

ASBURY'S SEPTIC TANK CLEANING AND BACKHOE SERVICE, INC  
OWNER: JAY ASBURY  
828-584-1126

CONNIE, 5/10/09  
PLEASE PLACE PERMIT #18-02 ON INACTIVE STATUS FOR NOW.

THANK YOU,  
JAY ASBURY  
(828)443-7104

**RECEIVED**  
MAY 15 2009

DIVISION OF WASTE MANAGEMENT  
FAYETTEVILLE REGIONAL OFFICE

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

**PERMIT TO OPERATE A SEPTAGE LAND  
APPLICATION SITE**

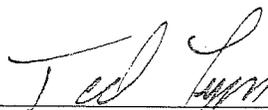
James C. Asbury  
Asbury's Septic Tank Cleaning & Backhoe Service  
1651 Conley Road  
Morganton, NC 28655

is hereby issued a permit to operate Septage Land Application Site with permit # **SLAS-18-02** on SRs 1891 and 1798 on the Burke and Catawba county line. The site is to be operated in accordance with 15A NCAC 13B .0800 Septage Management, the information stated in the approved application, and the conditions of this permit. The unauthorized disposal of any liquid or solid wastes other than those specified in the conditions of this permit will be considered a violation of the conditions of this permit. Failure to comply with the conditions of this permit may result in permit suspension, permit revocation, action for injunctive relief, administrative penalties, or other remedies as provided in G.S. 130A, Article 1., Part 2.

This permit shall be reviewed annually to determine if soil test results and management activities are in compliance with the Septage Management Rules and the conditions of this permit. Modifications, where necessary, shall be made in accordance with rules in effect at the time of review.

Date Issued

4/4/2007



Ted Lyon, Branch Head  
Solid Waste Section

Operator: James C. Asbury  
SLAS #: 18-02  
County: Burke and Catawba

Page 2 of 3

**Permit Conditions:**

1. This permit shall become void if the soils fail to adequately assimilate the septage and shall be rescinded unless the site is maintained and operated in a manner which will protect the assigned water quality standards of the surface waters and ground waters.
2. This site shall be operated and maintained in accordance with the nutrient management plans submitted by James C. Asbury and approved by the Division. The 20-acre site is divided into two fields. One, known as the Maple Grove Road field, contains 4 usable acres and the other, known as the Prysock Avenue field, contains 16 usable acres. Both fields are in established stands of tall fescue and shall be repaired in September of each year as needed. The fescue in the Maple Grove Road field shall be cut as hay and baled at the boot to early bloom stage, and whenever it reaches approximately 15 inches in height thereafter. At least two harvests shall be made each year from the field. The fescue in the Prysock Avenue field shall be grazed not closer than 3 inches to the ground or shall be cut as hay and baled at the boot to early bloom stage, and whenever it reaches approximately 15 inches in height thereafter. To meet the waiting period in the Prysock Avenue field, no septage shall be applied during the months of February, April, May, July, October, and November, per the nutrient management plan. Septage shall be applied only to the Maple Grove Road field during those months. The mandatory 30-day waiting period between the last application of septage and the harvest of a crop or livestock grazing shall be met by alternating septage applications between the Maple Grove Road field and the Prysock Avenue field. All discharges shall be at locations on the site consistent with the crop rotation in the approved plan.
3. This site shall be operated and maintained in accordance with the erosion and runoff control plan submitted by James C. Asbury. Any site improvements noted in the plans must be installed within 30 days of plan approval. The site shall be operated and erosion and runoff control measures maintained in such a manner as to prevent migration of wastes off of the designated waste receiving site. The installation of groundwater monitoring wells may be required.
4. The issuance of this permit does not preclude the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other government agencies (local, state and federal) which have jurisdiction. It is the responsibility of the Permittee to be in compliance with the requirements of 40 CFR 503.
5. This permit may be modified or reissued to incorporate any conditions, limitations and monitoring requirements the Division of Waste Management deems necessary to adequately protect the environment and public health.
6. **This site is only permitted for the land application of domestic septage.** Domestic septage pH shall be raised to 12 or higher by alkali addition and, without the addition of additional alkali, shall remain at 12 or higher for 30 minutes prior to land application.
7. **This site contains approximately 20 acres that are available for septage disposal.** The maximum annual application rate in the Maple Grove Road field shall be 48,000 gallons per acre per year, for a total, maximum annual application of 192,000 gallons. The maximum annual application rate in the Prysock Avenue field shall be 35,500 gallons per acre per year, for a total, maximum annual application of 568,000 gallons. The grand total that is permitted for annual application on the site shall be 760,000 gallons. These application rates assume equal septage distribution, on an annual basis, over the permitted area. Monthly septage applications shall not exceed the monthly relative application rates given in the approved nutrient management plan for the site.

Operator: James Asbury  
SLAS: 18-02  
County: Burke and Catawba

8. An approved above ground septage detention system with a minimum design capacity of 19,000 gallons shall be available prior to operation of this site unless an approved wastewater treatment plant is available for use during periods of adverse weather. The storage capacity may be adjusted if it is demonstrated during the operation of the site that this volume of storage is inappropriate.
9. Only the area designated on the attached site map(s) shall be utilized for septage disposal. Each load of septage discharged at the site shall be distributed from a moving vehicle in such a manner that there is no standing water when the discharge is complete. Septage shall not be applied during periods of high soil moisture.
10. This permit shall become voidable unless the land application activities are carried out in accordance with the conditions of this permit and in the manner approved by this Division. No one other than the Permittee shall discharge septage at this site without prior appropriate notification and written approval of the Division of Waste Management.
11. Prior to any transfer of this land, a notice shall be given to the new owner that gives full details of the materials applied or incorporated at this site. The Division shall be notified prior to site closure.
12. **This permit shall expire on January 1, 2012.** Modifications, when necessary, shall be made in accordance with the rules in effect at the time of renewal. An application for permit renewal shall be submitted at least ninety (90) days prior to the permit renewal date. The septage application log for the period of time this permit was valid shall be submitted along with the application for permit renewal or modification. The information required in the log is described in Rule 15A NCAC 13B.0822(e)(1) of the NC Septage Management Rules and 40 CFR Part 503.17(b) of the Federal Register. This permit is non-transferable.
13. Records shall be kept in accordance with 40 CFR 503.17(b). These records shall be made available to a representative of the Division of Waste Management upon request.
14. Any duly authorized officer, employee, or representative of the Division of Waste Management may, upon presentation of credentials, enter and inspect any property, premises, or place on or related to the disposal site and facility at any reasonable time for the purpose of determining compliance with this permit; may inspect or copy any records that must be kept under the conditions of this permit; or may obtain samples of groundwater, surface water, or leachate.
15. Field separations in the nutrient management plan and all pertinent setbacks shall be clearly located on the site.
16. The areas that can be used for land application of septage shall be maintained at least 500 feet from any existing wells, residences, places of business, or places of public assembly. Septage shall not be disposed of within 50 feet of any property line or within 100 feet of any ditch.
17. Site location (Maple Grove Road field): latitude 35 37 10 Casar quad  
longitude 81 30 19  
(Prysock Avenue field): latitude 35 36 50 Casar quad  
longitude 81 30 10



## North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

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

April 4, 2007

Mr. James Asbury  
Asbury's Septic Tank Cleaning & Backhoe Service  
1651 Conley Road  
Morganton, Nc 28655

**RE: SLAS permit renewal  
Asbury's Septic Tank Cleaning & Backhoe Service  
SLAS-18-02  
SR#1891 & 1798 on the Burke & Catawba County Line**

Dear Mr. Asbury:

The NC Division of Waste Management has reviewed your renewal application for a septage land application site permit in Burke & Catawba County. Your application has been approved and your permit, SLAS-18-02, is enclosed. If you have any questions about your permit, we'll need the number in order to answer your questions.

Please read all of your permit conditions carefully. Your nutrient management and soil erosion and runoff control plans have been included in your permit's conditions. In particular, review Permit Condition 12, which states you need to submit septage application logs for your site in order to renew your permit. These logs need to cover the entire time your current permit is valid. For details on the information you should include, consult the NC Septage Management Rule 15A NCAC 13B .0822 (e) (1) and the Federal register's 40CFR Part 503.17 (b). This permit condition also states that this permit is valid until January 1, 2012. If you have any questions, please ask for assistance as rule violations could expose you to administrative penalties.

Please note that to land apply industrial or commercial septage at a permitted septage disposal site you must have prior approval from the NC Division of Waste Management. The waste must be sampled prior to being removed from the system. Generally, the Division will request that you have a waste analysis run on septage from each commercial or industrial septage generator before that type of septage is approved for land application.

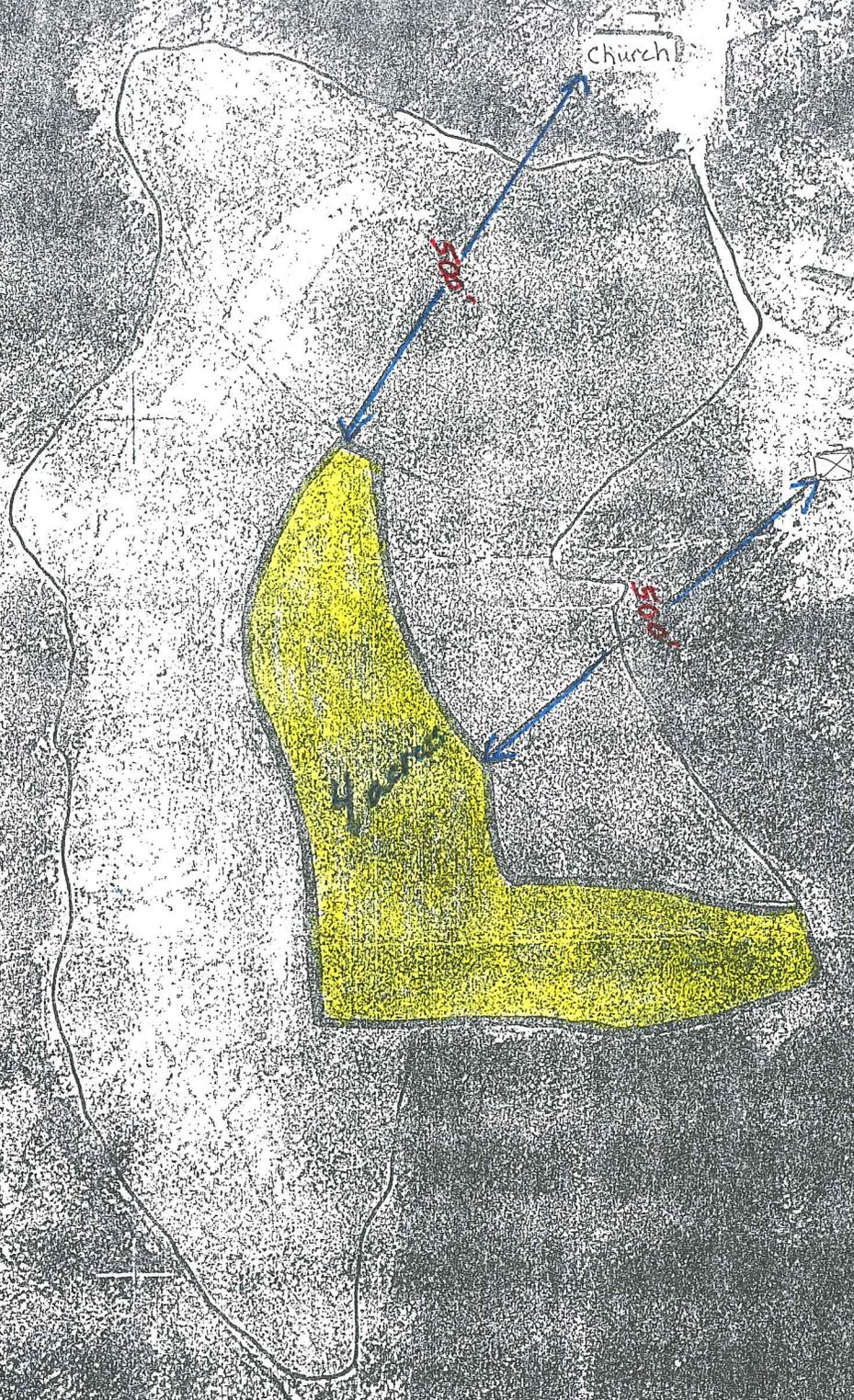
Use of a land application site or septage detention or treatment facility that is not permitted may result in administrative penalties up to \$5,000 per violation in accordance with NC General Statute 130A-22.

Please call me at (919) 508-8525 or Ted Lyon at (919) 508-8508 if you have any questions.

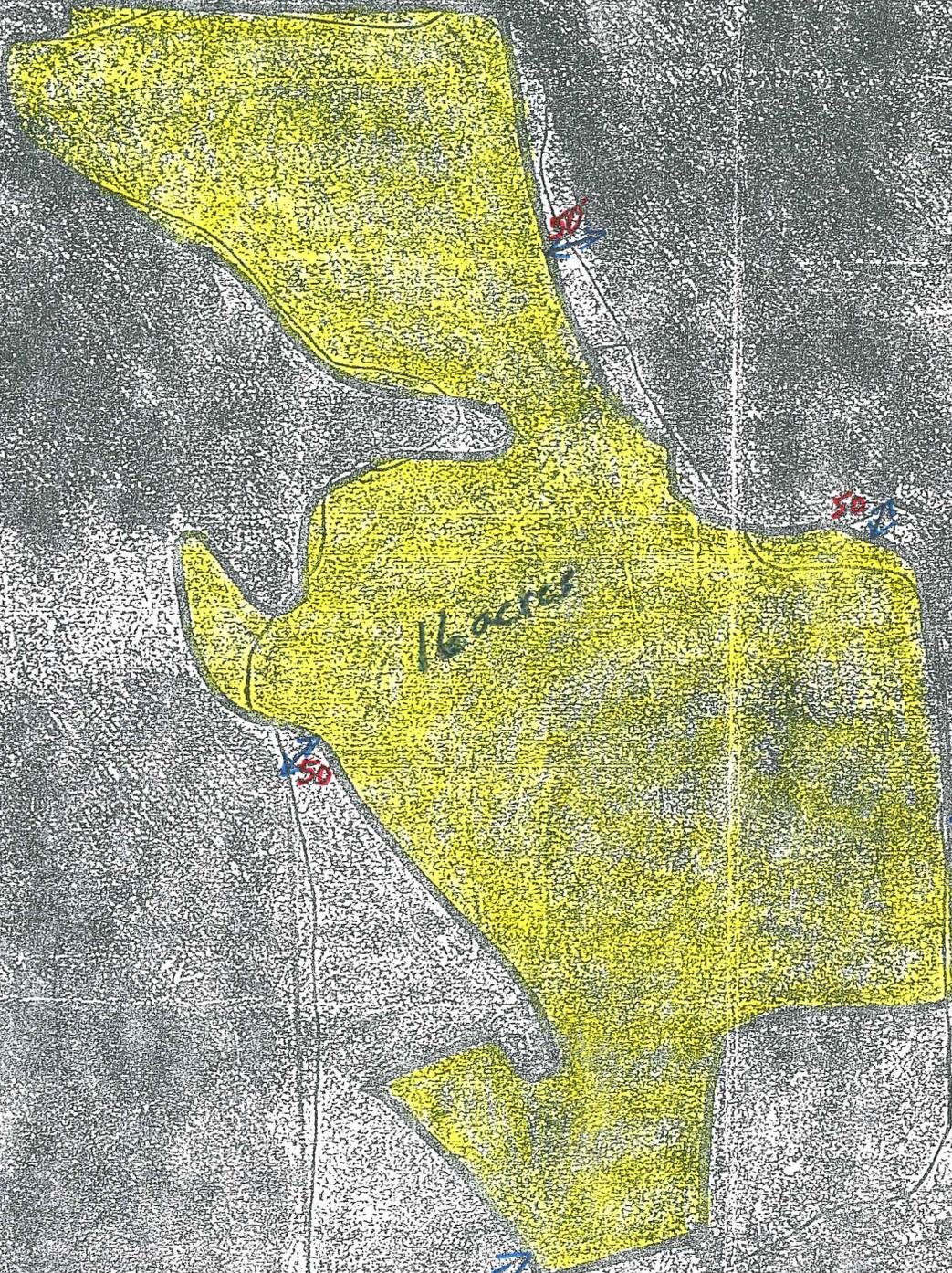
Sincerely,

Connie Wylie, Soil Scientist  
Composting & Land Application Branch

MADLE GROVE ROAD



Prysoz Avenue



16 acres

50

50

50

50

50  
50

# APPLICATION FOR A PERMIT TO OPERATE A SEPTAGE LAND APPLICATION SITE

North Carolina Department of Environment and Natural Resources  
Division of Waste Management – Solid Waste Section  
401 Oberlin Rd., Ste. 150, Raleigh, N.C. 27605



## I. Site and Operator Information

1. Applicant James C. Asbury  
Address 1651 Conley Rd  
Morrisville N.C. 28655  
Phone 828-584-6850

2. Contact person for site operation (if different from applicant): \_\_\_\_\_  
Title or position \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_

3. Landowner Donald + Carolyn Rhoney  
Address 9050 Jacob Fork River Rd  
Vale N.C. 28168

4. Site Location: County Burke/Catawba State Road Number 1111  
Directions to site: T90 West to Exit 105 left South on N.C. 18 so Approx 10 miles Site #1 left on Maple Grove Ave, site Atend Rd on Right Site #2 mile further on 18 south left on Prosser Ave follow to end to metal gate

5. Indicate whether request is: new \_\_\_\_\_ renewal X modification \_\_\_\_\_

For a permit renewal or modification, provide the following information:  
Existing site permit number: SLAS 18-02 permit expiration date: 1/1/2007

6. Number of acres meeting the requirements of the N.C. Septage Management Rules: 20.3 acres.

7. Substances other than septage or grease trap pumpings previously disposed of on the site:  
(a) None V, or (b) Attach a list indicating other substances, the amounts discharged, and the dates of discharge.

8. Attach written, notarized landowner authorization to operate a septage disposal site signed by the landowner (if the permit applicant does not own the property). *If a corporation owns the land use a corporate landowner authorization form. If limited liability company owns the land, use a limited liability company landowner authorization form.*

9. Attach site evaluation report, including aerial photograph and soil analysis with metals results, unless the Division prepared the report.

10. Attach a vicinity map (county road map showing site location).

(over)

II. Site Management Information:

The following information shall be included with the application form:

1. Nutrient Management Plan
2. Soil Erosion and Runoff Control Plan
3. Alternative plan for disposal (detention facility permit number or wastewater treatment plant authorization): SOTF # 12-03 exp 5/23/07 SLAS 12-03 exp 5/23/07  
Catawba River Wastewater Plant Permit # Com 0003
4. Types of septage proposed to be discharged at the site (check all that apply):
  - (a) Domestic septage pumped from septic tanks
  - (b) Grease trap pumpings \_\_\_\_\_
  - (c) Portable toilet waste \_\_\_\_\_
  - (d) Commercial / Industrial septage \_\_\_\_\_
5. Proposed treatment method of each type of septage to be land applied (use additional paper to explain if necessary): Lime Stabilization of Domestic Septage to pH 12  
For 30 min Prior to land Application
6. Proposed method of applying septage to land, including septage distribution plan if required \* (use additional paper to explain if necessary): Application by a spreader Attached to  
truck and spread at a even rate on field while truck is moving
7. Demonstration from the appropriate state or federal government agency that the land application site complies with the Endangered Species Law \*\* or if any part of the site specified is not agricultural land (use additional paper to explain if necessary): Agriculture does not Apply

III. Certification

I hereby certify that:

1. The information provided on this application is true, complete, and correct to the best of my knowledge.
2. I have read and understand the N.C. Septage Management Rules, and
3. I am aware of the potential consequences, including penalties and permit revocation, for failing to follow all applicable rules and the conditions of a Septage Land Application Site permit.

James C. Asburg  
Signature\*\*\*

9/29/06  
Date

James C. Asburg  
Print name

owner  
Title

Note: This application will not be reviewed until all parts of the application are complete.

\* Refer to Section .0821(e) of the N.C. Septage Management Rules.

\*\* Refer to Section .0821(g) of the N.C. Septage Management Rules.

\*\*\*Signature of company official required.

JAMES ASBURY - Tract asbuja  
 NUTRIENT MANAGEMENT PLAN FOR  
 SEPTAGE APPLICATIONS TO TALL FESCUE  
 Prysock Avenue, Burke and Catawba Counties,



Fescue

A. General Information:

1. Periodic sampling (at least 2 /year) of the septage will be conducted for waste analysis.
2. Field #1 contains approximately 24 acres. There are 16.5 useable acres for waste application.
3. The dominant soil series at this site is Pacolet sandy clay loam, 8-15 percent slopes, eroded.
4. Septage will not be applied where the site is untrafficable. (Untrafficable is defined as soil that will allow a loaded truck to leave a depression in sod greater than 3 inches in depth).
6. Septage storage shall be provided to account for the average volume of septage pumped per week, or an alternative plan, such as disposal at a waste treatment plant, should be in place.

B. Crops to be grown and approximate planting times:

1. Field #1, including buffer zones, will be seeded in fescue at a rate of 25 lb/acre in September (month) of ~~2004~~\* in order to establish a permanent stand. Vehicle traffic should be kept off the site until N/A to allow the seedling grass a chance to become established. Tall fescue is established.  
 \* Repairs will be made as needed.

C. Nitrogen needs for crops grown:

R.Y.E. = Realistic Yield Expectations

N App. Rate + Suggested N application rate based on R.Y.E. for soil type.

Crop (cut for hay)	R.Y.E.	N App. Rate	lbs N/acre
Tall fescue	2.5 tons/acre x	37 lbs N/dry ton =	93

*RCUD  
05 2 2006*

*Reviewed & updated 9/24/06 James P. Latta*

~~Header~~  
~~Header~~

Post-It® Fax Note	7671	Date	3/3/99	# of pages	3
To	R. Lyday	From	Header Bussie		
Co./Dept.	Burke Co SWCO	Co.	State Div. of Waste Mgt.		
Phone	(828) 439-9727	Phone	(919) 733-0692 ext 25		
Fax #	(828) 433 6732	Fax #	(919) 733-4810		

D.

Relative application rate for Field #1 \*

Month	Field #1
January	Low
February	Medium
March	High
April	High
May	Low
June	Low
July	Low
August	Low
September	Medium
October	Medium
November	Medium
December	Low

None = 0 gallons; Low = 5,000 gallons

Medium = 10,000 gallons; High = 15,000 gallons

*Annual Application Rate is not to exceed 50,000 gallons Per Acre*  
 NOTE: Cumulative application rate is not to exceed the permitted application rate.

\* Reference item G regarding waiting periods for crop harvest after application.

## E. Application Method

The preceding information is based on septage being evenly applied over the entire permitted site by truck mounted slurry tanker with baffle plate distributor for uniform application of effluent.

## F. Additional Fertility Requirements

Phosphorus and potassium must be added in accordance with the soil test results for the crops grown. NOTE: The phosphorus requirement will be reduced by taking into consideration the phosphorus from the septage analysis, if an analysis is available).

The buffer areas will be fertilized annually according to soil test, or at the rate of 300 pounds 17-17-17 commercial fertilizer per acre. Lime will be applied per soil test, or at the rate of 2 tons per acre every 3 to 5 years.

G. Harvest of the crops and their use:

1. The fescue will be grazed. The grass sod will not be grazed closer than three inches.
2. A 30-day waiting period must be observed between the last application of septage and grazing. If the fields must be used for application during the haying season, application and haying must be scheduled on a rotational basis so that the 30-day waiting period will be maintained.

4. Waste Application Schedule

January - Application  
 February - Application  
 March - No application  
 April - No application  
 May - Application  
 June - Application  
 July - No application  
 August - No application  
 September - Application  
 October - Application  
 November - No application  
 December - No application

H. Soil Erosion and Runoff Control Plan

1. Buffers will be maintained in fescue to the width required by the NC Department of Environment and Natural Resources\*. The waste utilization area is also in fescue. Erosion is controlled on both areas. Maintenance of these areas are required as noted in sections B and F of this plan.

\* 25 feet to streams. Other required buffers, ie to dwellings, wells, etc. per DENR.

Submitted by: James C. Aubrey James C. Aubrey Date: 3/22/99  
 Site operator Date 12/6/94 4/22/99

Plan prepared by: Russell W. Lyday Russell W. Lyday Date: 4-22-99 Revised  
3-18-99

Address: Natural Resources Conservation Service  
700 East Parker Road  
Morganton, NC 28655

Phone: 828-439-9727

CONSERVATION PLAN

Client: Asbury, James

Asbury, James

Assisted By: Russell Lyday

LAND UNITS		PLANNED			APPLIED		PLANNED CONSERVATION TREATMENT
TRACT	FIELD	AMOUNT	MONTH	YEAR	AMOUNT	DATE	
asbujal	1	24.0ac					Hay
asbujal	1	9.0ac	03	1999			FILTER STRIP Establish a vegetative filter strip or area according to SCS plans and specifications. Maintain grass buffers as required by the NC Department of Environment and Natural Resources. See Job Sheet 105.
asbujal	1	24.0ac	03	1999			FORAGE HARVEST MANAGEMENT Forage must be removed from the land in order to use this field to apply nutrient rich effluent. Mow hay at boot to early bloom stage. Recommended stubble height is 4 inches.
asbujal	1	24.0ac	03	1999			NUTRIENT MANAGEMENT Soil test at least annually and apply nutrients consistent with realistic yield goals and residue fertility levels contained in the nutrient balance worksheet. Time applications for maximum environmental protection. Avoid exposure to chemicals.
asbujal	1	24.0ac	03	1999			PEST MANAGEMENT Use integrated pest management. When chemical control is used, select chemicals from the NC Agricultural Extension Chemical Manual. Select most environmentally safe chemical and apply according to label instructions. Store, handle, and dispose of chemical containers according to instructions.
asbujal	1	18.0ac 16.5ac RWR 4-22-99	03	1999			WASTE UTILIZATION Non-farm organic waste shall be analyzed for content and applied as prescribed by federal, state, and local regulations. Apply effluent at rates not to exceed those directed by the NC Department of Environment and Natural Resources, and the realistic yield expectation of the crop to be grown.