



Facility Permit No: 1803  
Blackburn Resource Recovery Facility  
July 18, 2013  
DIN:19176  
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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. 1803**

CATAWBA COUNTY

is hereby issued a

**PERMIT TO CONSTRUCT**

*Not Applicable*

**PERMIT TO OPERATE**

1803-MSWLF-1997, Blackburn Resource Recovery Facility

1803-CDLF-, Blackburn Resource Recovery Facility

1803-TP-, Blackburn Resource Recovery Facility

1803-COMPOST-, Blackburn Resource Recovery Facility

**PERMIT FOR CLOSURE**

1803-MSWLF-1981, Blackburn Resource Recovery Facility

18H-LCID-1989, Blackburn Resource Recovery Facility

Located at *4017 Rocky Ford Road, near the Town of Newton, Catawba 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.

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

1646 Mail Service Center, Raleigh, North Carolina 27699-1646  
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**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
1803-MSWLF-1997, Blackburn Resource Recovery Facility	Active	May 8, 2009	May 8, 2014	19176
1803-MSWLF-1981, Blackburn Resource Recovery Facility	Closed	<i>Not Applicable</i>	<i>Not Applicable</i>	19176
1803-CDLF-, Blackburn Resource Recovery Facility	Active	May 8, 2013	May 8, 2019	19176
18H-LCID-1989, Blackburn Resource Recovery Facility	Closed	<i>Not Applicable</i>	<i>Not Applicable</i>	19176
1803-TP-, Blackburn Resource Recovery Facility	Active	May 8, 2013	May 8, 2019	19176
1803-COMPOST-, Blackburn Resource Recovery Facility	Active	May 8, 2013	May 8, 2019	19176

**Properties Approved for the Solid Waste Management Facility**

<b>Catawba County NC Register of Deeds</b>			
<b>Book</b>	<b>Page</b>	<b>Property Owner</b>	<b>Acres</b>
<b>1912</b>	<b>643</b>	<b>Catawba County</b>	<b>4.82±</b>
<b>1912</b>	<b>645</b>	<b>Catawba County</b>	<b>9.70±</b>
<b>1261</b>	<b>110</b>	<b>Catawba County</b>	<b>220.01±</b>
<b>2768</b>	<b>1003</b>	<b>Catawba County</b>	<b>82.61±</b>
<b>2637</b>	<b>1355</b>	<b>Catawba County</b>	<b>83.20±</b>
<b>2637</b>	<b>1355</b>	<b>Catawba County</b>	<b>50.48±</b>
<b>2326</b>	<b>84</b>	<b>Catawba County</b>	<b>92.93±</b>
<b>2590</b>	<b>1748, 1758</b>	<b>Catawba County</b>	<b>24.20±</b>
<b>Total Site Acreage: 567.95± acres</b>			

Note: The Catawba County Parcel Identification Numbers are; 361803330376, 361803333381, 361803318190, 361804522134, 361804613932, 361804714045, 361702796313, and 361702784077. All information is in accordance with Facility Boundary Plat DIN 19323 and Catawba County GIS.

Properties Release from the Solid Waste Management Facility

<b>Catawba County NC Register of Deeds</b>			
<b>Book</b>	<b>Page</b>	<b>Property Owner</b>	<b>Acres</b>
<b>2590</b>	<b>1748, 1758</b>	<b>Catawba County</b>	<b>33.00±</b>
<b>Total Site Acreage: 33.0± acres</b>			

Note: The Catawba County Parcel Identification Number is 361702784077. All information is in accordance with Facility Boundary Plat DIN 19323 and Catawba County GIS.

**PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)**

1803-MSWLF-1997, Blackburn Resource Recovery Facility

Permitting History

Permit Type	Date Issued	DIN
Permit to Construct; MSW Unit 2, Phase 1 issued, in preparation for the closure of the original MSW Unit 1.	July 2, 1997	
Permit to Operate; issued for MSW Unit 2, Phase 1 and MSW Unit 1 ceased receiving waste.	December 30, 1997	
Permit to Operate; Modification, MSW Unit 2, Phase 1 – ADC Approval.	February 22, 2000	
Permit to Construct; MSW Unit 2, Phase 2, Stage 1 issued.	January 11, 2001	
Permit to Operate; MSW Unit 2, Phase 2, Stage 1 issued.	December 7, 2001	
Permit to Construct; MSW Unit 2, Phase 2, Stage 2 issued.	January 2, 2003	
Permit to Operate; MSW Unit 2, Phase 2, Stage 2 issued.	April 15, 2004	
Permit to Construct; MSW Unit 3, Phase 1 and expand the facility by 393.5 acres was issued.	July 30, 2007	2739
Permit to Operate; MSW Unit 3, Phase 1 issued.	May 8, 2009	7322
<b>Permit to Operate; Modification, name change and reduction in property.</b>	<b>July 18, 2013</b>	<b>19176</b>

List of Documents for Approved Plan

*The descriptions of previous/historical documents are found in the Permit to Operate issued March 5, 2013. DIN 18558.*

DIN	Description
7002	Blackburn MSW Landfill, Unit 3, Phase 1, Catawba County, NC, February 2009, CQA Documentation Volumes 1, 2, and 3. MSW Unit 3, Phase 1. Prepared for Catawba County. Prepared by Clayton, Sr., P.E., Inc., Civil & Environmental Engineering, submitted by McGill and Associates. March 2009.
7333	<i>Blackburn MSW Landfill Record Drawings Unit 3, Phase 1, Catawba County.</i> MSW Unit 3, Phase 1. Prepared for Catawba County. Prepared by McGill Associates. April 2009.
8122	<i>Expansion of the Methane Collection System, Blackburn MSW Landfill – Unit 2, Catawba County, North Carolina.</i> Prepared for Catawba County. Prepared by McGill

	Associates. July 2009.
10913	<i>Landfill Gas Extraction System, Unit 2 LFG System As-built information, Unit 1 LFG System Expansion Request, Blackburn MSW Landfill, Catawba County, North Carolina.</i> Prepared for Catawba County. Prepared by McGill Associates. June 2010.
18906	<i>Permit Modification, Blackburn Resource Recovery Facility, Catawba County, North Carolina, May 2, 2013.</i> Prepared for Catawba County. Prepared by McGill Associates. May 2013.
19258	<i>Water Quality Monitoring Plan, Blackburn Resource Recovery Facility, Catawba County, North Carolina, Permit No. 18-03, Revised June 2013.</i> Prepared for Catawba County. Prepared by REI Consultants. June 2013.
19260	<i>Landfill Gas Monitoring Plan, Blackburn Resource Recovery Facility, Catawba County, North Carolina, Permit No. 18-03, Revised June 2013.</i> Prepared for Catawba County. Prepared by McGill Associates. June 2013.

1803-MSWLF-1981, Blackburn Resource Recovery Facility, Inactive/Closed

Permitting History

Permit Type	Date Issued	DIN
Original Permit Issuance; MSW Unit 1	January 30, 1981	
Permit to Operate; MSW Unit 1, Ceased Receiving Waste.	December 30, 1997	
Permit to Operate; Unit 1 LFG System Expansion.	July 15, 2010	
<b>Permit to Operate; Modification, name change and reduction in property.</b>	<b>July 18, 2013</b>	<b>19176</b>

List of Documents for Approved Plan

*The descriptions of previous/historical documents are found in the Permit to Operate issued March 5, 2013. DIN 18558.*

DIN	Description
18906	<i>Permit Modification, Blackburn Resource Recovery Facility, Catawba County, North Carolina, May 2, 2013.</i> Prepared for Catawba County. Prepared by McGill Associates. May 2013.
19258	<i>Water Quality Monitoring Plan, Blackburn Resource Recovery Facility, Catawba County, North Carolina, Permit No. 18-03, Revised June 2013.</i> Prepared for Catawba County. Prepared by REI Consultants. June 2013.
19260	<i>Landfill Gas Monitoring Plan, Blackburn Resource Recovery Facility, Catawba County, North Carolina, Permit No. 18-03, Revised June 2013.</i> Prepared for Catawba County. Prepared by McGill Associates. June 2013.

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

1803-CDLF-, Blackburn Resource Recovery Facility

Permitting History

Permit Type	Date Issued	DIN
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Permit to Construct; C&D Unit, expand the facility by 29.4 acres, issued.	February 22, 2002	
Permit to Operate; C&D Unit 2, Phase 1, Demolition Landfill 18-H ceased receiving waste.	October 9, 2002	
Permit to Construct; C&D Unit 2, Phase 2, issued.	May 31, 2007	2385
Permit to Operate; C&D Unit 2, Phase 2, issued.	December 7, 2007	3492
Permit to Operate; C&D Unit 2, Amendment 5 Year Renewal, issued.	March 5, 2013	18558
<b>Permit to Operate; Modification, name change and reduction in property</b>	<b>July 18, 2013</b>	<b>19176</b>

List of Documents for Approved Plan

*The descriptions of previous/historical documents are found in the Permit to Operate issued March 5, 2013. DIN 18558.*

DIN	Description
3493	<i>Permit to Construct Application, Blackburn C&amp;D Landfill, Catawba County, NC, including Engineering Drawings. C&amp;D Unit 2, Phase 2. Prepared for Catawba County. Prepared by McGill Associates. November 2, 2006, revised February 2007 and April 2007.</i>
3495	<i>Permit to Operate, C&amp;DLF Unit 2, Phase 2, Blackburn Landfill Facility, Catawba County, NC. C&amp;D Unit 2, Phase 2. Prepared for Catawba County. Prepared by McGill Associates. September 2007.</i>
5030	<i>Application for Continued Operation, Construction &amp; Demolition Landfill Unit 2, Blackburn Landfill, Catawba County, NC. C&amp;D Unit 2. Prepared for Catawba County. Prepared by McGill Associates. June 2008.</i>
16751	<i>CDLF Unit 2, Phases 1&amp;2 Permit Renewal, Blackburn C&amp;D Landfill, Catawba County, North Carolina. Prepared for Catawba County. Prepared by McGill Associates. June 2012.</i>
17738	<i>Operations Plan, Blackburn Landfill, Construction and Demolition Landfill Unit 2, Catawba County, North Carolina, April 2006, Revised November 2006, Revised March 2007, Revised November 2012. Prepared for Catawba County. Prepared by McGill Associates. November 2012.</i>
17739	<i>Closure and Post-Closure Plan, Construction and Demolition Landfill Unit 2, Catawba County, North Carolina, June 2008, Revised May 2009, Revised November 2012. Prepared for Catawba County. Prepared by McGill Associates. November 2012.</i>
17740	<i>Facility Plan, Construction and Demolition Landfill Unit 2, Catawba County, North Carolina, March 2007, Revised November 2012. Prepared for Catawba County. Prepared by McGill Associates. November 2012.</i>
18906	<i>Permit Modification, Blackburn Resource Recovery Facility, Catawba County, North</i>

	<i>Carolina, May 2, 2013. Prepared for Catawba County. Prepared by McGill Associates. May 2013.</i>
19258	<i>Water Quality Monitoring Plan, Blackburn Resource Recovery Facility, Catawba County, North Carolina, Permit No. 18-03, Revised June 2013. Prepared for Catawba County. Prepared by REI Consultants. June 2013.</i>
19260	<i>Landfill Gas Monitoring Plan, Blackburn Resource Recovery Facility, Catawba County, North Carolina, Permit No. 18-03, Revised June 2013. Prepared for Catawba County. Prepared by McGill Associates. June 2013.</i>

PART IV: INDUSTRIAL LANDFILL UNIT(S)  
*Not Applicable*

PART V: LAND CLEARING AND INERT DEBRIS LANDFILL UNIT(S)  
 18H-LCID-1989, Blackburn Resource Recovery Facility

Permitting History

Permit Type	Date Issued	DIN
Letter of Closure; issued.	September 29, 2005	172
<b>Permit to Operate; Modification, name change and reduction in property.</b>	<b>July 18, 2013</b>	<b>19176</b>

List of Documents for Approved Plan  
*Not Applicable*

PART VI: TRANSFER STATION/TREATMENT & PROCESSING UNIT(S)  
*Not Applicable*

PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT

1803-TP-, Blackburn Resource Recovery Facility  
*and*  
 1803-COMPOST-, Blackburn Resource Recovery Facility

Permitting History

Permit Type	Date Issued	DIN
PTO Modification; Relocation and Operation of – Type 1 Composting Area, Mulching and Grinding Treatment and Processing Unit, and Scrap Tire Collection	December 10, 2002	
<b>Permit to Operate; Modification, name change and reduction in property.</b>	<b>July 18, 2013</b>	<b>19176</b>

List of Documents for Approved Plan  
*The descriptions of previous/historical documents are found in the Permit to Operate issued March 5, 2013. DIN 18558.*

DIN	Description
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18906	<i>Permit Modification, Blackburn Resource Recovery Facility, Catawba County, North Carolina, May 2, 2013. Prepared for Catawba County. Prepared by McGill Associates. May 2013.</i>
19258	<i>Water Quality Monitoring Plan, Blackburn Resource Recovery Facility, Catawba County, North Carolina, Permit No. 18-03, Revised June 2013. Prepared for Catawba County. Prepared by REI Consultants. June 2013.</i>
19260	<i>Landfill Gas Monitoring Plan, Blackburn Resource Recovery Facility, Catawba County, North Carolina, Permit No. 18-03, Revised June 2013. Prepared for Catawba County. Prepared by McGill Associates. June 2013.</i>

*- End of Section-*

## **ATTACHMENT 2**

### **CONDITIONS OF PERMIT TO CONSTRUCT**

**PART I: GENERAL FACILITY**

*Not Applicable*

**PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)**

*Not Applicable*

**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 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)

1803-MSWLF-1997, Blackburn Resource Recovery Facility

12. The Permit to Operate shall expire May 8, 2014. Pursuant to 15A NCAC 13B .0201(g), no later than December 8, 2013, 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.
13. This permit approves the continued operation of Unit 2 and Unit 3, Phase 1 of the municipal solid waste landfill and the renaming of the facility to **Blackburn Resource Recovery Facility**; as well as the onsite environmental management and protection facilities as described in the approved plans.
14. The permittee is required to make application for a permit amendment for subsequent phases of landfill development, in accordance with NCGS 130A-295.8(b)(2).
15. The following table lists the dimensions and details for the MSW landfill units. The following waste volumes include waste, daily cover, and intermediate cover, but do not include final cover. The estimated remaining life of the landfill, Unit 3, Phase 1, is approximately 5 years from April 2009, as stated in Attachment 1, Part II.

MSW Unit	Acres	Capacity (cubic yards)	Status
Unit 1	+/- 60		Inactive
Unit 2, Phase 1	22.3	1,350,000	Constructed
Unit 2, Phase 2, Stage 1	16.0	890,000	Constructed
Unit 2, Phase 2, Stage 2	13.6	2,275,000	Constructed
Unit 3, Phase 1	22.1	1,750,000	Constructed

16. The facility is approved to accept approximately 168,000 tons of MSW waste per year, approximately 460 tons per day (365 days per year), with a maximum variance in accordance with GS 130A-294(b1)(1) as listed in Attachment 1, Part II.
17. 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).
18. 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.
19. 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.
20. 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.
21. The leachate collection system must be maintained in accordance with 15A NCAC 13B

- .1626(12)(a). The permittee shall prepare a plan detailing the maintenance of the system and must submit it to the Section for review and approval no later than July 1, 2009. 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 Section upon request.
22. 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.
  23. 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 Section at least 90 days prior to implementation.
  24. The edge of the waste footprint for all disposal units must be identified and maintained with permanent physical markers.
  25. This facility is permitted to receive solid waste generated within Catawba 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.
  26. 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.
  27. The use of alternative daily cover requires approval, prior to implementation, by the 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.
  28. 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 Section upon request.

### Monitoring and Reporting Requirements

29. Groundwater, surface water, and methane monitoring locations must be established and monitored as identified in the approved plans.
30. 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.
31. 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.
32. 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.
33. 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.
34. 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 the same constituents as the groundwater monitoring wells and surface water monitoring locations as specified in the approved monitoring plan. Test results must be submitted to the Section along with groundwater test results. In the event leachate is recirculated, additional leachate sampling may be required.
35. A readily accessible unobstructed path must be cleared and maintained so that four-wheel vehicles may access monitoring well locations at all times.
36. 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.
37. 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.
38. 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.
39. 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.
40. On or before August 1 annually, the Permittee must submit an annual facility report to the 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. For MSW, the amount of waste, in tons from scale records, disposed in landfill cells from December 30, 1997 through the date of the annual volume survey must be included in the report.
- e. For C&D waste, the amount of waste, in tons from scale records, disposed in landfill cells from February 22, 2002 through the date of the annual volume survey must be included in the report.
- f. 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.
- g. 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.
41. Pursuant to the NC Solid Waste Management Rule (Rule) 15A NCAC 13B .1626(5) burning of land-clearing debris generated on-site, as a result of construction activities, requires approval by the Section prior to initiating the burn. In addition, the Division of Air Quality and local fire department must approve the activity prior to burning.

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

1803-CDLF-, Blackburn Resource Recovery Facility

42. The Permit to Operate shall expire **May 8, 2019**. Pursuant to 15A NCAC 13B .0201(g), no later than **December 8, 2018**, 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.
43. This permit approves the continued operation of Unit 2, Phase 2 of the C&D landfill, and renaming the facility the **Blackburn Resource Recovery Facility**; as well as the onsite environmental management and protection facilities as described in the approved plans.
44. The following table lists the dimensions and details for the C&D landfill units. The following waste volumes include waste, daily cover, and intermediate cover, but do not include final cover. The estimated remaining life of the landfill, Unit 2, Phase 2, is approximately 5 years from June 2012, as stated in Attachment 1, Part II.

C&D Unit	Acres	Capacity (cubic yards)	Status
Unit 2, Phase 1	10	443,000	Constructed
Unit 2, Phase 2	13.2	432,000	Constructed
Unit 2, Phase 3	3.8		Proposed

45. The facility is approved to accept approximately 50,000 tons of C&D waste per year, approximately 136 tons per day (365 days per year), with a maximum variance in accordance with GS 130A-294(b1)(1) as listed in Attachment 1, Part II.
46. The C&DLF unit is permitted to receive construction and demolition waste and land clearing and inert debris as follows:
  - a. "C&D solid waste" as defined in 15A NCAC 13B, Rule .0532(8) means solid waste generated solely from the construction, remodeling, repair, or demolition operations on pavement and buildings or structures. C&D waste does not include municipal and industrial wastes that may be generated by the on-going operations at buildings or structures.
  - b. A land clearing and inert debris landfill as defined in 15A NCAC 13B, Rule .0101(54) means a facility for the land disposal of land-clearing waste, concrete, brick, concrete block, uncontaminated soil, gravel and rock, untreated and unpainted wood and yard trash.
  - c. Land Clearing Waste as defined in 15A NCAC 13B, Rule .0101(53) means solid waste which is generated solely from land clearing activities, limited to stumps, trees, limbs, brush, grass, and other naturally occurring vegetative material.
  - d. Asphalt in accordance with G.S. §130A-294(m).
47. The C&DLF unit shall not accept the wastes excluded for disposal as specified in 15A NCAC 13B, Rule .0542(e).
48. Operation of the C&DLF unit shall be in accordance with 15A NCAC 13B .0542, the approved Operations Plan, and the conditions of this permit.
49. 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 .0547.
50. A closure and post-closure plan must be submitted for approval at least ninety (90) days prior to closure or partial closure of any landfill unit. The plan must include all steps and measures necessary to close and maintain the C&D unit in accordance with all rules in effect at that time. At a minimum, the plan must address the following:
  - a. Design of a final cover system in accordance with 15 NCAC 13B .0543(c), or the solid waste management rules in effect at the time of closure;
  - b. Construction and maintenance/operation of the final cover system and erosion control structures; and
  - a. Surface water, ground water, and explosive gas monitoring.

**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)**

1803-TP-, Blackburn Resource Recovery Facility

#### General Conditions

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 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, or vermin.
56. All miscellaneous solid waste management activities must be managed within the facility in the areas identified in the approved plans. Management of solid waste in areas of the facility other than that referenced above, require written permission of the Solid Waste Section.

#### Treatment & Processing (Wood Grinding)

57. The facility is permitted to operate a treatment and processing facility as defined in 15A NCAC 13B, Rule .0101(49).
58. The facility is permitted to receive land clearing waste as defined in 15A NCAC 13B, Rule .0101(23).
59. The facility is permitted to receive wooden pallets constructed of unpainted and untreated natural wood.
60. 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.
61. 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.

### PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT

1803-COMPOST-, Blackburn Resource Recovery Facility  
*and*  
Miscellaneous

#### General Conditions

62. 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.

63. 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.
64. 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.
65. 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.
66. Effective vector control measures shall be applied as necessary to control flies, rodents, insects, or vermin.
67. All miscellaneous solid waste management activities must be managed within the facility in the areas identified in the approved plans. Management of solid waste in areas of the facility other than that referenced above, require written permission of the Solid Waste Section.

#### Type 1 Composting

68. This unit may receive only yard waste, silvicultural waste, untreated and unpainted wood waste.
69. This unit shall be operated in accordance with the approved plan and the operational requirements of 15A NCAC 13B .1406
70. Final product shall meet the label requirements of 15A NCAC 13B .1407(g).

#### Operational Conditions – White Goods

71. The facility is permitted to receive white goods as defined in North Carolina General Statute Article 9, Chapter 130A-290(44).
72. The facility must manage white goods according to the Operation Plan included in Attachment 3, Part II, *List of Documents for the Approved Plan*. Any revisions to the approved plan shall be approved by the Section, prior to implementation.
73. White goods collection areas shall provide for the proper removal of chlorofluorocarbon refrigerants.

#### Operational Conditions – Tires

74. 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).
75. Scrap tire collection areas shall be operated in accordance with the requirements of 15A NCAC 13B, Rule .1107, except that Cleveland County may store up to 25,000 scrap tires as provided in 15A NCAC 13B .1105(g).
76. The facility must manage tires 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 Section, prior to implementation.
77. The facility must manage tires 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)**

1803-MSWLF-1981, Blackburn Resource Recovery Facility, Closed

**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, consisting of Unit 1, 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)  
18H-LCID-1989, Blackburn Resource Recovery Facility  
*Letter of Closure issued separately, September 29, 2005, DIN 172.*

PART VI: TRANSFER STATION/TREATMENT & PROCESSING UNIT(S)  
*Not Applicable*

PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT  
*Not Applicable*

*- End of Conditions -*