

## SECTION .1400 - SOLID WASTE COMPOST FACILITIES

### 15A NCAC 13B .1401 REQUIREMENT FOR PERMIT

(a) No person shall construct, operate, expand, or modify a facility that produces compost from solid waste or solid waste co-composted with other wastes unless it has a currently valid permit issued by the Division for a solid waste compost facility, except as provided in Rule .1402(f) and (g) of this Section. General provisions, siting, design, application, operational, distribution, reporting, and closure requirements shall be in accordance with Rules .1402 through .1410 of this Section.

(b) Plans for a Large Type 3 or Type 4 Solid Waste Compost Facility, as defined in Rule .1402(e) of this Section, or plans for any facility located over a closed-out disposal area, shall be submitted with the permit application in accordance with Rule .0202(a)(3) of this Subchapter.

(c) Compost permits shall be issued for a period of 10 years. An application for renewal of a permit shall be submitted to the Division in accordance with Rule .1405 of this Section no less than four months prior to expiration of the existing permit.

(d) Permit modifications.

(1) The owner or operator shall submit to the Division a permit application in accordance with Rule .1405 of this Section for a major modification to the existing permit issued by the Division. For the purpose of this Section, a major modification means any of the following: a change in the property or facility operator or ownership, a change in facility type as defined in Rule .1402 of this Section, an expansion or relocation of the operations area in the existing permit, or a change to the operations or design plan such as changes in the compost method, waste receipt and handling, feedstock storage, or processing layout. A permit issued by the Division as a result of a permit modification shall be in compliance with Paragraph (c) of this Rule.

(2) The owner or operator shall not be required to submit a permit application to the Division in accordance with Rule .1405 of this Section for a change to a plan that was submitted in accordance with Rule .1405 of this Section if the Division determines that the change does not meet the definition of a major modification provided in Subparagraph (1) of this Paragraph, the change complies with the requirements of this Section, and the owner or operator submits to the Division written notice of the change, including documentation of the updated information such as revised pages or addendums to the plan. The Division shall acknowledge receipt of the change by sending written notice to the owner or operator.

(e) For purposes of this Section, "operations area" means the total area used for mixing, grinding, processing, composting, curing, and wood waste and feedstock unloading and storage. Operations area shall not include buffer areas.

(f) For purposes of the Section, "material onsite" means wood wastes, feedstocks, mixtures, and active and curing compost, but shall not include finished product.

*History Note: Authority G.S. 130A-294; 130A-309.03; 130A-309.11; 130A-309.29;  
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