeter ditches direct surface water to the sedimentation basins.

9.2 Storm Water Cover

The active waste area will be filled and graded so that no surface water will pond near or on waste and that no waste will be disposed of in ponded water. Initially for Phase 3 Cells 1, a stormwater diversion berm will be installed to divert water to the low point in the liner edge near the southwest corner of the Cell.

Leachate will be collected within the active waste area on top of the HDPE liner. Leachate will be pumped with side slope riser pumps through a dual-contained force main to a leachate holding pond, located adjacent to the landfill on the property of the Town of Franklin Wastewater Treatment Plant.

9.3 Discharge of Pollutants

There shall be no discharge of pollutants from the landfill into waters of the U.S., including wetlands, that violates any requirements of the Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination Systems (NPDES) requirements, pursuant to Section 402.

There shall be no discharge of a nonpoint source of pollution into waters of the U.S., including wetlands, that violates any requirement of area-wide or State-wide water quality management plan that has been approved under Section 208 or 319 of the Clean Water Act, as amended.

10.0 Recordkeeping Requirements

Landfill personnel shall record and retain the following information in an operating record at the landfill, or at an alternate location that has been approved by the Division.

- Inspection of leachate management system,
- Inspection records and waste determination records,
- Training received by landfill personnel,
- Waste amounts received by weight, which includes source of generation,
- Gas monitoring results and any necessary remediation plans,
- Any demonstration, certification, finding, monitoring, testing, or other analytical data required by sections .1630 to .1637 of the Rules (15A NCAC 13B),
- Any monitoring, testing, or analytical data as required by Rule .1627 (15A NCAC 13B),
- Any cost estimates and financial assurance documentation required by Rule .1628 (15A NCAC 13B), and
- Yearly Landfill Capacity and Volume Calculations

This information will be readily available for inspection by the Division of Waste Management-Solid Waste Section. A copy of this Operation Plan will remain at the facility at all times.

11.0 Leachate Management Plan

11.1 LCRS System Maintenance

Landfill personnel shall maintain records of all inspections, cleaning, and repairs made on the leachate collection system.

11.2 Leachate Testing

The leachate quality will be sampled on a semi-annual basis. Leachate will be analyzed for Appendix 1 constituents as well as BOD, COD, phosphate, nitrate, sulfate, pH, and Specific Conductance.

11.3 Pump Requirements

The average flow that will reach the sump for Phase 3 Cell 1 is estimated to be 9.0 gallons per minute (GPM). A peaking factor of 5.22 was applied to the average flow for a pump station design flow of 47 GPM for a single pump operation. Both pumps will pump a combined flow of 61.25 GPM. In the condition where the existing pumps from Phase 2 Cell 1 and one proposed pump from Phase 3 Cell 1 are in operation, it was determined that the proposed pump would operate at 41 gallons per minute, existing pump A would operate at 21 gallons per minute, and existing pump B would operate at 44 gallons per minute. All three pumps are the same EPG model and operate at an acceptable flow based on the pump curves and flow range. See the Phase 3 Cell 1 Engineering Plan Appendix C for design calculations and system layout.

11.4 Leachate Disposal

The leachate will be pumped to the adjacent Town of Franklin Wastewater Treatment Plant. There is an agreement between the Landfill and the Town that the WWTP accept leachate from the landfill and the landfill receive sludge from the WWTP. A letter approving disposal of leachate at the plant is included in Appendix 5. A copy of the Macon County Landfill Pretreatment Permit is also included in Appendix 7.

11.5 LCRS System Inspection

The landfill operator is responsible for periodic inspection and maintenance of the LCRS. Landfill personnel will perform monthly inspections of the leachate collection system equipment, specifically the pumping stations. A copy of the inspection form has been attached as Appendix 2. The pump stations will be inspected for proper operation and run-time hours will be documented. If the monthly inspection reveals any equipment deficiency, remedial measures will be taken immediately to correct the problem. An incident report will be completed that includes details of the incident and any corrective measures required. If an incident report is required, a copy of the report shall be attached to the inspection form where the deficiency was identified.

11.6 Leachate Records

Comprehensive records of the amount of leachate generated will be maintained at the Town of Franklin Wastewater Treatment Plant, which is located adjacent to the Landfill facility. Leachate generation will be determined from the hours of pump operation and pump rates. An annual summary of leachate generation will be maintained in the operating record.

11.7 LCRS Contingency

In the event that there is a temporary failure with any of the leachate removal and storage equipment, the geometry of the landfill will allow for the landfill to contain the leachate for a period of several months. Action will be taken to remedy any malfunction within 2 days. Due to the conservative design of the leachate removal and storage equipment and the geometry of the landfill, the possibility of leachate overflowing the perimeter berm is virtually impossible.

In the event that extreme levels of particular constituents are found to be present in the leachate during sampling, or extremely excessive leachate production occurs, the Solid Waste Division and the Town of Franklin Wastewater Treatment Plant will be notified. Additional pre-treatment methods will be utilized if problems are encountered with leachate quality.

12.0 Composting Operation

12.1 Overview

The Composting Operation has been dormant since 2004 due to the lack of a feedstock; however, if a feedstock should become available, the County may resume Composting Operations. The County will notify the NCDENR-Solid Waste Section upon reinstatement of the Composting Operation and apply for an updated permit.

13.0 Yard Waste Treatment and Processing Operation

13.1 Overview

The Yard Waste Treatment and Processing Operation at the Macon County Municipal Solid Waste Facility generate mulch for use as an alternate daily cover for the Landfill. Incoming waste collection vehicles will deposit yard waste at the unloading area. The hauler will unload the yard waste in a manner to keep the unloading area free of debris. A contractor will grind the yard waste to produce mulch.

13.2 Personnel

The facility is owned and operated by Macon County. The employees are properly trained in safety procedures and the inspection of incoming wastes. Training materials published by the Solid Waste Association of North America (SWANA) are utilized for initial training of on-site personnel and for continuing education.

13.3 Characterization of Waste Stream

The waste received by the Yard Waste Operation will include untreated, unpainted pallets and wood, leaves and land clearing debris consisting entirely of weedy material such as roots, brush, saplings and stumps. If municipal solid waste is mixed with yard waste, the hauler will need to dispose of the MSW at the Waste Treatment and Processing Facility before unloading the yard waste. The following items are not accepted at the Yard Waste Operation: treated or painted lumber wastes, household waste, cardboard, any non-recyclable material or any non-yard waste materials.

13.4 Procedures

Vehicles containing yard waste will be weighed on the scales upon entry to and from the Landfill. The hauler will be directed to the Yard Waste Management Area. If there is Municipal Solid Waste or other material mixed with the yard waste, the hauler will be directed to the Waste Treatment and Processing Facility to unload the MSW before the yard waste. The hauler will proceed to the Yard Waste Management Area along the gravel drive along the northeast side of the adjacent MSW landfill. The unloading area is of sufficient size to allow two or three vehicles to unload simultaneously. The hauler will unload the yard waste in such a manner as to keep the unloading area free of debris. Larger loads that may come in by dump truck will be unloaded as far from the access roadway as possible. As necessary, the County staff will use a bulldozer and loader to push the waste into stockpiles. The stockpiles will be configured so that stormwater runoff flows in a laminar fashion across the graded and grassed slopes to prevent erosion and point source runoff. The yard waste pile will be maintained so that air can freely flow through the pile in order to keep the internal temperature below 110-degrees Fahrenheit (F). A qualified contractor will grind the yard waste to make mulch. The primary use of the mulch will be an approved alternative daily cover for the Municipal

Solid Waste and in the composting process. Mulch will be hauled to the Municipal Solid Waste Landfill and the Composting Pad using a dump truck.

13.5 Traffic Control

The Scale personnel will direct vehicles that contain yard waste to the Yard Waste Management Area. The unloading area is adequately sized to allow two to three vehicles to unload simultaneously. The hauler will empty their load themselves onto the stockpiles.

14.0 Recycling Operation

14.1 Overview

Macon County operates a Recycling Processing Center at the Landfill facility. The Recycling Center accepts materials dropped off at the facility as well as processes incoming recycling waste from the eleven collection sites located throughout Macon County. The recyclable material is baled and shipped to corresponding recycling companies.

14.2 Personnel

The Recycling Processing Center is owned and operated by Macon County. The employees are properly trained in safety procedures and the inspection of incoming wastes.

14.3 Characterization of Waste Stream

The waste received by the Recycling Processing Center will include the following items:

- Newspaper,
- Cardboard
- Mixed Paper
- Aluminum Cans,
- Steel Cans,
- Clear, Brown and Green Glass,
- #1 Plastic (PETE), and
- #2 Plastic (HDPE),
- Mixed rigid plastics,
- White Goods and scrap metal,
- Used clothing.

Additional materials recovered by the County:

- Batteries,
- Anti-freeze,
- Oil,
- Oil filters,
- Used Cooking Oil
- Carpet and padding
- Mercury lamps and switches
- Electronics

Appendix 1

Correspondence from Town of Franklin Wastewater Treatment Facility Approving Wastewater from (former) Baling Facility (now Waste Treatment and Processing Facility)

Town of Franklin

70 West Main Street
Franklin, North Carolina 28734
(704) 524-2516

February 20, 1997

Mr. A. Preston Howard, P.E.
North Carolina Department of Environment, Health and
Natural Resources
Post Office Box 29535
Raleigh, North Carolina 27626-0535

Dear Mr. Howard:

The Town of Franklin will accept the wastewater (875 gpd) from the proposed Macon County Solid Waste Baling Facility for treatment at the Town of Franklin Wastewater Treatment Plant.

Sincerely,



David E. Henson
Mayor

TOWN OF FRANKLIN



Post Office Box 1479
Franklin, North Carolina 28744
(828) 524-2516

September 9, 2015

Mr. Chris Stahl
Macon County Solid Waste
109 Sierra Drive
Franklin NC, 28734

Dear Mr. Stahl,

The Town of Franklin will accept leachate from phase III of the Macon County landfill.

If you have any questions please don't hesitate to contact me at 828-524-2516 ext 305 or by email at swoodard@franklinnc.com

Sincerely,

Summer Woodard
Town Manager

Appendix 2

Leachate Collection System Inspection Report

LEACHATE SYSTEM INSPECTION REPORT

DATE: _____ TIME: _____ AM/PM NAME: _____

Phase 1 Cell I

Gravity System through landfill dike to leachate pond.

- Are manholes free of debris: Yes No
 - Is there any leachate standing in the manhole: Yes No
 - Is there indication of a leachate spill along main: Yes No
-

Phase 2 Cell I

Pump system with two pumping stations and force main that becomes gravity and empties into leachate pond.

Leachate Pump Station; Upper:

- Is pump station operational: Yes No
 - Are control panels working properly: Yes No
 - Is there indication of leachate spill along main: Yes No
 - Current water depth in well: _____ inches
 - Pump runtime meter: _____ hours
-

Leachate Pump Station; Lower:

- Is pump station operational: Yes No
 - Are control panels working properly: Yes No
 - Is there indication of leachate spill along main: Yes No
 - Current water depth in well: _____ inches
 - Pump runtime meter: _____ hours
-

Phase 3 Cell I

Pump system with two pumping stations and force main that connects to existing forcemain from Phase 2 Cell 1.

Leachate Pump Station; 1:

- Is pump station operational: Yes No
 - Are control panels working properly: Yes No
 - Is there indication of leachate spill along main: Yes No
 - Current water depth in well: _____ inches
 - Pump runtime meter: _____ hours
-

Leachate Pump Station; 2:

- Is pump station operational: Yes No
 - Are control panels working properly: Yes No
 - Is there indication of leachate spill along main: Yes No
 - Current water depth in well: _____ inches
 - Pump runtime meter: _____ hours
-

Leachate Pond:

Leachate from landfill empties into pond. Treated by aeration and pumped to head works of Wastewater Treatment Plant.

- Is leachate flowing into pond: Yes No
 - Is foot-valve clean: Yes No
 - Are Aeration Pumps operational: Yes No
 - Is control panel for aeration pumps operational: Yes No
 - Is leachate pump #1 functioning properly: Yes No
 - Is leachate pump #2 functioning properly: Yes No
 - Are pump controls functioning properly: Yes No
 - Is flow meter/totalizer functioning properly: Yes No
 - What is the depth of leachate in pond: _____feet
 - Inquire from WWTP Operators as to any noticed changes in leachate flow, volume or characteristics that cannot be explained by change in weather (i.e. heavy rain event). Note changes below on incident report:
-

Appendix 3

Waste Screening and Special Waste Handling Occurrence procedure

WASTE SCREENING AND SPECIAL WASTE HANDLING OCCURRENCE PROCEDURES

Waste Screening Program

Macon County has established the following program for screening and detecting hazardous and banned wastes, and preventing such wastes from disposal in the Macon County Municipal Solid Waste (MSW) Landfill.

Convenience Centers:

Convenience Center employees are trained to recognize and refuse banned wastes from disposal at the drop-off centers. Signs are posted at the centers to inform the public as to waste types not accepted at the centers.

Scale House:

All loads entering the landfill must cross the scales at the entrance to the landfill. Scale house attendants are trained to recognize potential hazardous or banned wastes, and question generators/haulers as to the nature of the wastes. Scale house attendants refuse banned wastes from disposal. Customers hauling questionable wastes are directed to the tipping floor of the Waste Treatment and Processing Facility where the Solid Waste Director or Landfill Operator will inspect the waste and determine proper disposal of the waste.

Waste Treatment and Processing Facility/Landfill:

The Solid Waste Operations personnel conduct regular random load inspection of waste entering the Waste Treatment and Processing Facility. Currently, inspections are conducted on approximately 5-10% of the waste stream. At a minimum, inspected loads will always represent 1% of the waste stream. Operators receive yearly training from SWANA On-site Waste Screening and Healthy and Safety Training Courses. These courses teach operators to recognize potentially hazardous wastes by container markings and waste characteristics such as noxious odor. Completed inspection reports are kept at the baling facility until being filed at the Solid Waste Administration Building. The records are updated monthly. Most banned wastes are non-hazardous and common in nature; such as tires, metal, lead-acid batteries, etc., and are simply removed from the waste stream and taken to the proper disposal area. Banned wastes that are brought in by individuals are refused and the generator/hauler is instructed as to proper disposal of the waste. If a waste of suspected hazardous or unknown nature is found, procedures for a Special Waste Handling Occurrence are followed.

Random Load Inspection Procedures:

- Driver is directed to dump load on the tipping floor of the bale facility off to the side of the regular waste stream.
- The load is spread using the bucket of a rubber-tired loader.
- The load is then inspected by landfill personnel to search for hazardous/banned wastes.
- Any unacceptable wastes found are removed from the load and taken to the proper disposal area. If hazardous or unknown wastes are discovered, procedures for a Special Waste Handling Occurrence are followed.

- Remaining, acceptable wastes are then incorporated back into the waste stream for disposal.

Special Waste Handling Occurrence Procedures:

If a known hazardous waste or waste of unknown nature that exhibits potentially hazardous characteristics is discovered, the following steps should be taken:

1. **Secure the waste.** Move waste away from the operating area to an isolated section of the tipping floor. If necessary, construct a dam around the suspected waste using absorbent material or socks. Remove public and personnel from contact with the waste. Depending on the nature of the hazard, this would include: at minimum, placing cones or other restrictive barrier around waste; and up to, complete evacuation of public and personnel from the bale facility and a safe perimeter around the facility. In the event of a closing of the Waste Treatment and Processing Facility, waste would be directed to the landfill.
2. **Identify waste generator/hauler.** Hold and question generator/hauler of the waste as to the source and nature of the waste.
3. **Notify Solid Waste Director Immediately.**
4. **Contact Emergency Management Services.** If the nature of the waste presents an acute or immediate hazard to personal safety, contact EMS by dialing 911. EMS may also contact the Regional Hazardous Waste Management Team located in Asheville, North Carolina.
5. **Notify NCDENR.** Notify NCDENR by telephone of the situation within 24 hours of the occurrence. NCDENR should also be notified in writing of the occurrence within 15 days. This notice will be sent by completion of a Special Waste Handling Occurrence Report. Blank forms are located at the Solid Waste Administration Building.
6. **Properly dispose of waste.** Follow up, and include in the report, on final status of the waste. Either, the waste was identified and acceptable for burial in the landfill or the waste was handled by contractor or other agent to remove the waste for proper disposal at acceptable waste handling facility.

Special Waste Handling Occurrence Notification



NC DENR Division of Waste Management Solid Waste Section

The Solid Waste Rules require verbal notification within 24 hours and submission of a written notification within 15 days of the occurrence requiring special handling of waste at the landfill. The completion of this form shall satisfy that requirement. *(If additional space is needed, use the back of this form.)*

NAME OF FACILITY: _____ PERMIT #: _____

DATE AND TIME OF OCCURRENCE: ____/____/____ @ ____:____ AM/PM (circle one)

HOW WAS THE WASTE REPORTED AND BY WHOM _____

LIST ACTIONS TAKEN _____

WHAT WAS THE SOURCE OF THE WASTE _____

DESCRIBE THE AREA AND TYPE AND AMOUNT OF WASTE INVOLVED _____

CURRENT STATUS OF WASTE _____

DESCRIBE PLAN OF ACTIONS TO PREVENT FUTURE INCIDENTS _____

NAME	TITLE	DATE
------	-------	------

THIS SECTION TO BE COMPLETED BY SOLID WASTE SECTION REGIONAL STAFF

DATE RECEIVED _____

List any factors not listed that might have contributed to the occurrence or that might prevent future occurrences:

FOLLOW-UP REQUIRED:
 NO PHONE CALL SUBMITTAL MEETING RETURN VISIT BY: _____ (DATE)

ACTIONS TAKEN OR REQUIRED:

FIRE OCCURRENCE NOTIFICATION

NC DENR Division of Waste Management Solid Waste Section



The Solid Waste Rules [15A NCAC 13B, Section 1626(5)(d) and Section .0505(10)(c)] require verbal notification within 24 hours and submission of a written notification within 15 days of the occurrence of a fire at a landfill unit. The completion of this form shall satisfy that requirement. *(If additional space is needed, use back of this form)*

NAME OF FACILITY: _____ PERMIT # _____

DATE AND TIME OF FIRE ____ / ____ / ____ @ ____ : ____ AM / PM (circle one)

HOW WAS THE FIRE REPORTED AND BY WHOM _____

LIST ACTIONS TAKEN _____

WHAT WAS THE CAUSE OF THE FIRE _____

DESCRIBE AREA AND TYPE AND AMOUNT OF WASTE INVOLVED _____

WHAT COULD HAVE BEEN DONE TO PREVENT THIS FIRE _____

CURRENT STATUS OF FIRE _____

DESCRIBE PLAN OF ACTIONS TO PREVENT FUTURE INCIDENTS: _____

NAME	TITLE	DATE
------	-------	------

THIS SECTION TO BE COMPLETED BY SOLID WASTE SECTION REGIONAL STAFF

DATE RECEIVED _____

List any factors not listed that might have contributed to the fire or that might prevent occurrence of future fires:

FOLLOW-UP REQUIRED:	
<input type="checkbox"/> NO	<input type="checkbox"/> PHONE CALL
<input type="checkbox"/> SUBMITTAL	<input type="checkbox"/> MEETING
<input type="checkbox"/> RETURN VISIT	BY: _____ (DATE)
ACTIONS TAKEN OR REQUIRED:	

Appendix 4

Letter from Zoning Committee



Town of Franklin

Post Office Box 1479
Franklin, North Carolina 28744
(828) 524-2516

June 2, 2015
Chris Stahl, Macon County Solid Waste Director
5 W Main St
Franklin, NC 28734

Re: **Zoning Compliance Verification for property at 198 & 256 Pannell LN and 1468 Lakeside DR Franklin NC, 28734. PIN #'s 6595371587, 6595483221 and 6595482707**

Dear Mr. Stahl:

In response to your request for information regarding the above referenced Project and Property, we have researched our files and represent the following:

1. The current zoning classification for the subject Property is Industrial (I-1). Which will allow a landfill.
2. According to the zoning ordinances and regulations of this district, the use of the subject Property is:
 Permitted Use
 Non-Permitted Use
 Conditional Use (see comments, or attached documentation)

Comments: As per section 152.026 of the Town of Franklin Zoning UDO the said property can be permitted for a landfill in I-1. There are no overlaying districts and the abutting zoning districts are R-1. There are not any zoning violations on file at this time.

3. According to the zoning ordinances and regulations of this district applicable to this Property, the structure is:
 Legally Conforming
 Legally Non-Conforming (see comments, or attached documentation)
 Variance Granted (describe in comments, or attach documentation)
 Non-Conforming (see comments, or attached documentation)

Comments: The said property is now listed as a legal conforming structure as per section 152.152 of the UDO.

4. In the event of a casualty to the Project, in whole or in part, the structure:
 May be rebuilt in its current form (i.e. no loss of sq. footage, same footprint, with drive through(s), if applicable)
 May not be rebuilt in its current form, except upon satisfaction of the following conditions, limitations or requirements (describe):

5. Based on our records, the Project:

Complies with, or is otherwise exempt from, applicable subdivision requirements
 Does not comply with, nor is exempt from subdivision regulations

6. The current parking requirements for the subject Property/Project are:

Total Parking Spaces required (# Regular # Handicapped
 Parking Spaces, for each sq. feet of area
 Parking Spaces, Other (describe):

Parcel meets all Parking requirements for this facility.

7. Certificate of Occupancy, status:

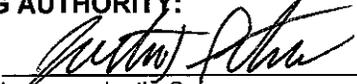
A valid Certificate of Occupancy has been issued for the Project and a copy is attached.
 A valid Certificate of Occupancy has been issued for the; however, we are unable to locate a copy in our records. The absence of a Certificate of Occupancy will not give rise to any enforcement action affecting the Project.
 Certificates of Occupancy for projects constructed prior to the year are no longer on file with this office. The absence of a Certificate of Occupancy will not give rise to any enforcement action affecting the Project. A Certificate of Occupancy for the Project will only be required for new construction.
 Other (describe):

Certificate of Occupancy is provided by Macon County Government (Building Inspections Department). Located at 1834 Lakeside Drive, Franklin NC, 28734.

8. Additional Comments:

This information was provided on June 2, 2015, by the undersigned, on behalf of the Town of Franklin (Land Use Administrator) per request and as a public service. The undersigned certifies that the above information contained herein is believed to be accurate and is based upon, or relates to the information supplied by the requestor. The Zoning Authority assumes no liability for errors and omissions. All information was obtained from public records, which may be inspected during regular business hours.

ZONING AUTHORITY:

By: 
Printed Name: Justin Setser
Title: Land Use Administrator
Phone: (828) 524-2516

June 2, 2014

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, June 2, 2014 at 7:00 P.M. in the Town Hall Board Room. Mayor Robert S. Scott presided. Aldermen Patti Abel, Verlin Curtis, Joyce Handley, Farrell Jamison, Billy Mashburn and Barbara McRae were present.

Pledge of Allegiance

The Pledge of Allegiance was done.

Adoption of June 2, 2014 Proposed Agenda

Motion was made by Curtis, seconded by Jamison to approve the June 2, 2014 agenda as proposed. Motion carried. Vote: 6 to 0.

Approval of the Minutes

Motion was made by McRae, seconded by Handley to approve the minutes for the May 1, 2014, May 5, 2014 and May 17, 2014 meetings as presented. Motion carried. Vote: 6 to 0.

Public Session

Howell Derrick – This drug dog business in the budget. The town is only 3 ½ square miles. There are drugs in Franklin. You don't need to spend money on a drug dog. It will be expensive. The dog will have to be certified and trained by a certified person. You will have to have liability insurance. This will be expensive. There will have to be several officers involved due to sickness, vacations, etc. There are already drug dogs at the sheriff department. If you ask Sheriff Holland, he will work with the town. You need to look into this matter further.

Public Hearing – Proposed Fiscal Year 2014-2015 Budget

Mayor Scott opened the public hearing at 7:05 P.M. on the proposed fiscal year 2014-2015 budget.

Angela Moore – The tax increase of \$65,000.00 is a huge number for the citizens. The economy has taken a hit. You were building new facilities and going into debt. You need to make hard choices and cut the \$65,000.00 from this budget.

Mayor Scott closed the public hearing at 7:09 P.M.

June 2, 2014 meeting continued,

Public Hearing – Rezoning Petition for Macon County and the Town of Franklin Properties

Mayor Scott opened the public hearing at 7:10 P.M. on the rezoning petition for Macon County and the Town of Franklin properties.

Brenda Henry – 790 Lake Emory Road – I am opposed to the rezoning due to the decrease in the value of my property. I tried to rezone my property to commercial. It was not rezoned. The transit property owned by Macon County is next to me. There were trees between the two properties. The trees have been cut down. This change in the zoning will further diminish the value of my property.

Kenneth Pannell – Lake Emory Road - I have lived on my property for fifty-five years. The transit authority is next to me. There is no buffer. The new cell will be in front of my house. You need to find another location for this cell.

Derek Roland – Macon County Manager – On behalf of Macon County, I want to point out this property will not be used differently in the future. All permits for the landfill were given. When the ETJ was passed in 1989, a letter from Jim Williamson stated a landfill would be allowed in R-1 regulations. No new landfills have been permitted in the past ten years. This cell will add twenty years of life to the landfill.

Mayor Scott closed the public hearing at 7:25 P.M.

Public Hearing – Application to Amend Text Only of the Unified Development Ordinance for Microbrewery and Brewpub

Mayor Scott opened the public hearing on the application to amend text only of the Unified Development Ordinance for microbrewery and brewpub at 7:25 P.M.

No person spoke at the public hearing.

Mayor Scott closed the public hearing at 7:26 P.M.

Public Session

Tony Hernandez – There has been discussion on buying new trash cans for Main Street at a cost of \$600.00 per can. We are willing to repaint the trash cans at no cost to the town. We like the trash cans with the art work.

Summer Woodard – Interim Town Manager – There has been discussion about the trash cans at the Main Street meeting. At this time, we are looking at different options.

June 2, 2014 meeting continued,

Public Session

Mary Carolyn Scruggs – I understand that my brother who lives at 65 Ridgewood Drive has forty-five days to comply with the minimum housing code. I want to represent my brother in this matter since he is in the hospital.

Mayor Scott – This will be discussed later in the meeting.

New Business – Board Decision on Proposed Fiscal Year 2014-2015 Budget

Motion was made by Handley, seconded by McRae to approve the proposed fiscal year 2014-2015 budget as presented. Motion carried. Vote: 6 to 0. A copy of the budget is attached.

New Business – Board Decision on Rezoning Petition for Macon County and the Town of Franklin Properties

Motion was made by McRae, seconded by Jamison to adopt the rezoning petition for Macon County and the Town of Franklin properties and to adopt the Zoning Consistency Statement. Motion carried. Vote: 6 to 0. Information copies are attached.

New Business – Board Decision on Application to Amend Text Only of the Unified Development Ordinance for Microbrewery and Brewpub

Motion was made by Jamison, seconded by Abel to amend text only of the Unified Development Ordinance for microbrewery and brewpub and to adopt the Zoning Consistency Statement. Motion carried. Vote: 6 to 0. Information copies are attached.

New Business – Presentation by R.E.A.C.H.

Bonnie Peggs – President – R.E.A.C.H. – Our shelter is very old. We have been turning away families. We are building a new shelter with ten bedrooms. We are asking the town for funds. We are asking that you donate \$12,000.00 for the new shelter.

Summer Woodard – Interim Town Manager – R.E.A.C.H. will need to apply through the Town's non-profit funding pool for fiscal year 2014-2015.

New Business – Proclamation for Independence Day for All

Motion was made by Handley, seconded by Jamison to proclaim Friday, July 4, 2014 as Independence Day for All in Franklin. Motion carried. Vote: 6 to 0. A copy of the proclamation is attached.

June 2, 2014 meeting continued,

New Business – Minimum Housing and Nuisance Code Violation at 65 Ridgewood Drive

Justin Setser – Land Use Administrator – We are ready for the abatement process on the William Scruggs property located at 65 Ridgewood Drive. This property is in violation of the Minimum Housing and Nuisance Code. The estimated cost for the cleanup is \$1,130.00. It could be more. If the Town pays for the cleanup, a lien will be added to the property. Informational copies are attached.

Alderman Jamison – Does the owner have forty-five days to take care of the problem?

Mr. Setser – Yes.

Mary Carolyn Scruggs – I will be working on cleaning up the property before the deadline.

Motion was made by Curtis, seconded by Handley to do an allocation of up to \$2,000.00 if needed for the contracted labor for the cleanup of the property located at 65 Ridgewood Drive and to amend the budget out of fund balance. Motion carried. Vote: 6 to 0.

New Business – Nuisance Code Violation at 415 Forest Avenue

Justin Setser – Land Use Administrator – There is a Nuisance Code Violation at 415 Forest Avenue. The notice of violation was mailed to Lucille McCall. She is the administrator of the estate. She was given fifteen days to correct these violations. Informational copies are attached.

John Henning, Jr. – Town Attorney – My recommendation is not to consider this matter tonight.

New Business – Budget Amendments

Motion was made by McRae, seconded by Handley to approve the budget amendments presented by Finance Officer Janet Anderson. Motion carried. Vote: 6 to 0. Copies of the budget amendments are attached.

New Business – Western North Carolina Hospice House

Summer Woodard – Interim Town Manager – The Board agreed to proceed with a grant application for the Western North Carolina Hospice House if there would be no liability to the town.

John Henning, Jr. – Town Attorney – There would be a large investment of staff time and also potential liability to the town. We would be monitoring the employment requirements. The town could be sued and asked to pay back the grant of \$100,000.00 if there are any problems.

June 2, 2014 meeting continued,

Alderman Mashburn – This is not like anything that we have done in the past. The other grants were pass-thru grants without a lot of staff time.

Motion was made by McRae, seconded by Curtis to table the request of the grant application for Western North Carolina Hospice House until the July meeting. Motion carried. Vote: 6 to 0.

Other Business

Departmental reports are attached.

Legal – Assignment of Town Attorney Contract

Motion was made by McRae, seconded by Handley to approve the assignment of the town attorney contract to Campbell Shatley, PLLC with an effective date of July 1, 2014. Motion carried. Vote: 6 to 0. A copy of the agreement is attached.

Legal – Closed Session

At 8:24 P.M., on motion made by Handley, seconded by Jamison the Board went into closed session pursuant to (1) N.C.G.S. 143-318.11(a)(5), “to establish, or to instruct the public body’s staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease,” concerning the term of acquisition of an easement for the installation of a sewer line located on Arthur Drake Road and pursuant to (2) N.C.G.S. 143-318.11(a)(6), “to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee”. Motion carried. Vote: 6 to 0.

The Board came out of closed session at 9:05 P.M., on motion made by Jamison, seconded by McRae. Motion carried. Vote: 6 to 0.

Open Session

Motion made by Mashburn, seconded by Curtis to adopt a resolution to pay the sum of \$4,500.00 from retained earnings to William V. Cansler for use of an easement, upon execution of a release in favor of the Town. Motion carried. Vote: 6 to 0. A copy of the resolution is attached.

June 2, 2014 meeting continued,

Announcements

Town of Franklin employee luncheon will be July 3, 2014 at 12:00 noon at Fat Buddies.

The Town offices will be closed on Friday, July 4, 2014 in observance of the 4th of July.

Adjournment

**Motion was made by Handley, seconded by Abel to adjourn the meeting at 9:10 P.M.
Motion carried. Vote: 6 to 0.**

Robert S. Scott, Mayor

Janet A. Anderson, Town Clerk

January 5, 2015 meeting,

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, January 5, 2015 at 7 p.m. in the Town Hall Board Room. Mayor Robert S. Scott presided. Aldermen Patti Abel, Verlin Curtis, Joyce Handley, and Farrell Jamison were present.

Motion was made by Handley, seconded by Jamison to excuse Aldermen Billy Mashburn and Barbara McRae from the meeting. Motion carried. Vote: 4 to 0.

The Pledge of Allegiance was done.

Adoption of January 5, 2015 Proposed Agenda

Motion was made by Jamison, seconded by Curtis to adopt the January 5, 2015 Agenda as presented. Motion carried. Vote: 4 to 0.

Approval of the December 1, 2014 Board Minutes

Motion was made by Curtis, seconded by Jamison to approve the December 1, 2014 Board Minutes as presented. Motion carried. Vote: 4 to 0.

Public Session

W. H. Derrik – It's good to see the Board again. I'd like to thank ya'll for putting the lights back on the streets. You know which one I'm talking about. Two other things. I just got back three (3) weeks ago. I hear the County is going to develop a noise ordinance. So I was wondering if the Town was going to do the same thing. Because what they have is what we have. So that would cut down on lawyer fees. Have you thought about that?

Mayor Scott – We are waiting to see what the county comes up with. Right now noise complaints are complaint driven. We will send the police out there and tell them to quiet down.

W. H. Derrik – Have you thought about repaving Forest Avenue? Where is that on the priority list?

Summer Woodard – Town Manager – That is on the street ranking list.

W. H. Derikk – Well good. Last thing, Ulco on the corner. When the water comes down it gets under the asphalt. The way to remedy that is to get about three or four tons of rock and pack that. I brought this up before in previous discussions. That's about it. I appreciate it.

Angela Moore – I do want to remind the board that when the Unified Development Ordinance was adopted, all of the previous zoning codes and subdivision ordinances were eliminated from the code. This included the provision for the creation and running of the Planning Board. There was no new provision put into the Unified Development Ordinance. So right now there is no codified language regarding the Planning Board. Just thought I would throw that out there.

Mayor Scott – We will take that under consideration.

January 5, 2015 meeting continued;

Public Hearing 7:05 p.m. for Re-Zoning Petition for Two (2) Parcels on Pannell Lane

Angela Moore – I've seen several rezonings come across your table from this area, in and around the landfill which is now Macon Transit. Consistently these people are being turned down. I think that's a mistake on the Board's part. Because these people, many of them bought their property before the landfill was even there. And they're not even within our town limits. And I think what needs to be done is that they need to be given back their property rights. It's a lot of fun to champion the cause of decorating the town or working with the police department, or working towards better water and sewer, but the reality is that the citizens in this area that live near the landfill, which has expanded beyond its initial use against the Unified Development Ordinance. The landfill was grandfathered in, but the extension of the landfill and the extension of Macon Transit, the only reason that was allowed is that parcel was rezoned from Residential (R-1) to Industrial. It was originally zoned Residential (R-1) to keep the landfill from expanding without community discussions. We had these discussions when I was on staff here. I feel like those people were silenced the last time during that rezoning. Some people have tried to rezone their properties, but have been turned down. So not only do I support this rezoning fully, and I think each of you should consider supporting it. I think you should delay your vote to conduct research on it. That whole area, I believe there are some buffer and screening ordinances that are being violated by the county's parcel because it is based on use. I would encourage you to vote yes on this rezoning, and take a closer look at that community in general.

Justin Setser – Land-Use Administrator – In your packets you will see the petition from Macon County. The total added up is 22.99 acres. Per our zoning ordinance, this does meet your requirements for Industrial. It's a minimum of one acre per parcel. This did go before the planning board, and they looked over the impacts, and voted to recommend approval for the rezoning. Also you will see the attached maps showing the aerial, which shows what is currently zoned. Also you will find the statements and findings of fact from the Planning Board.

Susan Schlatter – 475 Pannell Lane – How far down Pannell Lane will the buffer be? I know the Dalton property has been purchased, and also the property next to it with the house on it. I'm wondering how far the buffer will be. We don't want to drive past the landfill every day going home.

Mayor Scott – I'm not sure if I can answer that question.

Alderman Jamison – The County has representatives here.

Chris Stahl – Macon County Solid Waste Director – I believe I can answer that question. The minimum distance from the road to the boundary of the landfill is three hundred (300) feet. The minimum distance from the landfill to a private residence is five hundred (500) feet. Given the proximity of the number of residents on Pannell Lane, the five hundred foot (500) buffer will probably be applied.

The Public Hearing was closed at approximately 7:15 p.m.

January 5, 2015 meeting continued,

New Business: Board Decision on Re-Zoning Petition for Two (2) Parcels on Pannell Lane

Motion was made by Curtis, seconded by Jamison to approve the Re-Zoning Petition for Two (2) Parcels on Pannell Lane from Residential (R-1) to Industrial (I-1). Motion carried. Vote: 4 to 0.

New Business: Proclamation for Zonta International Amelia Earhart Day

Peggy Milton – Vice President of Zonta Club – We are an organization that helps to improve the status of women. Zonta celebrates Amelia Earhart during the month of January, and we sponsor a scholarship in her honor. The award goes to women who study advance aerospace engineering and science. We are proud to say that our area actually has a scholarship winner, and that ceremony will be Saturday, January 11, 2015.

Mayor Scott read the proclamation.

Motion was made by Jamison, seconded by Abel to approve the Proclamation making January 11, 2015 Amelia Earhart Day in Franklin, North Carolina. Motion carried. Vote: 4 to 0. A copy of the Proclamation is attached.

New Business – Proclamation for Macon Valley Nursing and Rehabilitation Center

Mayor Scott read the Proclamation.

Motion was made by Curtis, seconded by Handley to approve the Proclamation to recognize Macon Valley Nursing and Rehabilitation Center for achieving the Silver Award in October of 2014 for excellence in healthcare. Motion carried. Vote: 4 to 0. A copy of the Proclamation is attached.

New Business – Presentation/Update from the Alcohol Beverage Control Board

Todd Mason – President of the Franklin Alcohol Beverage Control Board – Thank you for having me. A brief update, we showed a three (3) percent increase in sales in 2013-2014. This is very good considering the economy. I did not know if you were aware or not, but we also have to be audited every year. We have had to do this twenty (20) consecutive years. We have had clean audits every time. We are basically spot on with our profit ratio. As you are aware, the state studies stores of similar size. Not by store size, but by county size. They also look at whether or not the Town owns or leases their building. Roughly, right now we are giving the Town \$70,000 annually. We rank in the top 50 of Alcohol Beverage Control Boards in North Carolina, in the fact that it's clean and well-stocked. There are over 200 in the state. A couple of items the state is looking at is possible Sunday sales. That will be up to the Alcohol Beverage Control Board. Another item is selling non-alcoholic items such as shot glasses, etc. Another thing is extending the hours. We are already operating under the maximum hours, which is 9 a.m. to 5 p.m. The state may be looking at extending that, but that doesn't mean we will have to do that. Sampling items and lottery ticket sales is also something they are looking at.

January 5, 2015 meeting continued,

Mayor Scott – Did you say sampling?

Todd Mason – Yes. You would have vendors looking at testing new alcohol items, not alcohol that is already on sale.

Alderman Jamison – What is the status or any future plans on a larger store, or the expansion of the store.

Todd Mason – Our lease expires in December 2015. We can renew the lease. The shopping center would like for us to stay there. Some people would like for us to stay there too. That's up to the Alcohol Beverage Control Board and the Town Board. We don't need larger space. We could get by with a little less. We took this space because we had outgrown the 3,200 square feet that we had been in for a number of years at the end of the shopping center. Nothing has been presented to us in terms of land. The shopping center has not told us what the rate increases will be.

Alderman Jamison – The last time there was some negotiations to keep the lease down. I knew that would hold until the next lease.

Todd Mason – Yes. We were all aware of that. They wanted us there. They kept the lease down to keep us there until everything else fell through. I don't know what will happen. It will probably increase drastically.

Mayor Scott- I would hate for us to get into the lottery business.

New Business: Appointment to the Town of Franklin Planning Board

Justin Setser – Land-Use Administrator – As you know we have a vacancy on the Planning Board and Board of Adjustment. Larry Hollifield is leaving. We advertised the position in the paper, ran it on the Town's website, and we received one application. The Planning Board reviewed his resume, and recommended appointment of Brandon McMahan to the Planning Board. He lives in Town on Bidwell Street. He is eager to serve.

Motion was made by Handley, seconded by Abel to appoint Brandon McMahan to the Town of Franklin Planning Board and Board of Adjustment. Motion carried. Vote: 4 to 0.

January 5, 2015 meeting continued

New Business: Resolution authorizing the Town Clerk to Investigate the Sufficiency of a Voluntary Annexation Petition at 44 Lowery Lane.

John Henning Jr. – Town Attorney – There are a few items the Board should consider. There is no opinion on whether the board should move ahead on the sufficiency annexation. In your packet there is an annexation policy adopted some years ago by the Board. It contains a statement that the Town will not consider annexing non-contiguous property outside the Extra Territorial Jurisdiction. Those of you on the Board will remember that policy was adopted when several petitions from outside farther in the county were coming in. They were seeking annexation to sell alcohol. The Town desired not to go that far out to provide services. You are not bound by this policy. It's not an ordinance. The Board will need to consider this policy in view of this petition.

Alderman Jamison – Have we not turned down other request for voluntary annexations for the same basic reasons?

John Henning Jr. – Yes. Not since 2011. But again, you're not bound by this policy unless you want to be. You can consider this.

Alderman Jamison – There are other positives, such as low insurance rates for them. That would be a big plus for them being annexed. Because that area is not presently in the Franklin Fire District.

Aldermen Curtis – Access to less expensive water and sewer, and frankly speaking, we don't need less revenue on property we annex in.

Steve Isaacs – President of Pioneer Petroleum Company – We have 28 stores that we own and operate. The 29th one we are going to open up in Burnsville in two weeks. And you are right, every one of our stores are in the city limits and our insurance is considerably less expensive. We are very strict with alcohol in our stores, so we want police protection. Those are the main reasons. We have been looking at Franklin for a long time. We have seven stores in North Carolinas right now. I've always thought the corridor down there is prime for development. And the reason we looked at this one is that it is contiguous, because the property across the road is in the city limits. That's how I understand it. I like this side better.

Mr. Isaacs showed pictures of what the store would look like.

Steve Isaacs - Since we opened up in Asheville, a Bojangles has opened up there beside me. A Dicks Sporting Goods is now in front. A motel has come in behind me. All the owners say that we were the reason they came there. This will be a good way to incentivize growth there. I was the first property annexed in 39 years in the city of Burnsville. This happened six months ago, and it's opening up in two weeks. Since then, a pizza hut has opened up beside me and a motel is coming behind me. We are a traffic generator, and I hope you will consider what we would like to do.

Alderman Jamison – In addition, there is going to be a gas station and a small convenience store. Restaurants?

January 5, 2015 meeting continued,

Steve Isaacs – We have several franchises we can choose from.

Alderman Jamison – Carwashes?

Steve Isaacs- That's a possibility, especially since we have sewer out there.

John Henning Jr. – Town Attorney – We will have to give some thought about the language in that policy. Whether or not non-contiguous means the corporate boundary, or non-contiguous to any town property. He is right. It is contiguous to a satellite. But I don't think that's what it meant. The Town Board will keep its options open.

Alderman Jamison – I'd like for us to go ahead and look into it this policy going forward.

Motion was made by Jamison, seconded by Handley to approve the Resolution Authorizing the Town Clerk to investigate the sufficiency of a Voluntary Annexation Petition at 44 Lowery Lane. Motion carried. Voting in favor: Handley, Jamison and Abel. Voting No: Curtls. Vote: 3 to 1. A copy of the Resolution is attached.

New Business: Discussion on Soliciting Bids for Property Located at 381 East Main Street

Summer Woodard – Town Manager – A few months ago the Town purchased property here. I would just like to start the discussion about soliciting bids for the property.

John Henning Jr. – Town Attorney – To sell real property owned by the Town, it has to be declared surplus and not needed. We've already done that. You also have to advertise for sealed bids. If someone wanted to exchange that property, we can look at that. But right now there is no point in talking about it. A public auction is not a good way to drum up interest in a piece of property. I would recommend the Board authorize the manager and myself to go forward with the sealed bids. Or on the other hand, you have an offer from an individual who wanted to remain anonymous for now. That's okay right now. That offer is for \$50,000.00. You can instruct me to get another offer and that would start us down the path of the upset offer advertisement process. Or we could do the sealed bids, collect those after thirty days, and we choose the best one. Nothing is final until the board passes something. If at the end of the sealed bid process or the upset bid process, there is still not a sufficient offer you can turn it down and we are back where we were.

Mayor Scott – I guess I wonder if it wouldn't be better to go ahead and advertise for sealed bids. I don't know how many people know this property is for sale.

John Henning Jr. – It will get advertised either way. We certainly haven't advertised it yet.

Mayor Scott- Do we need a motion tonight?

John Henning Jr. – Town Attorney – I think we do. You need to direct us to propose to accept the initial \$50,000.00 offer and begin the upset bid process or not, or alternatively authorize the advertising for the sealed bid process.

January 5, 2015 meeting continued,

Mayor Scott – What would the board like to do on this?

Alderman Handley – I would like for us to do the sealed bid process.

Motion was made by Handley, seconded by Abel to direct Town Manager Summer Woodard and Town Attorney John Henning Jr. to conduct a sealed bid process for Property Located at 381 East Main Street. Motion carried. Vote: 4 to 0.

Legal: Resolution Designating Authorized Signatories

John Henning Jr. – Town Attorney – You are required to authorize signatories, or people who counter-sign checks. This makes this explicit. It also authorizes the Town Manager to designate a person to be a counter signatory, which the Board ultimately has to approve.

Summer Woodard – Town Manager – We need Ms. Emilie Nickerson to be one of the counter signatories on the checks, for payroll and other accounts payable purposes.

Motion was made by Jamison, seconded by Curtis to adopt Resolution designating authorized Counter signatories. Motion carried. Vote: 4 to 0. A copy of the Resolution is attached.

Legal: Charitable Solicitations Ordinance

John Henning Jr. – I think we have beaten this horse half to death. You are all familiar with the purpose of it by now, which is to require a two million dollar insurance policy and a permit for solicitations in the streets.

Mayor Scott – I do have some reservations about this. I'm not sure if we defined charitable.

John Henning Jr. – Town Attorney – I think the statute dictates that. The ordinance itself deals with people standing in the roads soliciting contributions.

Mayor Scott – That could also be various groups.

John Henning Jr. – It would be any groups wanting to stand in the streets to solicit.

Mayor Scott- Do we really need to require a fee of \$25.00 a day before any permit is to be issued.

John Henning Jr. – The statute doesn't require a fee, but I think you need to consider staff time. The \$25.00 permit fee is the maximum.

Mayor Scott – And the two million dollar insurance policy?

John Henning Jr. – Town Attorney – That's statutory. So if you're going to allow these charitable solicitations of donations in the streets, this is the way to do it. The two million dollar amount is in the statute.

January 5, 2015 meeting continued,

Mayor Scott – Does that protect us or solicitors?

John Henning Jr. – The town takes on no liability passing this ordinance. I can't promise you that you won't be sued if something happens. But you would be doubly protected with that policy.

Alderman Jamison – It would also protect us if someone was soliciting in the streets, creating a nuisance, which pulled the attention of a driver, and they ran over someone else trying to cross the street.

Mayor Scott – The issuance of a permit under this chapter are not governmental functions of the Town.

John Henning Jr. – And that makes clear the town is not responsible for what somebody else does in the middle of the street.

Mayor Scott – So if they fail to follow a police officer's order to cease, they shall be guilty of a class two misdemeanor. That's already true if an officer tells you to move on and you don't. That's obstructing, resisting and delaying. Isn't that a class two?

Alderman Jamison – But the officer would only be approaching them if they only had a permit. That's the only place it would apply. Right now they can't tell them to move on.

Mayor Scott – And it says no person shall stand on sidewalk, street or right-of-way, excluding sidewalks, while soliciting or attempting to solicit employment, business or contribution from the driver or the occupants of any vehicle. That looks like that is restrictive, but I'll go along with whatever you guys want to do.

John Henning Jr. – Town Attorney – I didn't get creative with this thing. Most of this came wholesale directly out of the statute. This is what the state law authorizes us to do.

Mayor Scott- But this is not state law.

John Henning Jr. – We are authorized as a division of the state to do this.

Mayor Scott – So if we adopt this, we can do things on a complaint driven basis.

David Adams – Police Chief – Can we determine where they can solicit funds? To me that's a traffic hazard. Can we determine what intersections they use?

John Henning Jr. – I think the answer is yes. Let me look into that.

Mayor Scott - I think an officer has the authority to tell you to go away if you are creating a traffic hazard right now.

Alderman Handley – I don't think so. It hasn't been working.

Alderman Abel – Will we be more liable if we don't have the permitting?

January 5, 2015 meeting continued

John Henning Jr. – I think so, because this method allows you to make sure that whoever is doing that has met certain requirements.

Alderman Abel – And they are taking on the responsibility.

John Henning Jr. – And the Town isn't responsible for what they do. So you will invoke much more protection for the town.

Mayor Scott – Have we had any other issues besides this one?

David Adams – Police Chief – No, I don't think so.

Mayor Scott – In passing this ordinance are we going to impact some other charitable organizations where the old Franklin Motel use to be? If a cheerleader gets a little excited and jumps out of the road, are we going to write them up?

Alderman Handley – And if we designate just one street, they will go somewhere else.

Mayor Scott – Is the ordinance being presented to clear up one situation or is it going to clear up a whole lot of situations.

Alderman Abel – I think it could potentially clear up a whole lot of situations down the road.

Alderman Jamison – That by far is the most complaints that I get. I know we can't stop it. We can do something.

Mayor Scott – How do you define Parade in the ordinance book? We do require a parade permit. The North Carolina Association of Education had to get a permit because they were crossing the street in their protest.

Alderman Curtis – Their next place might be in front of the BI-LO shopping center. They should move to the sidewalk. That way it keeps everyone out of the road. The cheerleaders and other organizations do well on the sidewalks. This has been a steady barrage of complaints. Nobody seems to know who they are. I don't think they know who they are.

Mayor Scott – I'm a little concerned about the First Amendment question here.

Alderman Handley – I'm ready to take a vote.

Motion was made by Handley, seconded by Curtis to adopt Charitable Solicitations Ordinance as presented. Motion carried. Vote: 4 to 0. A copy of the Ordinance is attached.

January 5, 2015 meeting continued

Announcements

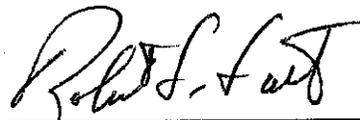
Town Hall Offices will be closed Monday January 19, 2015 for Martin Luther King Jr. Day.
Town Board Retreat will be Saturday January 24, 2015 at 9 a.m. in the Town Hall Board Room.

Alderman Jamison – Do we have an idea on the agenda for the retreat?

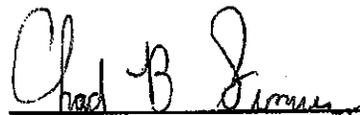
Summer Woodard – Town manager – Yes. If the Board Members think of anything else, please just let me know.

Mayor Scott – I would like to remind the media that Paul Meyer with the League of Municipalities will be at the next Region A Meeting at the Boiler Room. He will talk about some of the legislative goals during this next session.

Motion was made by Jamison, seconded by Abel to adjourn the meeting at approximately 8:45 p.m.
Motion Carried. Vote: 4 to 0.



Robert S. Scott, Mayor



Chad B. Simons, Town Clerk

Appendix 5

Correspondence from Town of Franklin Wastewater Treatment Facility Approving Leachate Acceptance and Pretreatment Permit

TOWN OF FRANKLIN

hereafter in this permit referred to as the Control Authority

DISCHARGE PERMIT

**Industrial User Pretreatment Permit (IUP)
To Discharge Wastewater Under the
Industrial Pretreatment Program**

0002

IUP Number

In compliance with the provisions of North Carolina General Statute 143-215.1, any applicable federal categorical pretreatment regulations, all other lawful standards and regulations promulgated and adopted by the North Carolina Environmental Management Commission, and the Control Authority Sewer Use Ordinance. The following Industry, hereafter referred to by name or as the permittee:

Industry name, permittee: MACON COUNTY
Facility Located at Street Address 1448 LAKE SIDE DRIVE
City FRANKLIN
State, Zip NORTH CAROLINA, 28734

is hereby authorized to discharge wastewater from the facility located at the above listed address into the sanitary sewer collection system and the wastewater treatment facility of the Control Authority listed below:

IUP Control Authority WWTP name: TOWN OF FRANKLIN WWTP
NPDES Number: NC0021547
WWTP Address: 70 WEST MAIN STREET
City, State, Zip FRANKLIN, NC 28734

in accordance with effluent limitations, monitoring requirements, and all other conditions set forth in Parts I, II, and III of this Industrial User Pretreatment Permit (IUP).

Effective date, this permit and the authorization to discharge shall become effective at midnight on this date: November 15, 2005
Expiration date, this permit and the authorization to discharge shall expire at midnight on this date: July 31, 2010

Wayne Price
Mr. Wayne Price

11-14-05
Date

IUP, PART I, Industrial User (IU) Specific Conditions

IUP, PART I, OUTLINE:

- A.) IUP Basic Information
- B.) IUP Modification History
- C.) Authorization Statement
- D.) Description of Discharges
- E.) Schematic and Monitoring Locations
- F.) Effluent Limits & Monitoring Requirements
- G.) Definitions and Limit Page(s) notes

A. IUP Basic Information:

Receiving POTW name : TOWN OF FRANKLIN WWTP	POTW NPDES # : NC0021547
IUP Name : MACON COUNTY LANDFILL	IUP Number : 0002
IUP Effective date : February 29, 2004	Pipe Numbers, list all regulated pipes: 1
IUP Expiration date : July 15, 2005	IUP 40 CFR # (if applicable), or N/A: N/A

B. IUP Modification History:

Date Modified	Reason for & Description of modifications.
October 31, 1997	Original permit issuance
May 1, 1998	Modified limits and monitoring frequency.
July 31, 2001	Permit renewal with no modifications.
February 29, 2004	Identified separate monitoring frequencies for Permittee and Control Authority
July 31, 2005	Permit renewal, modified limits for Chromium and Nickel.
November 15, 2005	Permit revisions, Modified TTO Monitoring, Updated sampling point diagram

IUP, PART I, Industrial User (IU) Specific Conditions

C.) Authorization Statement:

- 1.) The Permittee is hereby authorized to discharge wastewater in accordance with the effluent limitations, monitoring requirements, and all other conditions set forth in this Industrial User Pretreatment Permit (IUP) into the sewer collection system and wastewater treatment facility of the Control Authority.
- 2.) The Permittee is hereby authorized to continue operation of and discharge wastewater from the following treatment or pretreatment facilities. These facilities must correspond to the treatment units listed on both the application and inspection forms.

IU Treatment Units	
AERATION	Three floating aerators in 480,000 gallon leachate collection lagoon.
CHEMICAL ADDITION and FLOCCULATION	Facility has the capability to introduce chemicals for pH adjustment and polymer to aid in flocculation if needed. System is not currently in operation and is not expected to be operated. Components include 1-800 gallon tank, 1-1,100 gallon tank, and a flocculation tank.

- 3.) The Permittee is hereby authorized to, if required by the Control Authority and after receiving Authorization to Construct (A to C) from the Control Authority, construct and operate additional pretreatment units as needed to meet final effluent limitations.

D.) Description of IUP Discharge(s):

1. Describe the discharge(s) from all regulated pipes.

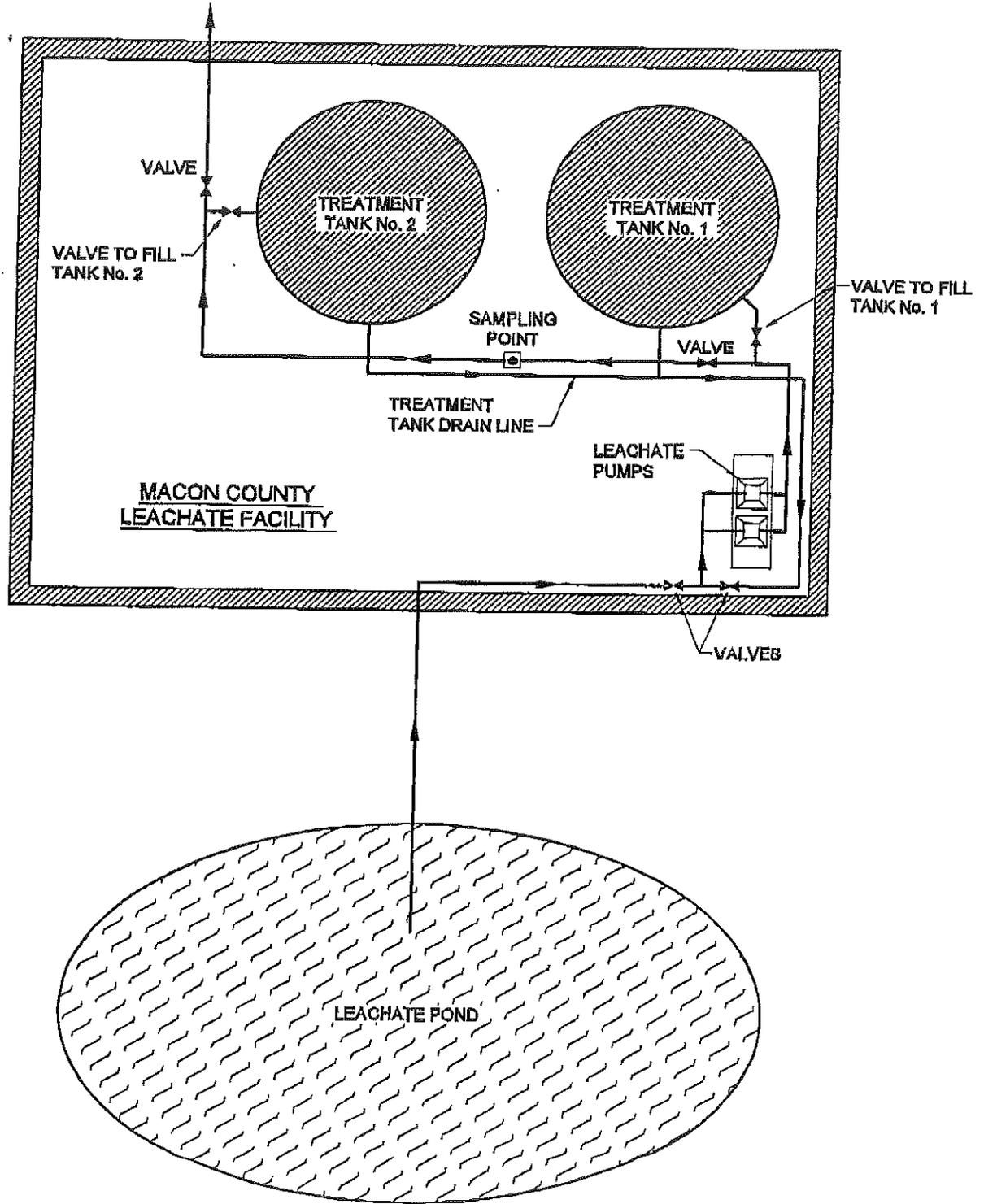
Pipe # 001, Description of Discharge: LANDFILL LEACHATE ONLY.
--

E.) Schematic and Monitoring Locations:

The facility schematic is show on the attached location map. The discharge shall be monitored prior to discharge to the WWTP.

MACON COUNTY LANDFILL SAMPLING POINT DIAGRAM TOWN OF FRANKLIN PRETREATMENT PROGRAM

MACON COUNTY, NORTH CAROLINA



IUP, PART I, Industrial User (IU) Specific Conditions

F.) Effluent limits and Monitoring Requirements:

Effective November 15, 2005 and lasting to July 31, 2010 the permittee is authorized to discharge from pipe 001. Parameters not limited in this permit shall be discharged in accordance with the Town of Franklin Sewer Use Ordinance. This discharge shall be limited and monitored as specified below:

PARAMETER	DAILY MAXIMUM	SAMPLE TYPE	MONITORING FREQUENCY	
			Permittee	Control Authority
FLOW	0.040 MGD	Meter*	Each sample	Each Sample
BOD	1,000 mg/l	Composite	Quarterly	2/Year
TSS	500 mg/l	Composite	Quarterly	2/Year
CADMIUM	0.02 mg/l	Composite	Quarterly	2/Year
CHROMIUM	0.10 mg/l	Composite	Quarterly	2/Year
COPPER	0.50 mg/l	Composite	Quarterly	2/Year
CYANIDE	0.05 mg/l	Grab	Quarterly	2/Year
LEAD	0.03 mg/l	Composite	Quarterly	2/Year
MERCURY	0.03 mg/l	Composite	Quarterly	2/Year
NICKEL	0.50 mg/l	Composite	Quarterly	2/Year
SILVER	0.15 mg/l	Composite	Quarterly	2/Year
ZINC	0.30 mg/l	Composite	Quarterly	2/Year
OIL & GREASE	100 mg/l	Grab	Quarterly	2/Year
TTO		Composite/Grab	At each Permit Renewal	At each Permit Renewal
pH	5 - 12	Grab	Quarterly	2/Year
TEMPERATURE	40° C	Grab	Quarterly	2/Year

All samples shall be taken at the location designated in IUP, Part I, E. Schematic and Monitoring Locations, taken from Pipe No. 001.

*Discharge Flow Meter shall be read and recorded at the beginning and end of each sample period.

IUP, PART I, Industrial User (IU) Specific Conditions

G.) Definitions and Limit Page(s) notes:

In addition to the definitions in the Control Authority Sewer Use Ordinance the following definitions apply:

1. Composite Sample:

Unless defined differently below, a composite sample for the monitoring requirements of this IUP, is defined as the automatic or manual collection of one grab sample of constant volume, not less than 100 ml, collected every hour during the entire discharge period on the sampling day. Sampling day shall be a typical production, and discharge day.

2. Composite Sample, alternative definition:

A composite sample for the monitoring requirements of this IUP is the same as described above unless specifically defined below as the automatic or manual collection of constant volume and constant time grab samples collected and composited according to the following criteria:

specific volume of each grab sample =	N/A	milliliters
specific time interval between samples =	N/A	hours
total duration of sample collection period =	N/A	hours
total number of grab samples to be composited =	N/A	samples

3. Daily Monitoring Frequency

Daily Monitoring Frequency as specified in this IUP shall mean each working day.

4. Grab Sample

Grab sample for the monitoring requirements of this IUP, is defined as a single "dip and take" sample collected at a representative point in the discharge stream.

5. Instantaneous measurement

An Instantaneous measurement for the monitoring requirements of this IUP is defined as a single reading, observation, or measurement.

PART II
General Conditions
Industrial User Pretreatment Permit (IUP)

Outline of PART II,

- | | |
|---------------------------------------|---|
| 1. Representative Sampling | 18. Penalties |
| 2. Reporting | 19. Need to Halt or Reduce |
| 3. Test Procedures | 20. Transferability |
| 4. Additional Monitoring by Permittee | 21. Property Rights |
| 5. Monitoring By Control Authority | 22. Severability |
| 6. Duty to comply | 23. Modification, Revocation, Termination |
| 7. Duty to Mitigate | 24. Reapplication |
| 8. Facilities Operation, Bypass | 25. Dilution Prohibition |
| 9. Removed substances | 26. Reports of Changed Conditions |
| 10. Upset Conditions | 27. Construction of pretreatment facilities |
| 11. Right of Entry | 28. Reopener |
| 12. Availability of Records | 29. Categorical Reopener |
| 13. Duty to provide information | 30. General Prohibitive Standards |
| 14. Signatory Requirements | 31. Reports of Potential Problems |
| 15. Toxic Pollutants | 32. Total Toxic Organics (TTO) Definition |
| 16. Civil and Criminal Liability | 33. Flow Measurement Requirements |
| 17. Federal and/or State Laws | |

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water, or substance. Monitoring points shall not be changed without notification to, and approval by, the permit issuing authority.

2. Reporting

- a.) Monitoring results obtained by the permittee shall be reported on forms specified by the Control Authority, postmarked no later than the twentieth day of the month following the month in which the samples were taken. If no discharge occurs during a reporting period (herein defined as each calendar month) in which a sampling event was to have occurred, a form with the phrase "no discharge" shall be submitted. Copies of these and all other reports required herein shall be submitted to the Control Authority.
- b.) If the sampling performed by the permittee indicates a violation, the permittee shall notify the Control Authority within 24 hours of becoming aware of the violation. The permittee shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Control Authority within 30 days after becoming aware of the violation.

3. Test Procedures

Test procedures for the analysis of pollutants shall be performed in accordance with the techniques prescribed in 40 CFR part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be submitted to the Control Authority. The Control Authority may require more frequent monitoring or the monitoring of other pollutants not required in this permit by written notification.

PART II
General Conditions
Industrial User Pretreatment Permit (IUP)

5. Monitoring by Control Authority

The control authority may collect samples for analysis as deemed appropriate. All samples collected and properly analyzed by the permittee and/or the control authority may be used as the basis of compliance with this permit and other applicable regulations.

6. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Control Authority Sewer Use Ordinance and is grounds for possible enforcement action.

7. Duty to Mitigate - Prevention of Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health, the POTW, the waters receiving the POTW's discharge, or the environment.

8. Facilities Operation, Bypass

The permittee shall at all times maintain in good working order and operate as efficiently as possible, all control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Bypass of treatment facilities is prohibited except when approved in advance by the Control Authority. Bypass approval shall be given only when such bypass is in compliance with 40 CFR 403.17.

9. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutants from such materials from entering the sewer system. The permittee is responsible for assuring its compliance with any requirements regarding the generation, treatment, storage, and/or disposal of "Hazardous waste" as defined under the Federal Resource Conservation and Recovery Act.

10. Upset Conditions

An "upset" means an exceptional incident in which there is an unintentional and temporary noncompliance with the effluent limitations of this permit because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed or inadequate treatment facilities, lack of preventative maintenance, or careless or improper operations.

An upset may constitute an affirmative defense for action brought for the noncompliance. The permittee has the burden of proof to provide evidence and demonstrate that none of the factors specifically listed above were responsible for the noncompliance.

11. Right of Entry

The permittee shall allow the staff of the State of North Carolina Department of Environment, Health, and Natural Resources, Division of Environmental Management, the Regional Administrator of the Environmental Protection Agency, the Control Authority, and/or their authorized representatives, upon the presentation of credentials:

1. To enter upon the permittee's premises where a real or potential discharge is located or in which records are required to be kept under the terms and conditions of this permit; and
2. At reasonable times to have access to and copy records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutants.

PART II
General Conditions
Industrial User Pretreatment Permit (IUP)

12. Availability of Records and Reports

The permittee shall retain records of all monitoring information, including all calibration and maintenance records as well as copies of reports and information used to complete the application for this permit for at least three years. All records that pertain to matters that are subject to any type of enforcement action shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

Except for data determined to be confidential under the Sewer Use Ordinance, all reports prepared in accordance with terms of this permit shall be available for public inspection at the Control Authority. As required by the Sewer Use Ordinance, effluent data shall not be considered confidential.

13. Duty to Provide Information

The permittee shall furnish to the Director of Public Works or his/her designees, within a reasonable time, any information which the Director, his/her designee, or the Division of Environmental Management may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish, upon request, copies of records required to be kept by this permit.

14. Signatory Requirements

All reports or information submitted pursuant to the requirements of this permit must be signed and certified by a ranking official or duly authorized agent of the permittee.

15. Toxic Pollutants

If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Federal Clean Water Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit may be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

16. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

17. Federal and/or State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal and/or State law or regulation.

18. Penalties

The Sewer Use Ordinance of the Control Authority provides that any person who violates a permit condition is subject to a civil penalty not to exceed \$10,000 dollars per day of such violation.

Under state law, (NCGS 143-215.6B), under certain circumstances it is a crime to violate terms, conditions, or requirements of pretreatment permits. It is a crime to knowingly make any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance. These crimes are enforced at the prosecutorial discretion of the local District Attorney.

19. Need to Halt or Reduce not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of the permit.

PART II
General Conditions
Industrial User Pretreatment Permit (IUP)

20. Transferability

This permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without approval of the Town.

21. Property Rights

This permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

22. Severability

The provisions of this permit are severable and, if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

23. Permit Modification, Revocation, Termination

This permit may be modified, revoked and reissued or terminated with cause in accordance to the requirements of the Control Authority Sewer Use Ordinance and North Carolina General Statute or implementing regulations.

24. Re-Application for Permit Renewal

The permittee is responsible for filing an application for reissuance of this permit at least 180 days prior to its expiration date.

25. Dilution Prohibition

The permittee shall not increase the use of potable or process water or in any other way attempt to dilute the discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

26. Reports of Changed conditions

The permittee shall give notice to the Control Authority of any planned significant changes to the permittee's operations or system which might alter the nature, quality, or volume of its wastewater at least 180 days before the change.

27. Construction

No construction of pretreatment facilities or additions thereto shall be begun until Final Plans and Specifications have been submitted to the Control Authority and written approval and an Authorization to Construct (A to C) have been issued.

28. Reopener

The permittee shall be modified or, alternatively, revoked and reissued to comply with any applicable effluent standard or limitation for the control of any pollutant shown to contribute to toxicity of the WWTP effluent or any pollutant that is otherwise limited by the POTW discharge permit. The permit as modified or reissued under this paragraph may also contain any other requirements of State or Federal pretreatment regulations then applicable.

PART II
General Conditions
Industrial User Pretreatment Permit (IUP)

29. Categorical Reopener

This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 302(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:

- 1.) contains different conditions or is otherwise more stringent than any effluent limitation in this permit; or
- 2.) controls any pollutant not limited in this permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

30. General Prohibitive Standards

The permittee shall comply with the general prohibitive discharge standards in 40 CFR 403.5 (a) and (b) of the Federal pretreatment regulations.

31. Reports of Potential Problems

The permittee shall notify by telephone the Control Authority immediately of all discharges that could cause problems to the POTW including any slug loadings as defined by 40 CFR 403.5(b). If the permittee experiences such a discharge, they shall inform the Control Authority immediately upon the first awareness of the commencement of the discharge. Notification shall include location of the discharge, type of waste, concentration and volume if known and corrective actions taken by the permittee. A written follow-up report thereof shall be filed by the permittee within five (5) days, unless waived by the Control Authority.

32. Total Toxic Organics (TTO) Definition

"TTO", or Total Toxic Organics, is the sum of the concentrations of the toxic organic compounds tested for by methods EPA 608, EPA 624, EPA 625 that are found in the permittee's process discharge at a concentration greater than 0.01 mg/l.

33. Flow Measurement Requirements

The permittee shall maintain appropriate discharge flow measurement devices and methods consistent with approved scientific practices to ensure the accuracy and reliability of measurements of the volume of monitored discharges. Devices installed shall be a continuous recording flow meter capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes. The devices shall be installed, calibrated, and maintained to ensure accuracy. The meter shall be calibrated once per year. Modifications to the flow metering equipment shall be approved by the Control Authority prior to installation. If a required flow measurement device fails, the Control Authority shall be notified within 24 hours

Appendix 6

Correspondence regarding approved methods of Alternate Daily Cover

Macon County Department of Solid Waste Management

109 Sierra Drive, Franklin, North Carolina 28734, Ph.:(828)349-2100, Fax:(828)349-2185

October 9, 2006

Mr. James Coffey, Regional Engineer
NCDENR
Division of Solid Waste Management
Asheville Regional Office
2090 US Highway 70
Swannanoa, North Carolina 28778

**Re: Request for Demonstration and Approval of Alternate Daily Cover
Macon County MSW Landfill; Permit # 57-03**

Dear Mr. Coffey:

The Macon County Department of Solid Waste Management (Department) is formally requesting the use of an Alternate Daily Cover (ADC) at the Macon County MSW Landfill. The Department proposes a 90-180 day demonstration period, during which Field Specialists with the Solid Waste Section will be able to verify the ADC's effectiveness in meeting the requirements of Rule .1626(2)(a).

The proposed ADC will consist of a Landfill Tarp system. The tarp will be approximately 50'x50' in size, and 6.5-8.5 oz/sq ft. The tarp is constructed of a woven polypropylene that is puncture, tear and U.V. resistant. Actual material specifications will be available for inspection at the time of implementation of the tarp system.

Macon County has recently abandoned our Bale Facility, and waste is being diverted directly to the landfill working face. In conjunction with the direct fill, Macon County has purchased a Terex 110,000 pound Compactor. Currently, we have approved as an ADC a 2 mil polyethylene film designed to drape over the vertical face of the bale fill. Under the direct fill method currently employed, the open or working face is at a 4:1 to 5:1 slope, rendering the film ineffective as an ADC. The tarp, therefore, would replace the film as an ADC, and would be utilized in much the same manner as the film.

As we have already made the above changes, we would like to begin the demonstration period for approval of the ADC as soon as possible. The tarp will be put into use once we receive permission to proceed with the demonstration. An amended operating plan detailing the tarping system operational procedures will be submitted to your office upon successful completion of the demonstration period and final approval of the tarp as an ADC. Use of the tarp will follow the general operations listed below, and will be designed to ensure protection of public and environmental health and all requirements of Rule .1626(2)(a).

Operations Plan: ADC; Polypropylene Tarp.

By the end of each day of operations, the horizontal or lateral expansion of the working face will be covered with at least six (6) inches of earthen material, or an earthen material and ground LCID mixture; as approved. The working face will be maintained at a minimum of a 4:1 slope and compacted to reach maximum waste density possible to minimize the size of the working face; preserve

Macon County Department of Solid Waste Management

109 Sierra Drive, Franklin, North Carolina 28734, Ph.: (828)349-2100, Fax: (828)349-2185

landfill space; and deter wind-blown litter. At the end of each operating day, a 50'x50', 8.5 oz/sq ft tarp will be pulled over the slope of the working face. The tarp will cover all exposed portions of the working face, and the corners and sides of the tarp will be weighted with dirt and/or small stones to prevent the wind from exposing any waste. At the beginning of the next operating day, the tarp will be walked off of the working face and stored in an adjacent area to the working face.

Thank you for your time and consideration of this request. Please contact me at your convenience should you need any additional information or have any additional requirements of this department with regards to the request. I look forward to your response.

Sincerely,



Michael Chris Stahl
Director of Solid Waste Management, Macon County

CC: Sam Greenwood, County Manager
Mark Cathey; Jeff Bishop, McGill & Associates
Jim Patterson, Waste Specialist, NC DENR

PACTEC

P.O. Box 8069 Clinton, LA 70722 (800) 272-2832 Fax (225) 683-8711 www.pactecinc.com

6 oz. Coated Woven Polypropylene

<u>Properties</u>	<u>Test Method</u>	<u>Value</u>
Coating		1.5 Mil, one side
Weight		7.5 oz/yd ² coated
Thickness		20 Mil
Color		White
Warp Grab	ASTM D 5034-90	370 lbs
Weft Grab	ASTM D 5034-90	380 lbs
Warp Tear	ASTM D 2261-83	170 lbs
Weft Tear	ASTM D 2261-83	160 lbs
Mullen Burst	ASTM D 3786-87	800 psi
Puncture	ASTM D 4833	106 lbs
Accelerated UV Weathering	ASTM G53	>70% @ 1200 hrs

This product is manufactured for the sole purpose described in this spec sheet. The buyer or user of this product is solely responsible for determining whether this product is suitable for any intended use and for its proper installation and use.



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management
Solid Waste Section

Michael F. Easley, Governor
William G. Ross Jr., Secretary

October 20, 2006

Mr. Chris Stahl, Director
Macon County Solid Waste Management
109 Sierra Drive
Franklin, NC 28734

Re: Alternate Daily Cover Demonstration Authorization Letter,
Macon County Municipal Solid Waste Landfill, Permit Number 57-03

Dear Mr. Stahl:

This letter is in response to your request for approval to demonstrate the capability of an alternate daily cover (ADC) at the referenced landfill. This Authorization Letter conditionally approves the Demonstration Project as described in your letter dated October 6, 2006, for a period of nine (9) months. This period of time provides the operator with six (6) months of time to perform the Demonstration Project, and three (3) months to compile and submit the certified Demonstration Report to the Solid Waste Section for review.

After six (6) months of using the conditionally approved ADC, the facility operator may then either:

- (1) provide a written report demonstrating the feasibility and request approval for the use of the ADC material on a full-time basis, or
- (2) cease use of the ADC material, properly dispose of any remaining ADC material, and provide a written report detailing the findings of the use of the material during the approval period and what actions were taken to dispose of the material.

If the operator decides to request approval for the use of the ADC material on a full-time basis, a Demonstration Report and revised facility Operation Plan that incorporates the ADC operation, both certified by a professional engineer licensed in North Carolina, shall be submitted to the Solid Waste Section for review and approval.

The certified Demonstration Report would include documentation addressing the performance and effectiveness of the material, the number of times the ADC material was used, the quantities of the ADC material, and other supportive information, including photographs.

Following satisfactory demonstration of the ADC material and application, the Solid Waste Section would issue a modified permit for the facility that includes the ADC operation.

Mr. Chris Stahl
ADC Demonstration Authorization Letter
October 20, 2006
Page 2

If you have any questions, please call me, phone number 828-296-4703 or Jim Patterson, phone number 828-296-4700 at the Asheville Regional Office.

Sincerely,

James C. Coffey Digitally signed by James C. Coffey
DN: CN = James C. Coffey, C = US
Date: 2006.10.20 07:50:17 -04'00'

James C. Coffey
Asheville Regional Engineer
Solid Waste Section

cc. Jim Patterson

Appendix 7

Airspace Volume Calculations – Five-Year Permitting Period

Appendix 7

Airspace Volume Calculations – Five-Year Permitting Period

Notes:

- 1) Five-Year permitting period runs from 2017 through 2021.
- 2) Assume a 1% annual increase in waste growth for 2016, 1.5% for 2017 through 2021.
- 3) Assume compaction rate of 0.5 tons/cy

Waste Trends

May 1, 2014 through April 30, 2015 waste tonnage: 29,974 tons.
Waste tonnage projected for 2016 (@1.0% annual increase: 30,274
Total waste tonnage projected (@1.5% annual increase) through
end of five-year permitting period: 158,318 tons

Airspace Summary

Airspace available for the disposal of waste,
as measured from the top of the stone drainage layer
to the bottom of either the intermediate or final cap grades
utilizing ACAD Civil 3D Software **450,000 cy**

Lifetime Estimate

Estimated lifetime of cell based on
31,663 tons/yr and 0.5 tons/cy compaction: **7.1 years***
*note: estimate is to bottom of cap grades noted on Permit Drawings,
which are not feasible to obtain efficiently. Additional
landfill airspace will be required in approximately 5 years.

Appendix 8

Management of Universal Wastes: Mercury Containing Lamps and Devices

Appendix 8: Mercury Containing Products

1.General Conditions:

- a) The Macon County Solid Waste Department will accept waste Mercury Containing Devices (MCD) and Lamps Containing Mercury (LCM) from residents and commercial entities. MCD's and LCM's will be accepted at the Materials Recovery Facility (MRF), located at the MSW Landfill facility at 1448 Lakeside Drive, Franklin, North Carolina during normal operating hours (Monday through Friday from 7:30am until 4:30pm, and Saturday 8:00am until 2:00pm). An Operator on staff will oversee and assist the receiving of MCD's and LCM's to insure that wastes are intact (not broken or leaking); insure proper storage in a storage box or container; and provide a count of items received for the purposes of inventory tracking and invoicing, if applicable.
- b) Universal Waste Storage: A section of the tipping floor in the MRF is being used as a Universal Waste Handling Area. This area is secured by a fenced enclosure with locking doors. The area will be signified by a sign located on the door. Appropriate containers will be located in the secured area for the temporary storage of the wastes. A label will be placed on each container once the first waste has been placed in the container. The label will detail the following information: Notification that the container holds a Universal Waste (-Mercury Containing Equipment; or – Used Lamps), and the date the first waste was placed in the container.
- c) Training and Emergency Response: Landfill staff will be trained in the proper handling and storage procedures associated with management of LCM's and MCD's as well as spill containment and decontamination procedures. Additionally, materials for cleaning up a mercury spill and a sign detailing cleanup procedures will be provided in the storage area.
- d) Universal Waste Recycling: LCM's and MCD's will be shipped to or collected by a company authorized to manage and recycle these materials. A further description of these companies is listed below.

2.Management of Mercury Containing Devices (MCD):

- a) Acceptance: Waste MCD's are defined as thermostat switches which contain an ampule of mercury as a functioning part of the device. The devices must be received with the ampule intact so that mercury is not released into the environment. MCD's will be accepted at no charge at the Materials Recovery Facility (MRF), located at the MSW Landfill facility at 1448 Lakeside Drive, Franklin, North Carolina during normal operating hours.
- b) Packaging and Storage: MCD's will only be stored in the designated Universal Waste Handling Area at the MRF. The devices will be placed into a sealed bag and then into a plastic recycling bin provided by the vendor. A label will be placed on the container once the first MCD is placed in the container. The label will contain information identifying that the container holds a Universal Waste – Mercury Containing Device, and the date of the first device being placed in the container. The bins will remain closed at

all times that devices are not being added to the bin. Storage of the bins will be limited to one-year or until the bin is full; whichever occurs first.

c) Recycling Vendor: The Macon County Solid Waste Department is partnered with the Thermostat Recycling Corporation (TRC) for the recycling of waste thermostats containing Mercury. Bins are shipped from TRC to the Solid Waste Department. Once full, the Solid Waste Department will contact TRC to make arrangements for the pick-up of the bins.

d) Emergency Response and Cleanup: In the event a mercury containing thermostat is broken at the facility, the following procedures will be followed. An operator will put on latex gloves and put any pieces in a sealable bag. Any remnants will be collected in a dustpan by use of a squeegee and placed in the bag. Any visible liquid mercury will be collected by placing duct tape over the area. The tape will then be added to the bag. Finally, a wet scrubbing towel will be used to wipe down the area as well as the dustpan, squeegee, and the wipe will be placed in the bag. The bag and its contents will then be placed in container with sealing lid, and the date will be noted on the container. The container will be transferred to Southeast Recycling Technologies within ninety (90) days.

3. Management of Lamps Containing Mercury (LCM):

a) Acceptance: Unbroken waste LCM's will be accepted at the Materials Recovery Facility (MRF), located at the MSW Landfill facility at 1448 Lakeside Drive, Franklin, North Carolina during normal operating hours. Residential quantities of lamps will be accepted at no charge at the facility. Commercial conditionally-exempt small quantity lamps will be accepted for a fee to cover the costs of recycling, materials and handling. Broken bulbs are not accepted. Broken lamps from residential generators will be placed in the landfill as household exempted wastes. Commercial quantities of broken bulbs are hazardous waste. They will be rejected from delivery and must be taken to a hazardous waste handling facility.

b) Packaging and Storage: LCM's will only be stored in the designated Universal Waste Handling Area at the MRF. Waste lamps will be placed into suitable containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. The containers will be kept closed unless actively being filled with waste lamps. Upon the first lamp being placed in a container, a label will be applied signifying that the container holds Universal Waste Lamps, and the date. Filled containers will be transferred to a locked storage trailer just outside of the MRF in order to keep the handling area from becoming overly cluttered and to further reduce the potential of breaking the lamps during operations. The lamps will be stored until sufficient quantities are amassed to contact the vendor for collection, or before the oldest containers have been stored for one year; whichever occurs first.

c) Recycling Vendor: Macon County has partnered with Southeast Recycling Technologies as an approved vendor under the State Convenience Contract 926B for the

recycling of LCM's. Macon County may wish to contract with other vendors for this service, but will only select vendors that are approved under the State Contract.

d) Emergency Response and Cleanup: In the event a mercury containing lamp(s) is(are) broken at the facility, the following procedures will be followed. An operator will put on latex gloves and put the pieces of the lamp into a sealable bag. Smaller pieces and any powder from the lamp will be collected in a dustpan with a squeegee and also placed in the bag. Finally, the operator will use a moistened scrubbing towel to wipe down any residual waste and the squeegee and dustpan. The towel will then be placed in the bag along with the latex gloves. The bag will be sealed and placed, along with its contents into a container with a sealing lid. The date will be recorded on the container, and the container will be forwarded to the universal waste lamp recycler within ninety (90) days.

As part of the Macon County Solid Waste program to accept Universal Waste Mercury Containing Lamps and Devices; this sign will be posted on the secured enclosure delineating the waste handling area:

Universal Waste Handling Area

Macon County is a small quantity universal waste handler. Please ask for assistance. **DO NOT** disturb this area if you are not part of staff trained in proper handling of universal waste bulbs.

STAFF: Each Container must be labeled with the following information

UNIVERSAL WASTE LAMPS/DEVICES
Macon County Solid Waste
Accumulation Start Date

**CONTAINER MUST BE CLOSED AT ALL TIMES WHEN NOT ACTIVELY
FILLING CONTAINER**

DO NOT STORE NEW AND USED BULBS IN THE SAME CONTAINER

**DO NOT PLACE LAMPS IN CONTAINERS THAT ARE TAPED OR BOUND
TOGETHER**

**ALWAYS FOLLOW EMERGENCY RESPONSE PROCEDURES IN THE EVENT
OF BULB BREAKAGE**