



North Carolina Department of Environment and Natural Resources

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Governor

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Secretary

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

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

City of Durham  
is hereby issued a

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

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

Michael Scott  
Deputy Director  
Division of Waste Management

**ATTACHMENT 1**

**PART I: PERMITTING HISTORY**

<b>Permit Issuance</b>	<b>Date</b>	<b>Doc ID</b>
Permit to Operate	November 26, 1991	
Permit to Operate	July 9, 1999	
Permit to Construct	March 30, 2009	
Permit to Operate	June 9, 2010	
Permit to Operate	June 20, 2014	21308
Permit to Operate, correct error	June 30, 2014	21312

1. The compost facility is located on a parcel adjacent to the closed City of Durham MSW Landfill, Permit No. 3201-MSWLF-1979. The property also contains the City of Durham Transfer Station, Permit No. 3212T-TRANSFER-1999, and the Durham Household Hazardous Waste (HHW) Facility, Permit No. 3210-HHW.

**PART II: LIST OF DOCUMENTS FOR APPROVED PLAN**

1. *City of Durham Compost Facility, Application for Permit.* June 1999.
2. *City of Durham Compost Facility, Permit Renewal Application.* March 2009.
3. *City of Durham Compost Facility, Permit Modification Application.* Feb. 2014, revised through May 2014. Doc ID 21310

**PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY**

<b>Durham County, N.C. Register of Deeds</b>		
<b>Plat Book</b>	<b>Page</b>	<b>Grantee (sold to)</b>
120	53	Survey - City of Durham, Tract #1
Total Site Acreage: 55 acres		

Note - Durham County Parcel ID No.160430 The actual composting area consists of approximately 11 acres.

**PART IV: GENERAL PERMIT CONDITIONS**

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B

- .0201(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Operate shall expire June 9, 2015. The Permit to Operate must be implemented in accordance with Attachment 3 of this permit.
2. The persons to whom this permit is issued (“permittee”) are the owners and operators of the solid waste management facility.
  3. By receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
  4. Operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit, and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition. Failure to comply may result in compliance action or permit revocation.
  5. This permit is issued based on the documents submitted in support of the application for permitting the facility identified in Attachment 1, “List of Documents for Approved Plan,” which constitutes the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.
  6. This permit may be transferred only with the approval of the Section, through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g), the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to, a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.
  7. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for sedimentation and erosion control, and a General or Individual National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit, if applicable. Issuance of this permit does not remove the permittee’s responsibilities for compliance with any other local, state or federal rule, regulation or statute.

*- End of Section –*

**ATTACHMENT 2**  
**CONDITIONS OF PERMIT TO CONSTRUCT**  
*[NOT APPLICABLE]*

*- End of Section -*

### **ATTACHMENT 3 CONDITIONS OF OPERATING PERMIT**

1. The Permit to Operate shall expire June 9, 2015. Pursuant to 15A NCAC 13B .0201(g), no later than February 9, 2015, the permittee must submit a request to the Section for permit review and must update pertinent facility plans.
2. The facility must be adequately secured by means of gates, chains, berms, fences, or other measures approved by the Section to prevent unauthorized entry.
3. A sign must be maintained at the site entrance providing site information including the permit number, prohibited materials, and emergency contact information.
4. A responsible individual trained in facility operations must be onsite during all operating hours of the facility, in accordance with NCGS 130A-309.25.
5. Interior roadways must be of all-weather construction and maintained in good condition.
6. Only materials specifically listed in the permit application may be managed at this facility. A permit modification is required for a request to receive additional feedstocks.
7. The total capacity of the site is 18,000 tons of materials received and composted per year, for year 2014. The capacity increases 3% per year for subsequent years.
8. Feedstocks must not be received that are in an anaerobic state.
9. Trash and unacceptable wastes received at the site must be stored in containers and promptly removed from the site for proper disposal.
10. Compost or mulch produced from yard trash must meet the pathogen reduction requirements of Rule .1406 (10). Ground land clearing debris and ground material used as boiler fuel do not have to meet pathogen reduction requirements.
11. Compost temperature monitoring must be conducted at a frequency adequate to meet the requirements of Rule .1406 (10). Thermometers used for documenting composting temperatures must be calibrated annually. Documentation of calibration must be kept in the facility records.
12. An appropriate Division of Water Resources (DWR) or Division of Energy, Mineral and Land Resources (DEMLR) permit for managing any stormwater and/or wastewater at the facility must be maintained as required. Any leachate generated at the facility and any runoff from the facility must be managed in such a manner that ground or surface water quality will not be adversely affected. The facility must be maintained to prevent the accumulation of stormwater and leachate on composting areas, storage areas, and roads.

13. In the event of a mechanical failure, the facility must immediately use its best effort to utilize substitute equipment for completion of the composting operation.
14. The odor management procedures must be followed to minimize odors at the facility boundary. Upon receipt of an odor complaint, the facility operator must investigate and take action as necessary to minimize the cause of the complaint. A copy of all written complaints regarding this facility must be maintained for the duration of the permit including the operator's actions taken to resolve the complaints.
15. The facility must be operated in a manner that reduces the potential for vector attraction.
16. The compost operation and the compost pad must be operated and maintained with sufficient dust control measures to minimize airborne emissions and to prevent dust from becoming a nuisance or safety hazard. Facility operation must meet Division of Air Quality Rules 15 NCAC 2D. Fugitive dust emissions from the facility that contribute to substantive complaints may subject the facility to the Division of Air Quality requirements as listed in 15A NCAC 2D .0540.
17. Windrow dimensions for incoming yard waste shall be limited to a maximum of 12 feet high by 25 feet wide unless otherwise approved by the Division. A 25-foot access shall be maintained between windrows for fire-fighting equipment. Active composting windrow dimensions shall be limited to a maximum of 7 feet high by 14 feet wide unless otherwise approved by the Division. Product storage dimensions shall be limited to a maximum of 10 feet high by 20 feet wide.
18. Windrow turning must not occur without consulting weather forecasts for favorable conditions including wind direction and precipitation.
19. Testing and reporting must be conducted in accordance with the requirements of Rule .1408 and the permit application. Compost process data must be maintained in writing as required to document temperatures, moisture levels, and aeration intervals.
20. All compost produced at the facility must meet the requirements of Rule .1407 of the Solid Waste Compost Rules and the permit application.
21. The facility must be operated in accordance with the approved Fire Management Plan. Open burning of solid waste is prohibited. Fires must be reported to the regional environmental senior specialist with 24 hours of the occurrence, followed by a written report of the details of the fire within 10 days of the occurrence. All sides of storage and compost areas for flammable materials must be clear and driveable, to provide vehicular access in the event of a fire.

22. An annual report of facility activities for the fiscal year July 1 to June 30 must be submitted to the Section by August 1 of each year on forms provided by the Section. This report must include the amount of materials composted in tons.
23. Copies of this permit, the approved plans, and all records required to be maintained by the permittee must be maintained at the facility, or another site approved by the Section, and made available to the Section upon request during normal business hours.
24. Groundwater quality at this facility is subject to the classification, monitoring, and remedial action provisions of 15A NCAC 2L. Groundwater monitoring may be required if there is an indication for the potential for groundwater contamination.
25. 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.

*End of Permit Conditions -*