



Facility Permit No: 8105
Rutherford County MSW Landfill
July 17, 2013
DIN:19100
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North Carolina Department of Environment and Natural Resources
Division of Waste Management

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

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

SOLID WASTE MANAGEMENT FACILITY
Permit No. 8105

RUTHERFORD COUNTY
is hereby issued a

PERMIT TO CONSTRUCT
Not Applicable

PERMIT TO OPERATE
8104T-TRANSFER-1998, RUTHERFORD COUNTY TRANSFER FACILITY
8103-CDLF-2002, RUTHERFORD COUNTY C&D

PERMIT FOR CLOSURE
8103-MSWLF-1974, RUTHERFORD COUNTY LANDFILL

Located at *Rutherford County Central MSW Facility, S.R. 2203, Town of Rutherfordton, Rutherford 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 1 of this permit.

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

ATTACHMENT 1
GENERAL PERMIT CONDITIONS/INFORMATION

PART I: GENERAL FACILITY

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B .0201(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct must be implemented in accordance with Attachment 2 of this permit. The Permit to Operate must be implemented in accordance with Attachment 3 of this permit.
2. The persons to whom this permit is issued (“permittee”) are the owners and operators of the solid waste management facility.
3. The permit shall not be effective until the certified copy of this permit which shows current ownership and references legal descriptions for all land within the solid waste management facility boundary is recorded in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit affixed with the Register's seal and the date, book, and page number of recording must be returned to the Section within 30 calendar days of issuance of this permit. If the Section does not receive the certified copy of the recorded permit within 30 calendar days of issuance of the permit, then and in that event, the permit is suspended and of no effect until the date the Section receives the certified copy of the recorded permit.
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 solid waste management facility and a reference by book and page to the recordation of the permit.
5. By receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
6. Operation of this solid waste management facility shall be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of the Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit; and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition. Failure to comply may result in compliance action or permit revocation.
7. This permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 1, “List of Documents for Approved Plan,” and which constitute the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.
8. This permit may be transferred only with the approval of the Section, through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In

accordance with NCGS 130A-295.2(g) the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.

9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for a General or Individual NPDES Stormwater Discharge Permit. Issuance of this permit does not remove the permittee's responsibilities for compliance with any other local, state or federal rule, regulation or statute.

Permit to Operate Date Table

Permit	Status	Issuance	Expiration	DIN
8105-MSWLF-, Rutherford County MSW Landfill	InactivePermitted	<i>Not Applicable</i>	<i>Not Applicable</i>	19100
8103-MSWLF-1974, Rutherford County Landfill	InactiveClosed	<i>Not Applicable</i>	<i>Not Applicable</i>	19100
8103-CDLF-2002, Rutherford County C&D	Active	July 17, 2013	March 28, 2018	19100
8104T-TRANSFER-1998, Rutherford County Transfer Facility	Active	July 17, 2013	March 28, 2018	19100

Properties Approved for the Solid Waste Management Facility

Rutherford County NC Register of Deeds			
Book	Page	Property Owner	Acres
353	501	Rutherford County	72.0±
506	316	Rutherford County	45.0±
585	276	Rutherford County	3.5±
597	88	Rutherford County	4.3±
643	623	Rutherford County	26.7±
642	273	Rutherford County	25.8±
707	472	Rutherford County	25.7±
651	503	Rutherford County	18.3±
Total Site Acreage: 221.3± acres			

PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)

8105-MSWLF-, Rutherford County MSW Landfill, InactivePermitted

Permit History	Date Issued	DIN
Site Suitability and Facility Plan approval issued.	March 2004	
Facility Plan amended.	May 2007	
Facility Plan Amended, five (5) year renewal. June 2013.	July 2013	19100

List of Documents for Approved Plan

The descriptions of previous/historical documents are found in the Permit to Operate issued March 31, 2011. DIN 13319.

DIN	Description
19111	<i>Review of Site Suitability Hydrogeologist Review Report, Rutherford County Municipal Solid Waste Landfill (Permit # 81-XX). Prepared by the Solid Waste Section. December 2003.</i>
19127	<i>Response to Regulatory Review Comments, Rutherford County MSWLF Site Suitability. Prepared for Rutherford County. Prepared by David Garrett Engineering. January 2004.</i>
19116	<i>MSW Landfill Site Study and Proposed Facility Plan Permit Drawings. Prepared for Rutherford County. Prepared for Rutherford County. Prepared by David Garrett Engineering. January 2001, revised February 2004.</i>
19112	<i>Notification of Site Suitability, Rutherford County Central MSW Landfill. Prepared by the Solid Waste Section. March 2004.</i>
19128	<i>Part 1 – Site Suitability Application, Hydrogeology and Facility Plan Report. Prepared for Rutherford County. Prepared by David Garrett Engineering. March 2004.</i>
3463	<i>MSW Facility Plan Amendment and Permit to Construct Application for C&DLF Phase 1A, Rutherford County, North Carolina. Prepared for Rutherford County. Prepared by David Garrett Engineering. July 2007.</i>
3464	<i>Drawings entitled, Rutherford County, North Carolina MSW Site Suitability Update and Permit to Construct for CDLF Phase 1A, May 2007. Prepared for Rutherford County. Prepared by David Garrett Engineering. August 8, 2007.</i>
3467	<i>Drawing entitled, Overall Facility Plan 2007 Update - Rutherford County, North Carolina MSW Site Suitability Update and Permit to Construct for CDLF Phase 1A, May 2007. Prepared for Rutherford County. Prepared by David Garrett Engineering. Revised November 25, 2007.</i>
3468	<i>Drawing entitled, Groundwater Monitoring Plan - Rutherford County, North Carolina MSW Site Suitability Update and Permit to Construct for CDLF Phase 1A, May 2007. Prepared for Rutherford County. Prepared by David Garrett Engineering. Revised November 25, 2007.</i>
4063	<i>Rutherford County MSW Facility, CDLF Phase 1A Expansion (Permit #81-03) Revised Drawings E1, E2, ECI. Prepared for Rutherford County. Prepared by David Garrett Engineering. February 18, 2008.</i>
4064	<i>Letter of Approval with Modifications: Erosion and Sedimentation Control Plan, Project Name: Rutherford County C&D Landfill Phase 1A. Prepared for Rutherford County. Prepared by Charles Koontz, Division of Land Resources, Land Quality Section, Swannanoa, NC. February 26, 2008.</i>
4138	<i>Water Quality Monitoring Plan, Sampling and Analysis Plan with Sampling Location Amendments, Rutherford County Central MSW Landfill, CDLF Unit, North Carolina Solid Waste Permit # 81-03. Prepared for Rutherford County. Prepared by David Garrett Engineering. July 7, 2007 (PTC Submittal), February 28, 2008 (PTO</i>

	Submittal). March 2008
6771	Construction Quality Assurance, Documentation for Central CDLF, Expansion – Phase 1A, Cell 1. Closure and Post-Closure Plan, with Financial Assurance Calculation. Prepared for Rutherford County. Prepared by David Garrett Engineering. January 2009.
6774	Updated Operations Plan for Rutherford Central MSW Facility, Transfer Station (Permit #81-04T) and C&D Landfill (Permit #81-03). Revision 2.1. Rutherford County. Prepared by David Garrett Engineering. January 2009.
13195	Construction Quality Assurance Documentation, C&D Landfill Phase 1A – Cell 2, Rutherford County Central MSWLF, Solid Waste Permit #81-03. Prepared for Rutherford County. Prepared by David Garrett Engineering. March 8, 2011.
19245	<i>Permit Renewal Application and Facility Plan Update Rutherford Central MSW Facility with C&D Landfill (Permit# 8103)</i> . Prepared for Rutherford County. Prepared by Odem Engineering. November 2012, Revised April 2013, Revised June 2013.

8103-MSWLF-1974, Rutherford County Landfill, InactiveClosed

Permit History	Date Issued	DIN
Original Issuance, Permit to Operate, MSW Unit	September 18, 1974	
Permit to Operate Amendment, MSW Unit	May 3, 1990	
Transition plan approval.	February 1997	

List of Documents for Approved Plan

DIN	Description
19124	<i>Transition Plan – Landfill Gas Monitoring, Rutherford County Central Landfill, Permit No. 81-03, Rutherford County, North Carolina</i> . Prepared for Rutherford County. Prepared by Will G. Lapsley & Associates. September 1994.
1669	<i>Rutherford County Central Landfill, Assessment of Corrective Measures, SGC No. 0001.003</i> . Prepared for Rutherford County. Prepared by Scarlett Geophysical Consulting. July 2006.
2896	<i>Rutherford County – Central Landfill, Corrective Action Plan for Implementation of the Corrective Action Plan 15A NCAC 13B, Section .1637, SGC Project No. 0001.004</i> . Prepared for Rutherford County. Prepared by Scarlett Geophysical Consulting. April 2007.
2926	<i>Corrective Action Plan for Groundwater Contamination, Rutherford County Central Landfill, Permit #81-03</i> . Prepared by the Solid Waste Section. August 17, 2007.
16167	<i>Notice of Intent for Permit Modification, Rutherford County Central Landfill, Landfill Gas-to-Energy Project, Rutherford County, North Carolina (Permit #81-03)</i> . Prepared for Rutherford County. Prepared by Davis Garrett & Associates. February 2012.
18966	Corrective Action Evaluation Report (CAER), Closed Rutherford County Central MSW Landfill, Solid Waste Permit Number 81-03. Prepared by the Solid Waste

	Section. May 15, 2013.
19245	Permit Renewal Application and Facility Plan Update Rutherford Central MSW Facility with C&D Landfill (Permit# 8103). Prepared for Rutherford County. Prepared by Odem Engineering. November 2012, Revised April 2013, Revised June 2013.

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

8103-CDLF-2002, Rutherford County C&D

Permit History	Date Issued	DIN
Original Issuance, Permit to Construct, C&D Unit, Phase 1	February 14, 2002	
Original Issuance, Permit to Operate, C&D Unit, Phase 1 Expansion	July 24, 2002	
Permit to Construct, Amendment, MSW Facility, Phase 1A	March 28, 2008	3460
Permit to Operate Modification, C&D Unit, Phase 1A	February 20, 2009	6773
Permit to Operate Amendment, C&D Unit, Phase 1A, South Portion of Cell 2	March 31, 2011	13319
Permit to Operate , Amendment, 5 Year Renewal	July 17, 2013	19100

List of Documents for Approved Plan

The descriptions of previous/historical documents are found in the Permit to Operate issued March 31, 2011. DIN 13319.

DIN	Description
3463	MSW Facility Plan Amendment and Permit to Construct Application for C&DLF Phase 1A, Rutherford County, North Carolina. Prepared for Rutherford County. Prepared by David Garrett Engineering. July 2007.
3464	Drawings entitled, <i>Rutherford County, North Carolina MSW Site Suitability Update and Permit to Construct for CDLF Phase 1A, May 2007</i> . Prepared for Rutherford County. Prepared by David Garrett Engineering. August 8, 2007.
3467	Drawing entitled, <i>Overall Facility Plan 2007 Update - Rutherford County, North Carolina MSW Site Suitability Update and Permit to Construct for CDLF Phase 1A, May 2007</i> . Prepared for Rutherford County. Prepared by David Garrett Engineering. Revised November 25, 2007.
3468	Drawing entitled, <i>Groundwater Monitoring Plan - Rutherford County, North Carolina MSW Site Suitability Update and Permit to Construct for CDLF Phase 1A, May 2007</i> . Prepared for Rutherford County. Prepared by David Garrett Engineering. Revised November 25, 2007.
4063	<i>Rutherford County MSW Facility, CDLF Phase 1A Expansion (Permit #81-03) Revised Drawings E1, E2, EC1</i> . Prepared for Rutherford County. Prepared by David Garrett Engineering. February 18, 2008.
4064	Letter of Approval with Modifications: Erosion and Sedimentation Control Plan, Project Name: Rutherford County C&D Landfill Phase 1A. Prepared for Rutherford County. Prepared by Charles Koontz, Division of Land Resources, Land Quality

	Section, Swannanoa, NC. February 26, 2008.
4138	<i>Water Quality Monitoring Plan, Sampling and Analysis Plan with Sampling Location Amendments, Rutherford County Central MSW Landfill, CDLF Unit, North Carolina Solid Waste Permit # 81-03.</i> Prepared for Rutherford County. Prepared by David Garrett Engineering. July 7, 2007 (PTC Submittal), February 28, 2008 (PTO Submittal). March 2008
6771	Construction Quality Assurance, Documentation for Central CDLF, Expansion – Phase 1A, Cell 1. Closure and Post-Closure Plan, with Financial Assurance Calculation. Prepared for Rutherford County. Prepared by David Garrett Engineering. January 2009.
6774	Updated Operations Plan for Rutherford Central MSW Facility, Transfer Station (Permit #81-04T) and C&D Landfill (Permit #81-03). Revision 2.1. Rutherford County. Prepared by David Garrett Engineering. January 2009.
13195	Construction Quality Assurance Documentation, C&D Landfill Phase 1A – Cell 2, Rutherford County Central MSWLF, Solid Waste Permit #81-03. Prepared for Rutherford County. Prepared by David Garrett Engineering. March 8, 2011.
19245	<i>Permit Renewal Application and Facility Plan Update Rutherford Central MSW Facility with C&D Landfill (Permit# 8103).</i> Prepared for Rutherford County. Prepared by Odem Engineering. November 2012, Revised April 2013, Revised June 2013.

PART IV: INDUSTRIAL LANDFILL UNIT(S)

Not Applicable

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

Not Applicable

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

8104T-TRANSFER-1998, Rutherford County Transfer Facility

Permit Type	Date Issued	DIN
Original Issue Permit to Construct.	July 30, 1997	6024
Permit to Operate, Approval.	January 7, 1998	6025
Permit to Operate, Amendment, 5 Year Renewal.	August 5, 2003	6026
Permit to Operate, Amendment, 5 Year Renewal.	October 23, 2008	6027
Permit to Operate, Modification, Change of Disposal Site.	December 22, 2010	12380
Permit to Construct/Operate, Amendment, Expansion	December 17, 2012	17057
Approval to begin operating the expansion building.	June 2013	19300
Permit to Operate , Amendment, 5 Year Renewal	July 17, 2013	19100

List of Documents for Approved Plan

The descriptions of previous/historical documents are found in the Permit to Construct/Operate issued December 17, 2012. DIN 17057.

DIN	Description
5017	Letter requesting 5-year Permit Amendment. Prepared by Rutherford County Solid Waste Department. June 26, 2008.
6023	<i>Operations Plan, Solid Waste Transfer Station, Rutherford County, North Carolina.</i> Prepared by Rutherford County Solid Waste Department. August 1, 2008
12379	<i>Operations Plan, Solid Waste Transfer Station, Rutherford County, North Carolina.</i> Prepared by Rutherford. August 1, 2008, revised October 20, 2010.
17878	<i>Permit Renewal Application and Updated Operations Plan for Rutherford Central MSW Facility, Transfer Station (Permit #81-04T).</i> Prepared for Rutherford County. Prepared by David Garrett & Associates. November 2012.
19245	<i>Permit Renewal Application and Facility Plan Update Rutherford Central MSW Facility with C&D Landfill (Permit# 8103).</i> Prepared for Rutherford County. Prepared by Odem Engineering. November 2012, Revised April 2013, Revised June 2013.
19300	<i>Rutherford County Landfill Transfer Station, As-Builts.</i> Prepared for Rutherford County. Prepared by Odem Engineering. July 2013.

PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT

Not Applicable

- End of Section-

ATTACHMENT 2

CONDITIONS OF PERMIT TO CONSTRUCT

PART I: GENERAL FACILITY

Not Applicable

PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)

8105-MSWLF-, Rutherford County MSW Landfill

Prior to construction Rutherford County must submit an application for a Permit to Construct and receive said Permit from the Solid Waste Section in accordance with 15A NCAC 13B .0200 and 15A NCAC 13B .1600.

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

8103-CDLF-2002, Rutherford County C&D

Prior to construction Rutherford County must submit an application for a Permit to Construct and receive said Permit from the Solid Waste Section in accordance with 15A NCAC 13B .0200 and 15A NCAC 13B .0500.

PART IV: INDUSTRIAL LANDFILL UNIT(S)

Not Applicable

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

Not Applicable

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

Not Applicable

PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT

Not Applicable

- End of Section -

ATTACHMENT 3

CONDITIONS OF PERMIT TO OPERATE

PART I: GENERAL FACILITY

1. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act NCGS 113A-50, et seq., and rules promulgated under 15A NCAC 4. 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.
2. 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.
3. Modifications to the approved sedimentation and erosion control activities require approval by the North Carolina Land Quality Section. The Solid Waste Section must be notified of any sedimentation and erosion control plan modifications.
4. Copies of this permit, the approved plans, and all records required to be maintained in the operating record by the permittee must be maintained at the facility, unless otherwise approved by the Section, and made available to the Section upon request during normal business hours.
5. All forms, reports, maps, plans, and data submitted to the Section must include an electronic (pdf) copy.
6. Open burning of solid waste is prohibited. Fires must be reported to the Regional Waste Management Specialist within twenty-four (24) hours of the occurrence with a written notification to be submitted within fifteen (15) calendar days of the occurrence. Fire lanes must be maintained and passable at all times. Dimensions of the fire lanes must be coordinated with the Fire Marshall having jurisdiction over the site.
7. Processing of materials, shredding, or grinding must not take place at the facility unless approval has been granted under the special use permit and a revised operations plan has been submitted to the Solid Waste Section.
8. The facility must be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the Section to prevent unauthorized entry.
9. Interior roadways must be of all-weather construction and maintained in good condition.
10. Signs must be posted at the entrance to the facility that state that no hazardous waste or liquid waste can be received at the facility; and that provide information on dumping procedures, the hours of operation, the permit number, and other pertinent information. Traffic signs or markers must be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.
11. A responsible individual trained and certified in facility operations must be on-site at all times during all operating hours of the facility, in accordance with G.S. 130A-309.25. An attendant must be present to oversee the loading and unloading of waste.

PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)

Not Applicable

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

8103-CDLF-2002, Rutherford County C&D

13. The Permit to Operate shall expire **March 28, 2018**. Pursuant to 15A NCAC 13B .0201(e), no later than **September 28, 2017**, the owner or operator must submit a request to the Section for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.
14. This permit approves the continued operation of Phase 1, Phase 1A-Cell 1 and the South Portion of Cell 2 of the C&D landfill, as well as the onsite environmental management and protection facilities as described in the approved plans.
15. This facility is permitted to receive solid waste generated by and within Rutherford County consistent with the local government waste management plan and with local government approval and as defined in G.S. 130-290 (a)(35), except where prohibited by the N. C. General Statutes Article 9 of Chapter 130A, and the rules adopted by the Commission for Health Services.
16. The following table lists the dimensions and details for the C&D landfill unit. The following waste volumes include waste, daily cover, and intermediate cover, but do not include final cover.

Phase – Cell	Acres	Gross capacity (cubic yards)	Status
1			Constructed
1 (expansion)			Constructed
1A (Cell 1)	2.2	54,942.3	Constructed
1A (South Portion of Cell 2)	1.6	179,309.7*	Constructed
1A (North Portion of Cell 2)	0.8	65,748.0	Proposed
Total	4.4	300,000.0	

*Includes overlap

17. The facility is approved to accept approximately 100,000 tons per year, approximately 1,700 tons per month, with a maximum variance in accordance with GS 130A-294(b1)(1) as listed in Attachment 1, Part III.
18. 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).
19. The edge of the waste footprint for all disposal units must be identified with permanent physical markers.
20. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, 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.
21. 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, post-closure cost estimates and financial instruments must be updated for inflation annually within 60 days prior to the anniversary date of the establishment of the financial instrument(s).
 22. Closure or partial closure of any unit must be in accordance with the Closure Plans described in the approved plans. Revised Closure Plans must be submitted to the Division at least 90 days prior to implementation.

Operational Requirements

23. 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.
24. 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.
25. 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

26. Groundwater, surface water, and landfill gas monitoring locations must be established and monitored as identified in the approved plans.
27. 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.
28. 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.

29. 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 landfill gas analytical data must be kept as part of the permanent facility record.
30. 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.
31. 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.
32. A readily accessible unobstructed path must be cleared and maintained so that four-wheel vehicles may access monitoring well locations at all times.
33. 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.
34. 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.
35. 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.
36. 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 July 24, 2002 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 IV: INDUSTRIAL LANDFILL UNIT(S)

Not Applicable

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

Not Applicable

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

8104T-TRANSFER-1998, Rutherford County Transfer Facility

37. The Permit to Operate shall expire **March 28, 2018**. Pursuant to 15A NCAC 13B .020l(g), no later than **September 28, 2017**, the permittee must submit a request to the Section for permit review and must update pertinent facility plans including, but not limited to, the facility operation plan and waste screening plans.
38. The transfer facility is permitted to receive "Municipal solid waste" as defined in NCGS 130A-290 (a)(18a).
39. Those wastes listed in 15A NCAC 13B .1626 (l)(b-e) are prohibited from disposal at a MSW transfer station and include at a minimum hazardous waste, yard trash, liquid wastes, regulated medical waste, sharps not properly packaged, regulated asbestos containing material as defined in 40 CFR 61, PCB waste as defined in 40 CFR 761, and wastes banned from disposal in North Carolina by G.S. 130A-309.10(f).
40. This facility is permitted to receive municipal solid waste generated within Rutherford County. Waste must be transported for disposal to the Foothills Environmental Landfill (Permit Number 1403-MSWLF-1998). Proposed changes to the service area and/or the disposal facilities must be approved by the Section are considered a modification to the permit and may be subject to a permitting fee.
41. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, 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.
42. The permittee must develop and implement a training and screening program at the facility for detecting and preventing unauthorized wastes from being accepted at the facility. At a minimum, the program must include:
 - a. Random inspections of incoming loads or other comparable procedures.
 - b. Records of all inspections.
 - c. Training of personnel to recognize hazardous, liquid and other excluded waste types.

- d. Development of a contingency plan to properly manage any identified hazardous, liquid, asbestos or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.
43. The facility must not cause nuisance conditions.
- a. The tipping floor and transfer trailer loading area must be maintained in a clean, sanitary condition at all times and must be cleaned at least daily in accordance with the approved Operational Plan.
 - b. Waste must only be deposited on a “tipping floor” or directly into a transfer container. Waste must not be stored on the “tipping floor” after operating hours.
 - c. Waste may be stored on-site, in leak proof transfer trailers, with watertight covers, a maximum of 24 hours except that a minimal amount of waste may be stored for a maximum of 72 hours when the facility is closed during a weekend or holiday. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.
 - d. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.
 - e. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter.
 - i. Fugitive dust emissions are prohibited.
 - ii. Windblown materials must be collected by the end of the day and no windblown material may be allowed to leave the facility boundary.
44. Waste must only be deposited on the tipping floor or directly into a transfer container in accordance with the approved Operation Plan. Waste must not be stored on the tipping floor after operating hours.
45. Any waste stored on site after operating hours must be stored in leak-proof transfer trailers, with watertight covers, a maximum of 24 hours. However, a minimal amount of waste may be stored for a maximum of 48 hours when the facility is closed during a weekend and a maximum of 72 hours when closed for a weekend holiday. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.
46. All water or liquid that comes in contact with solid waste, including vehicle wash-down water, is leachate and must be captured and properly treated before release to the environment.
- a. The leachate control system, such as floor drains, leachate collection devices, sanitary sewer connections, and leachate storage tanks, must be operational during facility operations.
 - b. The tipping floor must drain away from the building entrance and into the leachate collection system.
 - c. Incoming waste must not be unloaded onto any uncovered tipping area during rainfall events.
 - d. Waste must not be placed in ponded water.
47. The permittee must maintain a record of the amount of solid waste received at the facility, including daily records of waste received and origins of the loads. The permittee must identify waste that is "commercial solid waste" or industrial solid waste" as defined in 15A

- NCAC 13B .1602 in the records. Scales must be used to weigh the amount of waste received. The permittee must maintain a record of the amounts of waste transported out of the facility for disposal and amounts of waste or material with any other final disposition to be compiled on a monthly basis. The daily records are to be summarized into a monthly report for use in the required annual reports, to include a comparison of incoming versus outgoing amounts.
48. Waste source summaries for each outgoing truckload must be maintained and made available to the Section upon request during normal business hours.
49. On or before August 1 annually, the Permittee must submit an annual facility report to the Solid Waste Section, on forms prescribed by the Section.
- a. The reporting period shall be for the previous year beginning July 1 and ending June 30.
 - b. The annual facility report must list the amount of waste received in tons and be compiled:
 - i. On a monthly basis.
 - ii. By county, city or transfer station of origin.
 - iii. By specific waste type.
 - iv. By receiving disposal facility.
 - v. By diversion to alternative management facilities.
 - c. The completed report must be forwarded to the Regional Environmental Specialist for the facility by the date due on the prescribed annual facility report form.
 - d. A copy of the completed report must be forwarded to the county manager for each county from which waste was received the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Specialist by the date due on the prescribed annual facility report form.

PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT

General

50. The on-site miscellaneous solid waste management units, including the wood waste processing area, the animal carcass disposal area, the used tire storage area, and the white goods handling area. The permittee must obtain Section approval before re-locating any of these operations or revising the operations.
51. 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.
52. 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 is deemed to be leachate and shall be contained on-site or properly treated prior to discharge.
53. 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.
54. 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.
55. Effective vector control measures shall be applied as necessary to control flies, rodents, insects, and vermin.

Operational Conditions – Treatment & Processing (Wood Grinding)

56. The facility is permitted to operate a treatment and processing facility as defined in 15A NCAC 13B, Rule .0101(49).
2. The facility is permitted to receive land clearing waste as defined in 15A NCAC 13B, Rule .0101(23).
3. The facility is permitted to receive wooden pallets constructed of unpainted and untreated natural wood.
4. The facility is not permitted to receive yard waste as defined in 15A NCAC 13B, Rule .0101(56).
5. The facility must manage the treatment and processing according to the Operation Plan included in Attachment 3, 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 – Scrap Tires

6. This unit shall be operated in accordance with the approved documents and the requirements of 15A NCAC 13B .1107.
7. 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).
8. The facility must manage tires according to the Operation Plan included in Attachment 1, Part III, 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.
9. The facility must manage tires according to all applicable statutes and rules of the State of North Carolina.

Operational Conditions – White Goods

10. The facility is permitted to receive white goods as defined in North Carolina General Statute Article 9, Chapter 130A-290(44).
11. The facility must manage white goods according to the Operation Plan included in Attachment 1, Part III, List of Documents for 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.
12. White goods collection areas shall provide for the proper removal of chlorofluorocarbon refrigerants.
13. The facility must manage white goods according to all applicable statutes and rules of the State of North Carolina.

- End of Section -

ATTACHMENT 4
CONDITIONS OF PERMIT FOR CLOSURE

PART I: GENERAL FACILITY

Not Applicable

PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)

8103-MSWLF-1974, Rutherford County Landfill, InactiveClosed

General Requirements

1. The owner must provide post-closure care and monitoring for the landfill. The post-closure period begins December 1997. After at least five years of post-closure care and monitoring, the landfill owner may submit a written request to modify or discontinue post-closure care and monitoring, depending upon the results of the previous monitoring. However, the owner must continue to conduct water quality monitoring, landfill gas monitoring, and post-closure care until the Section provides written approval to discontinue monitoring and/or post-closure care.
2. The MSW landfill stopped receiving waste on December 1997.
3. The landfill owner must maintain the integrity and effectiveness of the cap system, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and prevent surface water from impounding over waste and run-on and run-off from eroding or otherwise damaging the cap system. Mowing of vegetation on the landfill cover is required at least once per year. Trees on the final cover must be removed at least once per year.
4. The owner must maintain permanent markers that accurately identify the edge of the waste disposal boundary.
5. Public access to the landfill must be prevented by gates, fences, and/or other measures. The owner must maintain the public access preventive measures during the post-closure period.
6. Any post-closure use of the property, including but not limited to, residential, commercial, industrial, agricultural, or recreational use, is subject to review and approval by the Section and must not disturb the integrity of the cap system, or the function of the monitoring systems. The Section may approve any other disturbance if the owner or operator submits a modified post-closure plan which describes the planned use of the property and demonstrates that disturbance of the cap system, including any removal of waste, will not increase the potential threat to human health or the environment. Post-closure uses approved by the Section will be included in the List of Approved Documents.
7. 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. 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.
8. The owner or operator must ensure that the landfill units do not violate any applicable requirements developed under a State Implementation Plan approved or promulgated by the U.S. EPA Administrator pursuant to Section 110 of the Clean Air Act, as amended.

Recordation Requirement

9. Following closure of all landfill units, the owner must record a notation on the deed to the landfill facility property at the local county Register of Deeds office. The notation on the deed shall in perpetuity notify any potential purchaser of the property that the land has been used as a MSW landfill and its use is restricted. To satisfy this requirement in accordance with N.C.G.S. 161-14.1, the owner must record this permit at the local county Register of Deeds office, indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording, must be returned to the Solid Waste Section (Section) within 30 calendar days of issuance of this permit.

Monitoring and Reporting Requirements

10. Groundwater quality at the facility is subject to "Classifications and Water Quality Standards Applicable to the Groundwaters of North Carolina," 15A NCAC 2L. This includes, but is not limited to, the provisions for detection monitoring, assessment, and corrective action.
11. Ground water monitoring wells and surface water sampling location(s) must be sampled on a semi-annual basis, in accordance with the current policies and guidelines of the Section in effect at the time of sampling, unless otherwise specified by the Section. Any proposed modification to an approved plan must be submitted to the Section and approved prior to implementation. Sampling equipment and methods must conform to specifications in the "Solid Waste Section Guidelines for Groundwater, Soil, and Surface Water Sampling," dated April 2008, available on the Section website.
12. Monitoring reports of the analytical results for surface water and groundwater monitoring sampling events must be submitted to the Section within 120 days of the sample collection date. Analytical laboratory data must be submitted in electronic format (pdf or tiff) and in a spreadsheet format in an Electronic Data Deliverable (EDD) Template. All monitoring reports must contain:
 - a. a potentiometric surface map for the current sampling event that also includes surface water sampling locations,
 - b. analytical laboratory reports and summary tables,
 - c. a completed Solid Waste Environment Monitoring Data Form, and
 - d. laboratory data submitted in accordance with the EDD Template.
13. The owner must monitor landfill gas to ensure that the closed site continues to meet the design standards for landfill gas found in 15A NCAC 13B .0503(2)(a). The concentration of explosive gases generated by the site must not exceed:
 - a. twenty-five percent of the limit for the gases in site structures (excluding gas control or recovery system components); and
 - b. the lower explosive limit for the gases at the property boundary.
14. Landfill gas monitoring must be conducted quarterly, unless otherwise specified by the Section. Landfill gas monitoring should follow "Landfill Gas Monitoring Guidance Document," as provided on the Section webpage. Any proposed modification to an approved landfill gas monitoring plan must be submitted to the Section and approved prior to implementation.

15. All landfill gas monitoring must be conducted by properly trained personnel and must include monitoring for hydrogen sulfide. Landfill gas monitoring must include interior monitoring of onsite buildings. Landfill gas monitoring equipment must be calibrated according to the manufacturer's specifications. Verification of the calibration of the landfill gas monitoring equipment is required. Landfill gas monitoring results must be recorded on forms provided by the Section and must be maintained within the facility's operating record.
16. The owner must maintain the integrity of all groundwater and landfill gas monitoring wells, including making repairs to well heads, covers, and surface pads, during the post-closure period.
17. A readily accessible unobstructed path must be maintained so that groundwater and landfill gas monitoring wells and surface water sampling locations are accessible using four-wheel drive vehicles.
18. Each groundwater monitoring well and landfill gas well must be surveyed for location and elevation. Each groundwater monitoring well and landfill gas monitoring well must have an identification plate permanently attached to the well, in accordance with 15A NCAC 2C .0108(o).
19. If a new well is required to be installed, either to add to the network or to replace an existing well, or if a well is required to be abandoned:
 - a. The permittee must obtain approval from the Section for the design, installation, and abandonment of any groundwater or landfill gas monitoring well. A licensed geologist must be present to supervise the installation of groundwater monitoring wells and landfill gas monitoring wells. The exact locations, screened intervals, and nesting of the wells must be established after consultation with the Section Hydrogeologist at the time of well installation.
 - b. Within 30 days of completed construction of each new groundwater and landfill gas monitoring well, a well construction record, well schematic, boring log, field log and notes, and description of well development activities must be submitted to the Section. Form GW-1 must be used for both groundwater and landfill gas wells. The submittal must also include a scaled topographic map, showing the location and identification of new, existing, and abandoned wells and piezometers, and hydraulic conductivity and effective porosity values.
 - c. Hydraulic conductivity and effective porosity values must be established for each screened interval at each monitoring well in order to develop groundwater flow characteristics.
 - d. Within thirty (30) days of the abandonment of any groundwater monitoring well, the well abandonment record (GW-30 form) and any additional information included in the abandonment record must be certified by a Licensed Geologist, and submitted to the Section. A copy of the well abandonment records submitted to the Division of Water Quality, consistent with 15A NCAC 2C .0114(b), must be submitted to the Section.
 - e. Within thirty (30) days of the abandonment of a landfill gas monitoring well, an abandonment record must be submitted to the Section. The boring must be abandoned in accordance with 15A NCAC 2C .0113(d) and be certified by a Licensed Geologist.

Reporting and Recordkeeping

20. Documentation of well completion, development details, repair, abandonment, and all other pertinent activities associated with each groundwater and landfill gas monitoring well must be maintained in the facility operating record. The permittee must maintain a record of all groundwater, surface water, and landfill gas monitoring events and analytical data in the operating record.
21. Copies of this permit, the approved plans, and all records required to be maintained in the operating record by the permittee must be maintained at a location approved by the Section and made available to the Section upon request during normal business hours.
22. All forms, reports, maps, plans, and data submitted to the Section must include an electronic (pdf) copy.

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

Not Applicable

PART IV: INDUSTRIAL LANDFILL UNIT(S)

Not Applicable

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

Not Applicable

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

Not Applicable

PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT

Not Applicable

- End of Conditions -