



North Carolina Department of Environmental Quality

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

LARGE TYPE 1 SOLID WASTE COMPOST FACILITY **Permit No. 3204-COMPOST-1991**

City of Durham

is hereby issued a

PERMIT TO OPERATE ***DURHAM COMPOST FACILITY***

Located at 2115 East Club Boulevard in Durham, adjacent to the closed Durham MWS Landfill, in Durham County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The legal description of the site is identified on the deeds recorded for this property listed in Attachment No. 1 of this permit.

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



ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit Issuance	Date	Doc ID
Permit to Operate, Large Type 1 Compost - New	November 26, 1991	n/a
Permit to Operate, Large Type 1 Compost	July 9, 1999	n/a
Permit to Construct, Large Type 1 Compost	March 30, 2009	25144
Permit to Operate, Large Type 1 Compost	June 9, 2010	n/a
Permit to Operate, Large Type 1 Compost	June 20, 2014	21308
Permit to Operate, Large Type 1 Compost	June 30, 2014	21312
Permit to Operate, Large Type 1 Compost	March 24, 2016	25793

- The solid waste facility is located on a parcel adjacent to the closed City of Durham MSW Landfill, Permit No. 3201-MSWLF-1979. The property also contains the City of Durham Transfer Station, Permit No. 3212T-TRANSFER-1999, and the Durham Household Hazardous Waste (HHW) Facility, Permit No. 3210-HHW. The land and the facility are owned and operated by the City of Durham. The compost and wood waste processing operation was first permitted in 1991.

PART II: LIST OF DOCUMENTS FOR APPROVED PLAN

- City of Durham Compost Facility Permit Application.* June 1999.
- City of Durham Compost Facility Permit To Operate application,* prepared by KCI Associates and Coke Composting Consulting, March 2009.
- City of Durham Compost Facility, Permit Modification Application.* February 2014 (revised May 2014). Doc ID 21310.
- City of Durham Compost Facility, Permit Renewal Application.* February 6, 2015 (revised December 20, 2015. Doc ID 25791.

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

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Durham County, NC - Register of Deeds				
<i>Plat Book</i>	<i>Page(s)</i>	<i>PIN</i>	<i>Grantee</i>	<i>Size</i>
120	53	0843-03-32-9488	City of Durham	37.5 acres

NOTE: The active composting & wood processing operation area comprises approximately 11 acre within the parcel.

PART IV: GENERAL PERMIT CONDITIONS

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

- End of Section -

ATTACHMENT 2

CONDITIONS OF PERMIT TO CONSTRUCT *[NOT APPLICABLE]*

- End of Section -

ATTACHMENT 3

CONDITIONS OF OPERATING PERMIT

PART I: COMPOST & WOOD WASTE MANAGEMENT OPERATION

1. **The Permit to Operate shall expire June 9, 2020.** Pursuant to 15A NCAC 13B .0201(g), no later than February 14, 2020, the permittee must submit a request to the Section for permit review and must update pertinent facility plans.
2. This permit approves the continued operation of the Large Type 1 composting and wood processing operation. The operation must be conducted in accordance with the approved plans.
3. The facility must be adequately secured by means of gates, chains, berms, fences, or other measures approved by the Section to prevent unauthorized entry.
4. A sign must be maintained at the site entrance providing site information including the permit number, prohibited materials, and emergency contact information.
5. Only materials specifically listed in the permit application may be managed at this facility. These include yard waste and woody materials consisting of limbs, grass, leaves, branches, and tree trunks, and untreated and unpainted wooden pallets. Biodegradable paper yard waste bags containing yard waste incidental to yard waste collection may be accepted. A request must be submitted to receive additional feedstock and may require a permit modification.
6. The total capacity of the site is 24,000 tons of materials received per year. A permit modification is required for a request to increase capacity.
7. Feedstock must not be received that are in an anaerobic state.
8. Trash and unacceptable wastes received at the site must be separated from the waste stream and removed from the site for proper disposal, as outlined in the approved Operations Plan.
9. Interior roadways must be of all-weather construction and maintained in good condition. All sides of storage and compost areas for flammable materials must be clear and drivable, to provide vehicular access in the event of a fire.
10. The facility must be operated in a manner that reduces the potential for vector attraction.
11. 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.

12. An appropriate Division of Energy, Mineral and Land Resources (DEMLR) permit for managing any stormwater and/or wastewater at the facility must be maintained, if required. Any leachate generated at the facility and any runoff from the facility must be managed in such a manner that ground or surface water quality will not be adversely affected. The facility must be maintained to prevent the accumulation of stormwater and leachate on composting areas, storage areas, and roads.
13. Windrow dimensions for incoming yard waste shall be limited to a maximum of 12 feet high by 25 feet wide unless otherwise approved by the Division. A 25-foot access shall be maintained between windrows for fire-fighting equipment. Active composting windrow dimensions shall be limited to a maximum of 7 feet high by 14 feet wide unless otherwise approved by the Division. Finished product storage dimensions shall be limited to a maximum of 10 feet high by 20 feet wide.
14. Windrow turning must not occur without consulting weather forecasts for favorable conditions including wind direction and precipitation.
15. In the event of a mechanical failure, the facility must immediately use its best effort to utilize substitute equipment for completion of the composting operation.
16. Compost temperature monitoring must be conducted at a frequency adequate to meet the pathogen reduction requirements of Rule .1406 (10). Temperature monitoring data to meet Rule requirements must be maintained in writing, and made available to the Section during business hours. If a temperature test taken to meet the Rule requirements is below 131°F, the time and temperature testing must restart from the beginning.
17. Thermometers used for documenting composting temperatures must be calibrated annually. Documentation of calibration must be kept in the facility records.
18. Compost process data must be maintained as required to document temperatures.
19. All compost produced at the facility must meet the Type 1 facility classification and distribution requirements outlined in Rule .1407 of the Solid Waste Compost Rules and the permit application.
20. Heat generation in storage piles must be monitored to prevent elevated temperatures that may lead to spontaneous combustion.
21. The compost and wood processing operations must be operated and maintained with sufficient dust control measures to minimize airborne emissions and to prevent dust from becoming a nuisance or safety hazard. Facility operation must meet Division of Air Quality Rules 15 NCAC 2D. Fugitive dust emissions from the facility that contribute to substantive complaints may subject the facility to the Division of Air Quality requirements as listed in 15A NCAC 2D .0540.

22. The odor management procedures must be followed to minimize odors at the facility boundary (as described in the approved Operations Plan). Upon receipt of an odor complaint, the facility operator must investigate and take action as necessary to minimize the cause of the complaint. A copy of all written complaints regarding this facility must be maintained for the duration of the permit including the operator's actions taken to resolve the complaints.
23. Open burning of solid waste is prohibited. Fires must be reported to the regional environmental senior specialist as soon as possible following the time of occurrence.
24. Groundwater quality at this facility is subject to the classification, monitoring, and remedial action provisions of 15A NCAC 2L. Groundwater monitoring may be required if there is an indication for the potential for groundwater contamination.
25. Copies of this permit, the approved plans and drawings, and all records required to be maintained by the permittee must be maintained at the facility, or another site approved by the Section, and made available to the Section upon request during normal business hours.
26. Record keeping, testing, and reporting shall be conducted in accordance with the requirements outlined in Rule .1408(b) through (d), and the permit application. An annual report of facility activities for the fiscal year July 1 to June 30 must be submitted to the Section by August 1 of each year on forms provided by the Section. This report must include the amount (tons) of materials received, and the amount (tons) processed and/or composted.

- *End of Permit Conditions* -