



North Carolina Department of Environmental Quality
Division of Waste Management

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

SOLID WASTE MANAGEMENT FACILITY
Permit No. 06-03

AVERY COUNTY
is hereby issued a

PERMIT TO CONSTRUCT
AVERY COUNTY C&D LANDFILL PHASE 3, CELL 3

PERMIT TO OPERATE
AVERY COUNTY C&D LANDFILL PHASE 3, CELLS 1 & 2
AVERY COUNTY TRANSFER STATION

PERMIT FOR CLOSURE
AVERY COUNTY C&D LANDFILL PHASES 1 & 2

Located at 2175 Brushy Creek Road, Spruce Pine in Avery County, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The legal description of the site is identified on the deeds recorded for this property listed in Attachment No. 1 of this permit.

Edward F. Mussler, III, P.E.,
Permitting Branch Supervisor
Solid Waste Section

ATTACHMENT 1

Permit to Operate Data Table

Permit	Status	Issuance	Expiration
0603-CDLF-1996	Active	August 3, 2016	April 13, 2021
0603-TRANSFER-	Active	August 3, 2016	April 13, 2021

PART I: GENERAL PERMIT CONDITIONS

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B.0201(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct must be implemented in accordance with Attachment 2 of this permit. The Permit to Operate must be implemented in accordance with Attachment 3 of this permit.
2. The persons to whom this permit is issued (“permittee”) are the owners and operators of the solid waste management facility.
3. The Permit for this facility, dated October 25, 1996, was recorded by the Avery County Register of Deeds on November 8, 1996 in Book 288 on Pages 360 through 368 (Document ID No. 6095).
4. When this property is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer shall contain in the description section in no smaller type than that used in the body of the deed or instrument, a statement that the property has been used as a sanitary landfill and a reference by book and page to the recordation of the permit.
5. By initiating construction or receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
6. Construction and operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of the Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit; and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition. Failure to comply may result in compliance action or permit revocation.
7. This permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 1, “List of Documents for Approved Plan,” and which constitute the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.

8. This permit may be transferred only with the approval of the Section, through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g) the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.
9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for a General or Individual NPDES Stormwater Discharge Permit. Issuance of this permit does not remove the permittee's responsibilities for compliance with any other local, state or federal rule, regulation or statute.

Properties Approved for the Solid Waste Facility

Avery County, N.C. Register of Deeds				
Book	Page	Acreage	Grantee	Parcel No.
266	646	±78.1	Avery County	182100088310
Total Site Acreage: ±78.1 acres				

Notes:

1. Deed book references are from the Avery County GIS website accessed July 2016.

PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)

Not Applicable

PART III: CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL UNIT(S)

Permitting History

1. On October 25, 1996 a Permit to Construct/Operate was issued for a Construction and Demolition Debris landfill and Land Clearing and Inert Debris Landfill.
2. On October 16, 2009 an amendment was made to the permit for construction of Phase 3 and continued operation of Phases 1 and 2 for waste mitigation and relocation purposes.
3. On August 12, 2010 a modification was made to the permit for operation of Phase 3.
4. On April 13, 2011 an amendment was made to the permit for the consolidation of the Transfer Facility and the five-year renewal of operations.
5. On August 3, 2016 an amendment was made to the Permit for the five-year renewal of operations.

No.	Permit Type	Date Issued	DIN
1.	Permit to Construct/Operate	October 25, 1996	
2.	Permit Amendment	October 16, 2009	8705
3.	Permit Modification	August 12, 2010	11315
4.	Permit Amendment	April 13, 2011	13546
5.	Permit Amendment	August 3, 2016	26423

List of Documents for the Approved Plan

The descriptions of previous/historical documents may be found in the Permit to Operate issued April 13, 2011, DIN 13546.

DOCUMENT ID NO.	DOCUMENT DESCRIPTION
25749	<i>Permit Renewal Application.</i> Prepared by: Smith+Gardner. Prepared for: Avery County. March 2016.
26147	<i>Water Quality Monitoring Plan.</i> Prepared by: Smith+Gardner. Prepared for: Avery County. March 2016.
26148	<i>Landfill Gas Monitoring Plan.</i> Prepared by: Smith+Gardner. Prepared for: Avery County. Revised May 2016.
26505	<i>Operations Manual with Project Drawings.</i> Prepared by: Smith+Gardner. Prepared for: Avery County. March 2016.

PART IV: INDUSTRIAL LANDFILL UNIT(S)

Not Applicable

PART V: LAND CLEARING AND INERT DEBRIS LANDFILL UNIT(S)

Not Applicable

PART VI: TRANSFER STATION/TREATMENT & PROCESSING UNIT(S)

0602T-TRANSFER-1995 Permitting History

1. On September 30, 1993 approval was granted for the construction and operation of a Temporary Transfer Station at the Avery County Landfill.
2. On August 29, 1994 a letter was issued denying an extension of operation for the Temporary Transfer Station at the Avery County Landfill.
3. On October 26, 1995 a Permit was issued for the construction and operation of a new permanent Transfer Facility at the end of State Route 1101.
4. On January 9, 1996 a modification was made to the Permit for the addition of Burke County to the service area.
5. On January 27, 2006 an amendment was made to the Permit for the five year renewal of operations.

- On April 13, 2011 an amendment was made to the permit for the consolidation of the Transfer Facility into the C&D landfill Permit

No.	Permit Type	Date Issued	DIN
1.	Temporary Approval	September 30, 1993	
2.	Denial Letter	August 29, 1994	
3.	Permit to Construct/Operate	October 26, 1995	
4.	Permit Modification	January 9, 1996	
5.	Permit Amendment	January 27, 2006	
6.	Permit Consolidation	April 13, 2011	13546

0603-TRANSFER- Permitting History

- On April 13, 2011 an amendment was made to the permit for the consolidation of the Transfer Facility into the C&D landfill Permit and the five-year renewal of operations.
- On August 3, 2016 an amendment was made to the Permit for the five-year renewal of operations.

No.	Permit Type	Date Issued	DIN
1.	Permit Amendment	April 13, 2011	13546
2.	Permit Amendment	August 3, 2016	26423

List of Documents for the Approved Plan

The descriptions of previous/historical documents may be found in the Permit to Operate issued April 13, 2011, DIN 13546.

DOCUMENT ID NO.	DOCUMENT DESCRIPTION
13545	<i>Permit Consolidation Letter.</i> Prepared by: Allen Gaither. Prepared for: Division of Waste Management. April 14, 2011.
25749	<i>Permit Renewal Application.</i> Prepared by: Smith+Gardner. Prepared for: Avery County. March 2016.
26505	<i>Operations Manual with Project Drawings.</i> Prepared by: Smith+Gardner. Prepared for: Avery County. March 2016.

PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT

Not Applicable

- End of Section -

ATTACHMENT 2 CONDITIONS OF PERMIT TO CONSTRUCT

PART I: GENERAL FACILITY

1. The issuance date of the Permit to Construct is **August 3, 2016**. The initial, substantial, construction authorized by this Permit to Construct must commence within 18 months from the issuance date of this permit. If substantial construction does not begin within 18 months from the issuance date of this permit, then the permit to construct shall expire. Substantial construction includes, but is not limited to, issuance of construction contracts, mobilization of equipment on site, and construction activities including installation of sedimentation and erosion control structures. The permittee may reapply for the permit to construct prior to the expiration date. The re-application will be subject to the statutes and rules in effect on that date and may be subject to additional fees.
2. Construction of all solid waste management units within this facility must be in accordance with the pertinent approved plans and only for those phases of development approved for construction as described in Attachment I, Part II List of Documents for the Approved Plan.
3. The permittee must conduct a preconstruction meeting at the facility prior to initiating construction of any unit/cell and must notify the Section at least 10 days prior to the meeting.
4. Modifications or revisions of the approved documents or changes during construction of any landfill unit/cell require approval by the Section, and may constitute a permit modification and be subject to a permitting fee.

Geologic, Groundwater, Surface water, Landfill Gas, and Monitoring Requirements

5. Prior to issuing the Permit to Operate, samples from new ground water monitoring wells and surface water stations shall be sampled in accordance with the approved environmental monitoring plans.
6. Prior to construction of the phase or cell(s) within the phase, all piezometers, borings, probes, landfill gas monitoring wells, and groundwater monitoring wells within the footprint must be properly abandoned in accordance with 15A NCAC 2C.0113(b), entitled "Abandonment of Wells."
7. In areas where soil is to be undercut, abandoned piezometers, monitoring wells and borings must not be grouted to pregrade land surface, but to the proposed base grade surface to prevent having to cut excess grout and possibly damage the wells.
8. A Licensed Geologist must report any pertinent geological feature(s) exposed during phase or cell excavation. Prior to placing any landfill liner, the geologist must submit to the Section hydrogeologist a written report that includes an accurate description of the

exposed geological feature(s), subsurface soil condition, and effect of the geological feature(s) on the design, construction, and operation of the cell, phase, or unit.

9. A Licensed Geologist must supervise installation of groundwater monitoring wells, landfill gas monitoring wells and probes, and surface water sampling stations.
10. Any modification to the approved water quality and landfill gas monitoring, sampling, and analysis plans must be submitted to the Section Hydrogeologist for review.
11. Within 30 days of completed construction of any new groundwater and/or landfill gas monitoring well, a well construction record (GW-1 form), typical well schematic, boring log, field log and notes, and description of well development activities must be submitted to the Section.
12. The permittee must provide a legible plan sheet-sized, scaled topographical map with a legend, showing the location and identification of all new, existing, and abandoned wells, probes, and piezometers after installation of groundwater and landfill gas monitoring wells.
13. Within thirty (30) days of the completed permanent abandonment of a groundwater or landfill gas monitoring well, the well abandonment record (GW-30 form) and any additional information included in the abandonment record) must be submitted to the Section. The well abandonment records must be submitted to the Solid Waste Section in accordance with 15A NCAC 2C .0114(b) and be certified by a Licensed Geologist.

Erosion and Sedimentation Control Requirements

14. All required sedimentation and erosion control measures must be installed and operable to mitigate excessive on-site erosion and to prevent silt from leaving the area of the landfill unit during the service life of the facility.
15. All earth disturbing activities must be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4) and consistent with any other local, state or federal requirements.
16. Facility construction, operations or practices must not cause or result in a discharge of pollution, dredged material, and/or fill material into waters of the state in violation of the requirements under Sections 401 and 404 of the Clean Water Act, as amended.
17. Modifications to the approved sedimentation and erosion control activities require approval by the North Carolina Land Quality Section. The Section must be notified of any sedimentation and erosion control plan modifications.

PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)

Not Applicable

PART III: CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL UNIT(S)

18. Pursuant to the NC Solid Waste Management Rules (Rule) 15A NCAC 13B .0201(c) and (d)(1), this permit approves construction for Phase 3, Cell 3 consisting of approximately 0.9 acres with a calculated gross capacity of approximately 33,000 cubic yards.
19. Pursuant to the NC Solid Waste Management Rule (Rule) 15A NCAC 13B .542(i)(2) burning of land-clearing debris generated on site as a result of construction activities requires approval by the Section prior to initiating the burn. In addition, the Division of Air Quality and local fire department must approve the activity prior to burning.
20. The following conditions must be met prior to operation of the Phase 3, Cell 3:
 - a. The Permittee must obtain a Permit to Operate for Phase 3, Cell 3 from the Section in accordance with 15A NCAC 13B .0201(d).
 - b. Construction Quality Assurance (CQA) documentation as well as a certification by the project engineer that the landfill was built in accordance with approved plans and the conditions of the permit must be submitted to the Section for review and approval.
 - c. The Permittee must contact the appropriate regional environmental specialist and permitting engineer to determine whether the Section chooses to hold a pre-operative meeting with key landfill personnel and representatives of the Section.
 - d. The edge of the waste footprint must be identified with permanent physical markers.
 - e. The Financial Assurance instrument for approved Closure and Post-closure Care costs must be submitted to the Section.

PART IV: INDUSTRIAL LANDFILL UNIT(S)

Not Applicable

PART V: LAND CLEARING AND INERT DEBRIS LANDFILL UNIT(S)

Not Applicable

PART VI: TRANSFER STATION/TREATMENT & PROCESSING UNIT(S)

Not Applicable

PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT

Not Applicable

- End of Section -

ATTACHMENT 3
CONDITIONS OF PERMIT TO OPERATE

PART I: GENERAL FACILITY

1. The Permit to Operate shall expire **April 13, 2021**. Pursuant to 15A NCAC 13B.0201(g), no later than **October 13, 2020**, the owner or operator must submit a request to the Section for permit review prepared in accordance with Section .1603(a)(2) or (3) as applicable, and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.
2. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated under 15A NCAC 4.
3. The edge of the waste footprint for all disposal units must be identified with permanent physical markers.
4. The permittee must not knowingly dispose of any type or form of municipal solid waste that is generated within the boundaries of a unit of local government that by ordinance:
 - a. Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.
 - b. Requires generators or collectors of municipal solid waste to recycle that type or form of municipal solid waste.
5. Copies of this permit, the approved plans, and all records required to be maintained by the permittee must be maintained at the facility and made available to the Section upon request during normal business hours
6. Financial assurance as required by state rules and statutes must be continuously maintained for the duration of the facility in accordance with applicable rules and statutes. Closure and Post-Closure cost estimates and financial instruments must be updated annually.
7. Closure or partial closure of any CDLF unit must be in accordance with the Closure Plans described in the approved plans and 15A NCAC 13B.0543. Any revisions to the Closure Plans must be submitted to the Division at least 90 days prior to implementation for approval.

Operational Requirements

8. This facility is permitted to receive solid waste generated within the following counties:
North Carolina – Avery, Burke, Caldwell, McDowell, Mitchell, Watauga;
Tennessee – Carter, Johnson, Unicoi;
consistent with the local government waste management plan and with local government approval except where prohibited by the N. C. General Statutes Article 9 of Chapter 130A,

and the rules adopted by the Commission for Health Services. Proposed changes to the service area must be approved by the Section and will constitute a permit modification and be subject to the applicable permitting fee.

9. The facility operator must complete an approved operator training course in compliance with G.S. 130A-309.25.
 - a. A responsible individual certified in landfill operations must be on-site during all operating hours of the facility at all times while open for public use to ensure compliance with operational requirements.
 - b. All pertinent landfill-operating personnel must receive training and supervision necessary to properly operate the landfill units in accordance with G.S. 130A-309.25 and addressed by memorandum dated November 29, 2000.
10. Alternative daily cover materials and methods must be used in accordance with the approved plans and Solid Waste Section guidelines. Any alternative daily cover materials or methods not previously approved by the Section require review and approval before use. In these cases, a request for use must include a plan detailing the comprehensive use and a demonstration of the effectiveness of the alternative daily cover. The plan must be developed according to Section guidelines. Plans which are approved by the Section will be incorporated into, and made a part of, the approved documents listed in Attachment 1.
11. The facility must maintain records for all solid waste materials accepted as alternative cover material and used as alternate daily cover. The records must include: the date of receipt, weight of material, general description of the material, identity of the generator and transporter, and county of origin. Such records must be made available to the Solid Waste Section upon request.

Monitoring and Reporting Requirements

12. Groundwater, surface water, and landfill gas monitoring locations must be established and monitored as identified in the approved plans.
13. A licensed geologist must be present to supervise the installation of groundwater monitoring wells. The exact locations, screened intervals, and nesting of the wells must be established after consultation with the SWS Hydrogeologist at the time of well installation.
14. Ground water monitoring wells and surface water sampling locations must be sampled for Appendix I constituents at least semi-annually according to the specifications outlined in the approved water quality monitoring plan and the current policies and guidelines of the Section in effect at the time of sampling.
15. Landfill gas monitoring wells must be sampled for explosive gases at least quarterly and according to specifications outlined in 15A NCAC 13B.544(d), entitled "Gas Control Plan", and current policies and guidelines of the Section in effect at the time of sampling.

16. Reports of the analytical data for each monitoring event must be submitted to the Section within 120 days of the respective sampling event. Analytical data must be submitted in a manner prescribed by the Section. Records of all groundwater, surface water, and leachate analytical data must be kept as part of the permanent facility record.
17. A readily accessible unobstructed path must be cleared and maintained so that four-wheel vehicles may access monitoring well locations at all times.
18. A field log book which details all development, sampling, repair, and all other pertinent activities associated with each monitoring well and all sampling activities associated with each surface water and leachate sampling location must be kept as part of the permanent facility record.
19. All well construction records and soil boring logs for new wells and probes must be submitted to the Solid Waste Section Hydrogeologist for review within 30 days of completion.
20. The owner or operator must maintain a record of the amount of solid waste received at the landfill unit, compiled on a monthly basis. Scales must be used to weigh the amount of waste received.
21. On or before August 1 annually, the Permittee must submit an annual facility report to the Solid Waste Section, on forms prescribed by the Section.
 - a. The reporting period shall be for the previous year beginning July 1 and ending June 30.
 - b. The annual facility report must list the amount of waste received and landfilled in tons and be compiled:
 - i) On a monthly basis.
 - ii) By county, city or transfer station of origin.
 - iii) By specific waste type.
 - iv) By disposal location within the facility.
 - v) By diversion to alternative management facilities.
 - c. A measurement of volume utilized in the landfill cells must be performed during the second quarter of the calendar year. The date and volumes, in cubic yards, must be included in the report.
 - d. The amount of waste, in tons from scale records, disposed in landfill cells from October 8, 1993 through the date of the annual volume survey must be included in the report.
 - e. The completed report must be forwarded to the Regional Waste Management Specialist for the facility by the date due on the prescribed annual facility report form.

- f. A copy of the completed report must be forwarded to each county manager for each county from which waste was received at the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Waste Management Specialist by the date due on the prescribed annual facility report form

PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)

Not Applicable

PART III: CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL UNIT(S)

- 22. This permit approves the continued operation of Phase 3 of the construction and demolition landfill, as well as the onsite environmental management and protection facilities as described in the approved plans.
- 23. This permit is for operational approval of a remaining net (waste) capacity of approximately 43,500 cubic yards. The facility is approved for an average annual disposal rate up to 10,000 tons per year (approximately 32 tons per day based on 312 operating days per year) as set forth in Attachment 1, Part III: "List of Documents for the Approved Plan". The maximum variance should be in accordance with GS 130A-294(b1)(1) and consistent with local government approval.
- 24. The following table lists the details for the landfill units. Gross capacity is defined as the volume of the landfill calculated from the elevation of the initial waste placement through the top of the final cover, including any periodic cover.

MSW Unit	Acres	Gross capacity (cubic yards)	Status
Phase 1	2.95	39,750	Closed
Phase 2	2.06	65,500	Closed
Phase 3, Cell 1	0.84	49,000	Operational
Phase 3, Cell 2	0.36	47,000	Operational
Phase 3, Cell 3	0.90	27,200	Future
Total	7.11	228,450	

- 25. The following, at a minimum, must not be accepted for disposal at the facility: hazardous waste, yard trash, liquid wastes, regulated medical waste, sharps not properly packaged, PCB waste as defined in 40 CFR 761, and wastes banned from disposal in North Carolina by G.S. 130A-309.10(f).
- 26. The C&D landfill units are permitted to receive the following waste types:

- a. “Construction or demolition debris” as defined in NCGS 130A-290 (a)(4) means solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures, but does not include inert debris, land-clearing debris or yard debris.
- b. “Inert debris” as defined in NCGS 130A-290 (a)(14) means solid waste that consists solely of material such as concrete, brick, concrete block, uncontaminated soil, rock, and gravel.
- c. “Land-clearing debris” as defined in NCGS 130A-290 (a)(15) means solid waste that is generated solely from land-clearing activities, such as stumps and tree trunks.
- d. Asphalt” in accordance with NCGS 130-294(m).

PART IV: INDUSTRIAL LANDFILL UNIT(S)

Not Applicable

PART V: LAND CLEARING AND INERT DEBRIS LANDFILL UNIT(S)

Not Applicable

PART VI: TRANSFER STATION/TREATMENT & PROCESSING UNIT(S)

27. The facility is permitted to receive solid waste as defined in NCGS 130A -290 (35).
28. The facility must meet the requirements of 15A NCAC 13B.0105. In addition, the following, at a minimum, must not be accepted at the facility; hazardous waste, liquid wastes, regulated medical waste, sharps not properly packaged, regulated-asbestos containing material as defined in 40 CFR 61, PCB waste as defined in 40 CFR 761.
29. The facility must transport waste to one of the following facilities for disposal:
 - a. Bristol Integrated Waste management Facility, Bristol, VA – Permit No. 588,
 - b. Iris Glen Environmental Center, Johnson City, TN – Permit No. SNL-901040262,
 - c. Caldwell County Foothills Landfill, Lenoir, NC – Permit No. 14-03 (***NC originated wastes only***).

Proposed changes to the disposal facility must be approved by the Section.

30. A responsible individual trained and certified in facility operations must be on-site at all times during all operating hours of the facility, in accordance with G.S. 130A-309.25.
31. The permittee must develop, and use, a training and screening program at the facility for detecting and preventing unauthorized wastes from being accepted at the facility. At a minimum, the program must include:
 - a. Random inspections of incoming loads or other comparable procedures.
 - b. Records of all inspections.

- c. Training of personnel to recognize hazardous, liquid and other excluded waste types.
32. The facility must not cause nuisance conditions.
- a. The tipping floor and transfer trailer loading area must be maintained in a clean, sanitary condition at all times and must be cleaned at least daily in accordance with the approved Operational Plan.
 - b. Waste must only be deposited on a “tipping floor” or directly into a transfer container. Waste must not be stored on the “tipping floor” after operating hours.
 - c. Waste may be stored on-site, in leak proof transfer trailers, with watertight covers, a maximum of 24 hours except that a minimal amount of waste may be stored for a maximum of 72 hours when the facility is closed during a weekend or holiday. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.
 - d. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.
 - e. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter.
 - i) Fugitive dust emissions are prohibited.
 - ii) Windblown materials must be collected by the end of the day and no windblown material may be allowed to leave the facility boundary.
33. All water that comes in contact with solid waste, including vehicle wash-down water, is leachate and must be captured and properly treated before release to the environment.
- a. The leachate control system, such as floor drains, leachate collection devices, sanitary sewer connections and leachate storage tanks, must be operational during facility operations.
 - b. The tipping floor must drain away from the building entrance and into the leachate collection system.
34. The permittee must maintain a record of the amount of solid waste received at the facility, including daily records of waste received and origins of the loads. Scales must be used to weigh the amount of waste received. The daily records are to be summarized into a monthly report for use in the required annual reports.
35. On or before August 1 annually, the Permittee must submit an annual facility report to the Solid Waste Section, on forms prescribed by the Section.
- a. The reporting period shall be for the previous year beginning July 1 and ending June 30.

- b. The annual facility report must list the amount of waste received in tons and be compiled:
 - i) On a monthly basis.
 - ii) By county, city or transfer station of origin.
 - iii) By specific waste type.
 - iv) By receiving disposal facility.
 - v) By diversion to alternative management facilities.
- c. The completed report must be forwarded to the Regional Environmental Specialist for the facility by the date due on the prescribed annual facility report form.
- d. A copy of the completed report must be forwarded to each county manager for each county from which waste was received the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Specialist by the date due on the prescribed annual facility report form.

PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT

General Conditions

- 36. Wastes received and product stored shall be maintained in reasonably sized piles with adequate fire breaks and lanes in accordance with the approved operational plans and the pertinent rules.
- 37. Surface water shall be diverted from all operational and storage areas to prevent standing water in operational areas and under or around storage piles. Water that comes in contact with solid waste shall be contained on-site or properly treated prior to discharge.
- 38. These areas shall be operated and maintained with sufficient dust control measures to minimize airborne emissions and to prevent dust from becoming a nuisance or safety hazard.
- 39. These areas shall be operated and maintained in a manner so as to minimize odors, prevent the creation of a nuisance, potential health hazard, or a potential fire hazard.
- 40. Effective vector control measures shall be applied as necessary to control flies, rodents, insects, or vermin.

Operational Conditions – White Goods

- 41. The facility is permitted to receive white goods as defined in North Carolina General Statute Article 9, Chapter 130A-290(44).
- 42. The facility must manage white goods according to the approved Operations Plan. Any revisions to the approved plan shall be approved by the North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

43. White goods collection areas shall provide for the proper removal of chlorofluorocarbon refrigerants.

Operational Conditions – Scrap Tires

44. The facility is permitted to receive tires and scrap tires as defined in North Carolina General Statute Article 9, Chapter 130A-309.53(6) & (7).
45. Scrap tire collection areas shall be operated in accordance with the requirements of 15A NCAC 13B.1107.
46. The facility must manage tires according to the approved Operations. Any revisions to the approved plan shall be approved by the North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

- End of Section -

ATTACHMENT 4
CONDITIONS FOR CLOSURE

PART I: GENERAL FACILITY

1. Avery County must maintain the integrity and effectiveness of cap systems, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and prevent surface water from impounding over waste and run-on and run-off from eroding or otherwise damaging the cap system.
2. Post-closure use of the property is subject to review and approval by the Division and must not disturb the integrity of the cap system, or the function of the monitoring systems. The Division may approve any other disturbance if the owner or operator demonstrates that disturbance of the cap system, including any removal of waste, will not increase the potential threat to human health or the environment.
3. The permittee must maintain a record of all monitoring events and analytical data. Reports of the sampling events and analytical data must be submitted to the Section in a timely manner.

PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)

Not Applicable

PART III: CONSTRUCTION & DEMOLITION DEBRIS LANDFILL UNIT(S)

4. Avery County provided Notice of Intent to Close Phases I and II on April 14, 2011 (DIN 13640).
5. Closure certification for Phases I & II Closure Event No. 1 was submitted in the Construction Quality Assurance Report submitted on November 18, 2011 (DIN 15641).
6. Closure certification for Phases I & II Closure Event No. 2 was submitted in the Construction Quality Assurance Report submitted on January 18, 2014 (DIN 20380).

PART IV: INDUSTRIAL LANDFILL UNIT(S)

Not Applicable

PART V: LAND CLEARING & INERT DEBRIS LANDFILL UNIT(S)

Not Applicable

PART VI: TRANSFER STATION/TREATMENT & PROCESSING UNIT(S)

Not Applicable

PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT

Not Applicable