



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Dexter R. Matthews

Director

Pat McCrory
Governor

John E. Skvarla, III
Secretary

October 23, 2013

Mr. John A. Sabatini
Assistant Vice President, Engineering
Universal Leaf North America US, Inc.
3174 Boddie Mill Pond Road
PO Box 519
Nashville, North Carolina 27549

Dear Mr. Sabatini:

The Division of Waste Management, Solid Waste Section, has reviewed your proposal, submitted through Dr. A.R. Rubin, to continue the land application of tobacco dust on the property owned by Universal Leaf North America US, Inc. in Nash County, NC. The tobacco dust will originate from the Universal Leaf processing facility in Nash County, NC. The proposal is considered approved with the following conditions.

1. Tobacco dust shall be land applied in accordance with the proposal submitted by Dr. A.R. Rubin.
2. At no time shall tobacco dust be land applied when the soil is saturated to within 12 inches of the soil surface or when land application activities will result in depressions in the soil surface in excess of 3 inches.
3. Moisture content of the dust shall be adequate to prevent drift off land application areas.
4. Tobacco dust shall not be land applied on bare ground unless the area land applied on will be vegetated within 30 days of land application.
5. Tobacco dust may not be used to increase nutrient loading beyond what is needed to meet realistic yield expectations except that:
 - ◆ If more than 50% of the nitrogen is supplied by tobacco dust the rate may be increased by 25% over realistic yield requirements.
 - ◆ The Division may approve higher tobacco dust application rates in test plots. The size, location, and nutrient loading rates must be approved for the test plots prior to any land application in those areas.
6. No more than 1.5 inches of tobacco dust not to exceed 9 tons/acre may be applied to a site in a 12-month period.
7. No more than 3 tons/acre, approximately ½ inch, of tobacco dust may be applied on a cover crop, unless within 30 days of planting a primary crop. A cover crop must cover at least 80% of the soil surface over the entire area to be used for tobacco dust.
8. Reseeding of the forage stand and timely weed control measures shall be implemented to ensure that a healthy receiver crop with at least 80% coverage remains established on the application sites. Forested areas shall maintain the appropriate number of trees per acre to be utilized for dust applications.

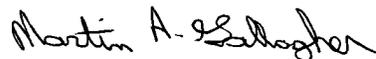
9. Forested areas may not receive tobacco dust to supply more than 100 pounds of nitrogen per acre unless the Division approves higher rates. Test plots for higher nitrogen rates will require prior Division approval.
10. All forest test plot locations shall be clearly delineated on the ground and on a 1" = 400' or less scale aerial photograph and approved by the Division prior to any land application.
11. The following minimum setbacks shall be maintained:

Residences or businesses	400 feet
Surface Waters	25 feet when vegetated in accordance with Dr. Rubin's proposal
State road right of way	25 feet
Ditches or drainage ways	20 feet
Property Lines	25 feet
Wells	100 feet
12. Documentation must be maintained that tobacco dust from tobacco sources outside the United States do not contain chemical residues or metal levels in excess of dust from domestic tobacco.
13. Tobacco dust may not be stored in the fields for more than one week and may not be stored on slopes greater than 6%. Sites where longer storage in the field is necessary due to weather conditions shall be stabilized down slope with hay bales and vegetation to control and filter runoff. In no case shall tobacco dust be stored outside for more than 90 days.
14. Division of Waste Management staff may visit the site any working day during regular hours to observe land application activities or review records and may visit the site at any time to respond to complaints.
15. An annual report, containing the information outlined in the proposals, must be submitted by August 1 of each year for the previous July 1 through June 31. The report shall include the amount of dust land applied on each field or test plot, the amount of nutrients added the commercial cost of those nutrients and the results of testing.
16. This approval shall expire October 23, 2018. This approval may be withdrawn at any time that the conditions of the approval are not followed or a threat to public health or the environment is created. If an extension is desired a properly completed application shall be submitted at least 90 days prior to that date.

Mr. Ben Barnes, Environmental Senior Specialist will be primarily responsible for site inspections. Mr. Barnes can be reached at 252-236-4453.

If you have any questions regarding this approval please contact me at 919-707-8280.

Sincerely,



Martin A. Gallagher
 Environmental Supervisor
 Composting and Land Application Branch

cc: Ben Barnes, Environmental Senior Specialist
 Dr. A.R. Rubin
 Mr. Kyle Bass, Universal Leaf North America, US Inc.