North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue, Governor
Dexter R. Matthews, Director
Dee Freeman, Secretary

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

MUNICIPAL SOLID WASTE LANDFILL FACILITY
Permit No. 11-07

BUNCOMBE COUNTY
is hereby issued a

PERMIT TO CONSTRUCT
C&D LANDFILL UNIT PHASE 5

PERMIT TO OPERATE
MSW LANDFILL UNIT CELLS 1-6
C&D LANDFILL UNIT PHASE 4 VERTICAL EXPANSION
HHW COLLECTION FACILITY & LFGTE SYSTEM

Located off 85 Panther Road, North Carolina State Road 1745, Buncombe 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.

cn=Edward F. Mussler III, P. E., o=Solid Waste Section, ou=NC DWM, email=ed. mussler@ncdenr.gov, c=US
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Edward F. Mussler, III, P.E.,
Permitting Branch Supervisor
Solid Waste Section

ATTACHMENT 1

PART I: PERMITTING HISTORY

1. On November 7, 1995 a Permit to Construct was issued for MSW landfill unit Cells 1, 2 & 3.
2. On November 15, 1996 a Permit to Operate was issued for MSW landfill unit Cell 2.
3. On November 25, 1997 an amendment was made to the Permit for construction of a C&D landfill unit.
4. On January 9, 1998 amendment was made to the Permit for operation of MSW landfill unit Cell 1.
5. On January 21, 1998 an amendment was made to the Permit for operation of C&D landfill unit Phase 1.
6. On October 20, 1998 an amendment was made to the Permit for construction of a Compost Unit.
7. On December 14, 1998 an amendment was made to the Permit for construction of an alternate liner in MSW landfill unit Cell 3.
8. On March 5, 1999 an amendment was made to the Permit for construction of C&D landfill unit Phase 2.
9. On January 27, 2000 an amendment was made to the Permit for operation of MSW landfill unit Cell 3.
10. On May 27, 2000 an amendment was made to the Permit for construction of MSW landfill unit Cells 4 & 5.
11. On March 9, 2001 an amendment was made to the Permit for operation of a permanent HHW collection unit.
12. On May 2, 2002 an amendment was made to the Permit for construction of C&D landfill unit Phase 1 expansion.
13. On November 14, 2002 an amendment was made to the Permit for operation of MSW landfill unit Cells 4 & 5 and C&D landfill unit Phase 1 expansion.
14. On March 27, 2003 a modification was made to the Permit for operation of EPA Project XL leachate recirculation in MSW landfill unit Cells 1-3.
15. On March 10, 2005 an amendment was made to the Permit for construction of MSW landfill unit Cell 6, Phase III.
16. On October 12, 2005 an amendment was made to the Permit for operation of MSW landfill unit Cell 6, Phase I.

17. On November 2, 2005 an amendment was made to the Permit for construction of C&D landfill unit Phase 4.
18. On March 14, 2006 an amendment was made to the Permit for operation of MSW landfill unit Cells 1-6 and Bioreactor Phase I.
19. On June 12, 2006 an amendment was made to the Permit for operation of C&D landfill unit Phase 4.
20. On September 12, 2006 a modification was made to the Permit for operation of a gas collection system in MSW landfill unit Cell 6.
21. On March 4, 2008 a modification was made to the Permit for disposal of asbestos containing material at the C&D landfill unit.
22. On July 15, 2008 a modification was made to the Permit for an update to the Operation Plan following a leachate breakout.
23. On March 2, 2009 an amendment was made to the Permit for continued operations of the C&D landfill unit per 15A NCAC 13B.0547(2).
24. On May 1, 2009 a modification was made to the Permit for the use of tarps, Posi-shell and a soil/mulch mixture as Alternative Cover Materials.
25. On June 7, 2010 an amendment was made to the Permit for the construction of C&D landfill unit Phase 5 and the operation of C&D landfill unit Phase 4 vertical expansion.
26. On January 24, 2011 a modification was made to the Permit extending the use of Posi-shell as an Alternative Cover Material for periods up to 30 days.
27. One June 15, 2011 an amendment was made to the Permit for five-year renewal of operations.
28. On March 12, 2012 a modification was made to the Permit for the operation of Landfill Gas Collection and Control and Landfill Gas to Energy systems.

No.	Permit Type	Date Issued	DIN
1.	Permit to Construct	November 7, 1995	
2.	Permit to Operate	November 15, 1996	
3.	Permit Amendment	November 25, 1997	
4.	Permit Amendment	January 9, 1998	
5.	Permit Amendment	January 21, 1998	
6.	Permit Amendment	October 20, 1998	
7.	Permit Amendment	December 14, 1998	
8.	Permit Amendment	March 5, 1999	
9.	Permit Amendment	January 27, 2000	
10.	Permit Amendment	May 27, 2000	
11.	Permit Amendment	March 9, 2001	
12.	Permit Amendment	May 2, 2002	
13.	Permit Amendment	November 14, 2002	
14.	Permit Modification	March 27, 2003	
15.	Permit Amendment	March 10, 2005	
16.	Permit Amendment	October 12, 2005	
17.	Permit Amendment	November 2, 2005	
18.	Permit Amendment	March 14, 2006	
19.	Permit Amendment	June 12, 2006	
20.	Permit Modification	September 12, 2006	
21.	Permit Modification	March 4, 2008	4056
22.	Permit Modification	July 15, 2008	4959
23.	Permit Amendment	March 2, 2009	6743
24.	Permit Modification	May 1, 2009	7280
25.	Permit Amendment	June 7, 2010	10511
26.	Permit Modification	January 24, 2011	12742
27.	Permit Amendment	June 15, 2011	14136
28.	**Permit Modification**	March 12, 2012	**16260**

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

GENERAL FACILITY

1. *Buncombe County Solid Waste Management Facility, Permit to Construct Application, Volume 1 of 2*, dated March, 1995, as revised.
2. *Buncombe County Solid Waste Management Facility, Permit to Construct Application, Volume 2 of 2*, dated March, 1995, as revised.
3. Plans entitled *Engineering Plan, Buncombe County Solid Waste Management Facility*, dated March, 1995, sheets EP-1 through EP-6, D-1 through D-4, as revised.

4. Plans entitled *Facility Plan, Buncombe County Solid Waste Management Facility*, dated March, 1995, sheets SD-1, SD-2, LC-1 through LC-4, LO-1 through LO-9, as revised.
5. Plans entitled *Construction Plan, Cells 1 through 3, Buncombe County Solid Waste Management Facility*, dated September, 1995, sheets C-1 through C-9, D-1 through D-4, E-1 and E-2, latest revision.
6. *Response to Technical Review Design Hydrogeologic Report/Water Quality Monitoring Report, Buncombe County Solid Waste Management Facility*, dated June, 1995.
7. *Response to Technical Review Design Hydrogeologic Report/Water Quality Monitoring Report, Buncombe County Solid Waste Management Facility*, dated August, 1995.
8. *Modification to Permit, Construction Plans - Cells 1 through 3, Proposed Buncombe County Solid Waste Management Facility*, dated October 6, 1995.
9. Camp Dresser & McKee letter, dated November 2, 1995, subject: *Alternate Monitoring System*.
10. *Buncombe County Solid Waste Management Facility, Permit to Construct Application, Cell 3 Permit Modifications*, dated October 1998, as revised, prepared by Camp Dresser & McKee.
11. *Buncombe County Subtitle D Landfill Cell No. 3 Point-of Compliance Equivalence evaluation for Proposed Alternative Base Liner*, dated June 10, 1998, as revised, prepared by Camp Dresser & McKee.

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Documents 1-15 contained in previous permits.

16. *Permit Application for the US EPA Project XL Bioreactor at the Buncombe County Solid Waste Management Facility*. Prepared by: Camp Dresser and McKee, Raleigh, NC. December 2002.
17. Plans entitled *US EPA Project XL Bioreactor Plan Permit Application, Buncombe County Solid Waste Management Facility.* Prepared by: Camp Dresser and McKee, Raleigh, NC. December 2002.
18. *Buncombe County Solid Waste Management Facility, Permit to Construction Application.* Prepared by: Camp Dresser and McKee, Raleigh, NC. December 2004. Volume 1 of 2.
19. *Buncombe County Solid Waste Management Facility, Permit to Construction Application.* Prepared by: Camp Dresser and McKee, Raleigh, NC. December 2004. Volume 2 of 2.
20. Drawings entitled *Engineering Plan - Phase 3 (Cell 6), Buncombe County Solid Waste Management Facility*. Prepared by: Camp Dresser and McKee, Raleigh, NC. December 2004.

21. Response To Comment. *Application for Permit to Construct, Phase III, Buncombe County Landfill, Design Hydrogeologic Study - Preliminary Review Comments, Permit No. 11-07*. Prepared by: Camp Dresser and McKee, Raleigh, NC. January 7, 2005.

22. Response To Comments. *Application for Permit to Construct, Phase III, Buncombe County Landfill, Design Hydrogeologic Study - Additional Review Comments, Permit No. 11-07.* Prepared by: Camp Dresser and McKee, Raleigh, NC. January 18, 2005.

23. *Buncombe County North Carolina, Buncombe County Solid Waste Management Facility, Permit to Construct Application for Phase III, CDM Project No. 6447-45139, Response to Comments*. Prepared by: Camp Dresser and McKee, Raleigh, NC. March 9, 2005.

24. *Buncombe County North Carolina, Buncombe County Solid Waste Management Facility, Permit to Construct Application for Phase III, CDM Project No. 6447-45139, Operations Plan Response to Comments*. Prepared by: Camp Dresser and McKee, Raleigh, NC. April 25, 2005.

25. *Buncombe County, North Carolina, Solid Waste Management Facility, Phase 1 of Cell 6, Construction Quality Assurance Report.* Prepared by: Camp Dresser and McKee, Raleigh, NC. June 24, 2005. Volume 1.

26. *Buncombe County, North Carolina, Solid Waste Management Facility, Phase 1 of Cell 6, Construction Quality Assurance Report.* Prepared by: Camp Dresser and McKee, Raleigh, NC. June 24, 2005. Volume 2.

27. *Buncombe County, North Carolina, Solid Waste Management Facility, Phase 1 of Cell 6, Construction Quality Assurance Report, Additional Documentation.* Prepared by: Camp Dresser and McKee, Raleigh, NC. July 25, 2005.

28. *Buncombe County, North Carolina, Solid Waste Management Facility, Cell 6 Construction Quality Assurance Report.* Prepared by Camp Dresser and McKee, Raleigh, NC. January 20, 2006, Volume 1.

29. *Buncombe County, North Carolina, Solid Waste Management Facility, Cell 6 Construction Quality Assurance Report.* Prepared by Camp Dresser and McKee, Raleigh, NC. January 20, 2006, Volume 2.

30. *Buncombe County, North Carolina, USEPA Project XL Bioreactor Phase I, Buncombe County Solid Waste Management Facility, Construction Quality Assurance Report.* Prepared by: Camp Dresser and McKee. Raleigh, NC. January 27, 2006.

31. *Buncombe County Solid Waste Management Facility, Cell 6 Gas Collection System.* Prepared by CDM, Raleigh, NC. Prepared for Buncombe County. May 25, 2006.

32. *Buncombe County Solid Waste Management Facility Cell 6 Gas Collection System, CQA Report.* Prepared by CDM, Raleigh, NC. Prepared for Buncombe County. August 2006.

33. *Compliance Order, Buncombe County Landfill, Permit #11*-07. Prepared by: Paul Crissman. Prepared for: The Division of Waste Management, Solid Waste Section. September 7, 2007. Document ID Number 3005.

34. *Leachate Spill Assessment Plan, Buncombe County Subtitle D Landfill, Alexander, North Carolina, Permit #11-07*. Prepared by: CDM. Prepared for: Buncombe County. September 19, 2007. Document ID Number 3086.

35. *Conditions for Compliance, Buncombe County Subtitle D Landfill, Alexander, North Carolina, Permit #11-07*. Prepared by: CDM. Prepared for: Buncombe County. October 11, 2007. Document ID Number 3223.

36. *Leachate Spill Assessment, Buncombe County Subtitle D Landfill, Alexander, North Carolina, Permit #11-07*. Prepared by: CDM. Prepared for: Buncombe County. November 13, 2007. Document ID Number 3789.

37. *Review Letter, Buncombe County MSWLF, Permit No. 11-07, Buncombe County.* Prepared by: Larry Frost. Prepared for: The Division of Waste Management, Solid Waste Section. December 10, 2007. Document ID Number 3526.

38. *Buncombe County, North Carolina, Buncombe County MSWLF – Permit No. 11-07, Response to Comments.* Prepared by: CDM. Prepared for: Buncombe County. April 14, 2008. Document ID Number 4391.

39. *Buncombe County Solid Waste Management Facility Permit No. 11-07, Permit Modification Revised Operations Plan.* Prepared by: CDM. Prepared for: Buncombe County. June 9, 2008. Document ID Number 4856.

40. *Alternative Cover Material – Posi-Shell and Tarps Demonstration Report and Revised Operation Plan*. Prepared by: CDM. Prepared for: Buncombe County. June 13, 2008. Document ID Number 5156.

41. *Alternative Cover Material – Posi-Shell and Tarps Demonstration Report and Revised Ope*ration Plan. Prepared by: CDM. Prepared for: Buncombe County. November 10, 2008. Document ID Number 6221.

42. Response to Comments: *Alternative Cover Material Demonstration Report and Revised Operation Plan*. Prepared by: CDM. Prepared for: Buncombe County. February 23, 2009. Document ID Number 6904.

43. *Part 5 – Operation Plan*. Prepared by: CDM. Prepared for: Buncombe County. January 21, 2011. Document ID Number 12780.

44. *Phase III (Cell 6) Permit Application Renewal*. Prepared by: CDM. Prepared for: Buncombe County. February 24, 2011. Document ID Number 13037.

45. *LFGTE Project – Completion Documentation*. Prepared by: CDM Smith. Prepared for: Buncombe County. February 7, 2012. Document ID Number 16089.

46. *Landfill Gas Collection and Control and Landfill Gas to Energy Systems Operation Plan*. Prepared by: CDM Smith. Prepared for: Buncombe County. February 2012. Document ID Number 16090.

CONSTRUCTION AND DEMOLITION LANDFILL

Documents 1-6 contained in previous permits.

7. *Buncombe County North Carolina Buncombe County Solid Waste Management Facility, Construction and Demolition Debris Landfill Phase 4 Expansion, Permit Application.* Prepared by Camp Dresser & McKee, Raleigh, NC. Prepared for Buncombe County. June 2, 2005 as amended through October 28, 2005.
8. *Inspection and Certification of Sub-grade Condition, Buncombe County C&D Landfill Phase 4 Expansion.* Prepared by CDM, Raleigh, NC. Prepared for Buncombe County. April 12, 2006.
9. *Monitoring Well Installation and Initial Sampling Report, Buncombe County C&D Landfill Phase 4 Expansion.* Prepared by CDM, Raleigh, NC. Prepared for Buncombe County. April 26, 2006.
10. *Construction Certification Phase 4 C&D Landfill Expansion Project.* Prepared by CDM, Raleigh, NC. Prepared for Buncombe County. May 31, 2006.
11. *Buncombe County North Carolina Buncombe County Solid Waste Management Facility, Permit No. 11-07, C&D Operation Plan Modification – Asbestos Disposal.* Prepared by CDM, Raleigh, NC. Prepared for Buncombe County. December 2007. Document ID 3848.
12. *C&D Landfill Substantial Amendment and Phase 5 Permit to Construct Application – Volume 1*. Prepared by: CDM. Prepared for: Buncombe County. May 4, 2009. Document ID 7374.
13. *C&D Landfill Substantial Amendment and Phase 5 Permit to Construct Application – Volume 2*. Prepared by: CDM. Prepared for: Buncombe County. May 4, 2009. Document ID 7375.
14. *Site Hydrologic Report, Design Hydrologic Report, and Water Quality Monitoring Plan Response to Review Comments*. Prepared by: CDM. Prepared for: Buncombe County. July 28, 2009. Document ID 8748.
15. *C&D Landfill Engineering Technical Review, Permit to Construct Application – Phase 5 Response to Comments*. Prepared by: CDM. Prepared for: Buncombe County. November 24, 2009. Document ID 8966.
16. *C&D Landfill Operation Plan*. Prepared by: CDM. Prepared for: Buncombe County. July 2009. Revised March 2010. Document ID 10247.
17. *Landfill Gas Monitoring Plan – C&D Landfill*. Prepared by: CDM. Prepared for: Buncombe County. April 12, 2010. Document ID 10333.

18. *C&D Landfill Phase 4 – Vertical Expansion*. Prepared by: CDM. Prepared for: Buncombe County. April 7, 2010. Document ID 10363.

LAND CLEARING AND INERT DEBRIS LANDFILL

Not Applicable

MISCELLANEOUS FACILITIES

Househhold Hazardous Waste Permanent Collection Facility

1. *Permit Application (operation plan, contingency plan and closure plan) for Buncombe County Household Hazardous Waste Permanent Collection Facility*. Prepared by Buncombe County for Buncombe County. October 9, 2000 and amended through February 2001.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Buncombe County, N.C. Register of Deeds				
Book	Page	Acreage	Parcel ID Number	Grantee
1851	0097	604.5±	972308568500000	Buncombe County
		604.5±	Total Facility Acreage	

Notes:

1. Deed book references are from the Buncombe County Register of Deeds office GIS website (http://gis.buncombecounty.org/buncomap/) accessed May, 2010.

PART IV: GENERAL PERMIT CONDITIONS

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B.0201(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct 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. (Intentionally blank)
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.

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.

- End of Section -

ATTACHMENT 2
CONDITIONS OF PERMIT TO CONSTRUCT

PART I: GENERAL FACILITY CONDITIONS

1. The issuance date of the Permit to Construct is June 7, 2010. 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 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. Samples from new ground water monitoring wells and surface water stations shall be sampled for constituents listed in the approved Monitoring Plan and submitted to the Section prior to receiving the Permit to Operate.

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 SPECIFIC CONDITIONS

Not Applicable

PART III: CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL UNIT SPECIFIC CONDITIONS

18. Pursuant to the NC Solid Waste Management Rules (Rule) 15A NCAC 13B.0201(c) and (d)(1), this permit approves construction for Phase 5 consisting of approximately 10.7 acres with a calculated gross capacity of approximately 285,500 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 Facility must ensure the activity is in compliance with all air pollution and open burning laws, regulations, and ordinances.

20. The following conditions must be met prior to operation of the Phase 5:

    a. The Permittee must obtain a Permit to Operate for Phase 5 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. A permit activity fee (Modification) must be paid prior to receiving the Permit to Operate for Phase 5.

    f. The Financial Assurance instrument for approved Closure and Post-closure Care costs must be submitted to the Section.

PART IV: LAND CLEARING AND INERT DEBRIS LANDFILL UNIT SPECIFIC CONDITIONS

Not Applicable

PART V: MISCELLANEOUS SOLID WASTE MANAGEMENT SPECIFIC CONDITIONS

Not Applicable

- End of Section -

ATTACHMENT 3
CONDITIONS OF PERMIT TO OPERATE

PART I: GENERAL FACILITY CONDITIONS

1. The Permit to Operate shall expire **June 15, 2016**. Pursuant to 15A NCAC 13B.0201(g), no later than **January 15, 2016**, 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. 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.
5. Closure or partial closure of any unit must be in accordance with the Closure Plans described in the approved plans and applicable rules and statutes. Revised Closure Plans must be submitted to the Division at least 90 days prior to implementation.

Operational Requirements

6. This facility is permitted to receive non-hazardous solid waste generated within Buncombe County, consistent with the local government waste management plan and with local government approval and as defined in G.S. 130-290 (a)(18a) and (35), except where prohibited by the N. C. General Statues Article 9 of Chapter 130A, and the rules adopted by the Commission for Health Services.
7. 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.

8. The use of different alternative daily cover requires approval, prior to implementation, by the Solid Waste Section. Requests for alternative daily cover approval 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.
   a. The use of a fabric reinforced tarp as an alternate daily cover is approved and subject to the terms and conditions of operation as set forth in the plan.
   b. The use of Posi-shell as an alternate daily cover is approved and subject to the terms and conditions of operation as set forth in the plan.
      i) Posi-Shell used on outside perimeter slopes must not be exposed more than 24 hours before additional waste or soil cover is applied.
      ii) Posi-Shell must not be exposed more than 30 days from the date of initial application. Inspection of covered areas must occur daily. Should the Posi-Shell coverage in any area fail to meet the requirements of 15A NCAC 13B.1626(2)(b) the Posi-shell must either be reapplied or be covered with 6 inches of soil.
      iii) Records must be kept in the Operating Record listing the type of Posi-Shell mixture used, when and where it was applied, and documentation of inspections.
   c. The use of a 30/70 mulch/soil mixture as an alternate daily cover is approved and subject to the terms and conditions of operation as set forth in the plan.

9. 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

10. Groundwater, surface water, and landfill gas monitoring locations must be established and monitored as identified in the approved plans.

11. 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.

12. 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.

13. 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.

14. 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.

15. Untreated leachate must be sampled and analyzed at least semi-annually concurrently with the groundwater water and surface water sampling, one sample per event. The leachate must be analyzed for all Appendix I constituents, pH, specific conductance, BOD, COD, nitrates, sulfates, and phosphates. Test results must be submitted to the Section along with groundwater and surface water test results. In the event leachate is recirculated, additional leachate sampling may be required.

16. A readily accessible unobstructed path must be cleared and maintained so that four-wheel vehicles may access monitoring well locations at all times.

17. 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.

18. All well construction records and soil boring logs for new wells must be submitted to the Solid Waste Section Hydrogeologist for review within 30 days of completion.

19. 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.

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 SPECIFIC CONDITIONS

22. This permit approves the continued operation of Cells 1-6 of the municipal solid waste 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 five year permitted disposal capacity of 1,120,000 cubic yards. This capacity is based on an average annual disposal rate of approximately 250,000 cubic yards (approximately 320 tons per day based on 312 operating days per year) as set forth in Attachment 1, Part II: "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 dimensions and details for the MSW 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 (Cells 1-3)	20.0	960,000	Complete
Phase 2 (Cells 4,5)	11.0	940,000	Complete
Phase 3 (Cell 6)	23.0	1,120,000	Operational
Phase 4 (Cell 7)	13.0	860,000	Future
Phase 5 (Cell 8)	8.5	820,000	Future
Phase 6 (Cells 9, 10)	19.5	1,100,000	Future
Phase 7	N/A*	1,000,000	Future
Total	95.0	6,800,000	

* Phase 7 will be a vertical expansion.

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 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.

27. The use of leachate recirculation as a leachate management tool requires approval by the Section prior to implementation. Requests for leachate recirculation approval must include a comprehensive management plan developed according to Section guidelines and which is consistent with the approved operation plan. Plans which are approved by the Section will be incorporated into, and made a part of, the approved documents listed in Attachment 1.

28. Prior to disposal in a new cell previously separated from the active disposal cell by rainwater and leachate separation devices involving rainwater flaps welded to the liner and/or disconnected leachate lines, a construction certification shall be placed in the facility operating record. The certification must describe the proper removal of temporary rainwater devices and reconnection of leachate collection lines in accordance with Attachment 1, Part II. The document must also contain a statement of certification by the facility's trained landfill operator, N. C. registered professional engineer, or other person approved by the Section, that the construction was properly completed according to the approved plans.

29. The proper removal of geotextile covering the gravel column, occurring with the progression of fill, shall be documented by the facility's trained landfill operator, or other person approved by the Section, in accordance with Attachment 1, Part II, of this permit, and the documentation shall be placed in the facility's operating record.

30. The facility is permitted to co-dispose of wastewater treatment sludge generated within the facility's approved service area, and subject to the terms and procedures of the approved plan.

31. The leachate collection system must be maintained in accordance with 15A NCAC 13B.1626(12)(a). The plan shall include provisions for periodic cleaning and visual inspection. Documentation of the inspections, and cleaning and monitoring must be included in the operating records of the facility and provided to the Department upon request.

32. Closure or partial closure of any MSWLF unit must be in accordance with the Closure Plans described in the approved plans and 15A NCAC 13B.1629. Final Closure Plans must be submitted to the Division at least 90 days prior to implementation.

PART III: CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL UNIT SPECIFIC CONDITIONS

33. This permit approves operation of Phase 4 including the vertical expansion, as well as the onsite environmental management and protection facilities as described in the approved plans.

34. 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.

C&D Unit	Acres*	Gross capacity (cubic yards)	Status
Phase 1	7.6	299,800	Closed
Phase 2	2.0	60,000	Closed
Phase 1, Expansion	2.2	65,000	Closed
Phase 3	N/A	N/A	Not Constructed
Phase 4	9.4	340,000	Operational
Phase 4, Vertical	4.2	144,300	Operational
Phase 5	10.7	285,500	Future
Phase 6	5.9	607,700	Future
Phase 7	7.7	612,600	Future
Phase 8	5.4	159,700	Future
Total	39.1	2,574,600	

* Acreages indicate extents of permitted closure area.

35. 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).

36. 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.

37. Closure or partial closure of any landfill unit must be in accordance with the Closure Plans described in the approved plans. Final Closure Plans must be submitted to the Division at least 90 days prior to implementation.

PART IV: LAND CLEARING AND INERT DEBRIS LANDFILL UNIT SPECIFIC CONDITIONS

Not Applicable

PART V: MISCELLANEOUS SOLID WASTE MANAGEMENT SPECIFIC CONDITIONS

General Conditions

38. 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.

39. 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.

40. 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.

41. 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.

42. Effective vector control measures shall be applied as necessary to control flies, rodents, insects, or vermin.

Operational Conditions – White Goods

43. The facility is permitted to receive white goods as defined in North Carolina General Statute Article 9, Chapter 130A-290(44).

44. The facility must manage white goods according to the Operation Plan included in Attachment 1, Part II "List of Documents for the Approved Plan". This document is included in the approved 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.

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

Operational Conditions – Scrap Tires

46. 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).

47. Scrap tire collection areas shall be operated in accordance with the requirements of 15A NCAC 13B.1107.

48. The facility must manage tires according to the Operation Plan included in Attachment 1, Part II, "List of Documents for the Approved Plan". This document is included in the approved 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.

Operational Conditions – Treatment & Processing (Wood Grinding)

49. The facility is permitted to operate a treatment and processing facility as defined in 15A NCAC 13B.0101(49).

50. The facility is permitted to receive land clearing waste as defined in 15A NCAC 13B.0101(23).

51. The facility is permitted to receive wooden pallets constructed of unpainted and untreated natural wood.

52. The facility is permitted to receive yard trash as defined in 15A NCAC 13B.0101(55). However, this ground material containing yard trash may not be distributed to the public unless it has been composted in accordance with 15A NCAC 13B.1400.

53. The facility must manage the treatment and processing according to the Operation Plan included in Attachment 1, Part II: "List of Documents for the Approved Plan". This document is included in the approved plan. Any revisions to the approved plan shall be approved by the Section, prior to implementation.

Operational Conditions – Type 1 Composting Unit

54. The facility is permitted to operate a compost facility as defined in 15A NCAC 13B.0101(7).

55. The facility is only permitted to receive waste materials described in 15A NCAC 13B.1402(f)(1) and (2).

56. The facility must monitor and maintain records to demonstrate the requirements of 15A NCAC 13B.1406 are continually being met. In addition, the facility is required to maintain records on the following information:

    a. The amount of waste received into the facility,
    b. the amount of compost land applied as a soil amendment,
    c. the area of land compost was applied to as a soil amendment, and
    d. the amount and final termination of any remaining compost.

Operational Conditions – Household Hazardous Waste (HHW)

57. This permit is for operation of a Permanent Household Hazardous Waste Collection Facility.

58. This permanent household hazardous waste collection facility is permitted to receive household hazardous waste (HHW) generated by homeowners and conditionally exempt

small quantity generators of Buncombe County. Unacceptable HHW that shall not be collected at this facility includes radioactive waste, explosives, and infectious waste.

59. This facility shall conform to all operating procedures in the approved plan, 15A NCAC 13B.0400, and the current Section policies and guidelines for HHW Collection Facilities.

60. Household Hazardous Waste Identification Number NCPH01101011 shall be used to ship wastes off site for recycling, treatment or disposal.

61. The permittee shall maintain records for the amount of HHW received at the facility and the amounts shipped off-site for recycling, treatment, and disposal. Records must be compiled on a monthly basis and maintained at the facility for inspection upon request by Solid Waste Section personnel.

62. On or before August 1 of each year, the permittee shall report to the Solid Waste Section, the amount of HHW waste (in pounds) received at this facility and the amounts shipped off-site for recycling, reuse, and/or disposal. The reporting period shall be for the previous year, beginning July 1 and ending June 30.

63. A copy of this permit and the approved plan shall be maintained at the facility. Copies of this permit shall be forwarded to the local fire department, local hospitals, and other appropriate emergency agencies.

- *End of Permit Conditions –*