NCDENR

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

Beverly Eaves Perdue	Dexter R. Matthews	Dee Freeman
Governor	Director	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. 57-03

MACON COUNTY
is hereby issued a

PERMIT TO OPERATE
MUNICIPAL SOLID WASTE LANDFILL PHASE II

Located off Lakeside Drive approximately one mile north of Franklin, North Carolina in Macon 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.

DN: cn=Edward F. Mussler III, P.E., o=Solid Waste Section, ou=Permitting Branch, email=ed.mussler@ncdenr.gov, c=US
Reason: I am approving this document
Date: 2009.10.12 16:23:37 -04'00'

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

ATTACHMENT 1

PART I: PERMITTING HISTORY

1. On February 8, 1999 an amendment was made to the Permit to Operate for a five-year renewal of the MSW landfill unit Phase I.
2. On March 7, 2000 an amendment was made to the Permit to Operate for the addition of MSW landfill unit Phase II.
3. On July 20, 2005 an amendment was made to the Permit to Operate for a five-year renewal of the MSW landfill unit Phase II.
4. On October 26, 2006 a modification was made to the Permit to Operate for the addition of a wastewater spray irrigation system.
5. On July 12, 2007 a modification was made to the Permit to Operate for the addition of a tarp ADC and cessation of baling operations.
6. On October 12, 2009 a modification was made to the Permit to Operate for the following changes:

   A. Reduction in facility boundary to remove 10.055 acres.
   B. Addition of out-bound scale.
   C. Acceptance of C&D waste in MSW landfill units.
   D. Construction of Animal Shelter within facility boundary.
   E. Delineation of landfill property for Maintenance Facility.

Permit Type	**Date Issued**	**DIN**
Original Permit to Operate	January 31, 1991	
Permit Amendment	February 8, 1999	
Permit Amendment	March 7, 2000	
Permit Amendment	July 20, 2005	
Permit Modification	October 26, 2006	547
Permit Modification	July 12, 2007	2738
Permit Modification	**October 12, 2009**	**8525**

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

NO.	DOCUMENT DESCRIPTION	DOCUMENT ID NO.
1.	Letter: *Modification to the Permit, Spray Irrigation of Wastewater*. Prepared by: Jim Coffey. Prepared for: Division of Waste Management. October 26, 2006.	547
2.	*Groundwater Contamination Assessment Plan*. Prepared by: Bunnell-Lammons Engineering, Inc. Prepared for: Macon County. September 13, 2007	3058
3.	Letter: *Assessment Plan Approval*. Prepared by: Ervin Lane. Prepared for: Division of Waste Management. September 14, 2007.	3059
4.	*Assessment of Corrective Measures*. Prepared by: Bunnell-Lammons Engineering, Inc. Prepared for: Macon County. October 20, 2008.	6476
5.	Letter: *Assessment of Corrective Measures Report*. Prepared by: Ervin Lane. Prepared for: Division of Waste Management. December 17, 2008.	6477
6.	*Modifications to Permit to Operate*. Prepared by: McGill Associates. Prepared for: Macon County. July 14, 2009.	8007
7.	Email: *Macon County landfill-reduced reuse spray irrigation system*. Prepared by: McGill Associates. Prepared for: Macon County. August 11, 2009.	8229
8.	Letter: *Authorization – Spray Irrigation System Revision*. Prepared by: Allen Gaither. Prepared for: Division of Waste Management. August 17, 2009.	8230
9.	*Operations Plan – Revised June 2009*. Prepared by: McGill Associates. Prepared for: Macon County. July 14, 2009.	8589

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Macon County, N.C. Register of Deeds				
Book	Page	Acreage	Grantor	Grantee
I-18	578	185.14	Ledford	Macon County
V-21	1818	6.59	Ledford	Macon County
V-21	1812	2.34	Ledford	Macon County

Macon County, N.C. Register of Deeds				
I-21	615	1.66	McCall	Macon County
		195.7±	Total Facility Acreage	

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 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

Not Applicable

PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT SPECIFIC CONDITIONS

Not Applicable

PART III: CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL UNIT SPECIFIC CONDITIONS

Not Applicable

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 July 20, 2010. Pursuant to 15A NCAC 13B .0201(g), no later than February 20, 2010, the owner or operator must submit a request to the Section for permit review prepared in accordance with Section .1603(a)(2), 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.

Operational Requirements

4. This facility is permitted to receive non-hazardous solid waste generated within Macon 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.

5. 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.

6. 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 tarp as an alternate daily cover is approved and subject to the terms and conditions of operation as set forth in the plan. Soil cover shall be applied at a minimum of one time per week in accordance with Rule .1626 (2). Soil shall be applied more frequently, if needed, to control disease vectors, fires, odors, blowing litter and scavenging.

b. The use of a 1:1 Soil/Mulch mixture as an alternative daily cover is approved and subject to the terms and conditions of operation as set forth in the plan. Soil cover shall be applied at a minimum of one time per week in accordance with Rule .1626 (2). Soil shall be applied more frequently, if needed, to control disease vectors, fires, odors, blowing litter and scavenging.

7. 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

8. Groundwater, surface water, and methane monitoring locations must be established and monitored as identified in the approved plans.

9. 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.

10. 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.

11. 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.

12. The four independent samples which comprise the initial baseline sampling event must be collected from each groundwater monitoring well and the report must be submitted to the Section within six months after issuance of the Permit to Operate.

13. 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.

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

15. 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.

16. 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.

17. 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.

18. 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.

19. 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 senior environmental 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

20. This permit approves the continued operation of Phase 2, Cell 1 of the municipal solid waste landfill, as well as the onsite environmental management and protection facilities as described in the approved plans.

21. This permit is for operational approval of a remaining net waste capacity of 578,887 cubic yards. This capacity is based on an average annual disposal rate of approximately 28,830 cubic yards (approximately 106 tons per day based on 256 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.

22. 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	6.6	329,780	Inactive*
Phase 2	14.2	1,015,745	Operational
Phase 3	22.0	1,370,100	Future
Phase 4	4.8	115,300	Future
Total	47.6	2,830,925	

* Phase 2 is permitted to fill over the top of Phase 1

23. 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, wastes banned from disposal in North Carolina by G.S. 130A-309.10(f) and wastes specifically excluded by the approved plans listed in Attachment 1, Part II, "List of Documents for Approved Plan".

24. 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.

25. 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.

26. 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.

27. 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.

28. 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.

29. 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.

30. 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 pursuant to 15A NCAC 13B .1628.

31. 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

Not Applicable

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

Not Applicable

PART V: MISCELLANEOUS SOLID WASTE MANAGEMENT SPECIFIC CONDITIONS

General Conditions

32. 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.

33. 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.

34. 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.

35. 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.

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

Operational Conditions – Treatment & Processing (MSW Waste)

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

38. The facility is permitted to receive all waste allowed for disposal in the MSW landfill unit.

39. The tipping floor and transfer trailer loading area shall be maintained in a clean, sanitary condition after operating hours in accordance with the approved Operational Plan.

    a. Waste shall not be stored on the tipping floor after operating hours.
    b. Waste may be stored in transfer trailers at the facility with sufficient covers in place to prevent litter, odors and vectors for no longer than 48 hours.

40. Drains, leachate collection devices and leachate storage tank for the disposal of wash down water and leachate shall be operational at all times the facility is in operation.

41. 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 – White Goods

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

43. 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.

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

Operational Conditions – Scrap Tires

45. 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).

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

47. 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)

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

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

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

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

52. 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 3 Composting Unit

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

54. The facility is only permitted to receive waste materials described in 15A NCAC 13B, Rule .1402(f)(1), (2) and (3).

55. The facility must monitor and maintain records to demonstrate the requirements of 15A NCAC 13B, Rule .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.

56. The facility must analyze, classify and distribute the compost material in accordance with 15A NCAC 13B, Rules .1407 and .1408.

57. The use of compost as a soil amendment is approved, but may only be broadcast and incorporated at a rate not to exceed 100 tons per acre.

- *End of Permit Conditions –*