

SUBCHAPTER 13B - SOLID WASTE MANAGEMENT

SECTION .0100 - GENERAL PROVISIONS

Rules .0101 - .0108 of Title 15A Subchapter 13B of the North Carolina Administrative Code (T15A.13B .0101 - .0108); have been transferred and recodified from Rules .0101 - .0108 of Title 10 Subchapter 10G of the North Carolina Administrative Code (T10.10G .0101 - .0108), effective April 4, 1990.

15A NCAC 13B .0101 DEFINITIONS

The definitions in G.S. 130A-290 and the following definitions shall apply throughout this Subchapter:

- (1) "Agricultural Waste" means waste materials produced from the raising of plants and animals, including animal manures, bedding, plant stalks, hulls, and vegetable matter.
- (2) "Airport" means public-use airport open to the public without prior permission and without restrictions within the physical capacities of available facilities.
- (3) "Backyard Composting" means the on-site composting of yard waste from residential property by the owner or tenant for non-commercial use.
- (4) "Blood products" means all bulk blood and blood products.
- (5) "Cell" means compacted solid waste completely enveloped by a compacted cover material.
- (6) "Compost" means decomposed, humus-like organic matter, free from pathogens, offensive odors, toxins or materials harmful at the point of end use. Compost is suitable for use as a soil conditioner with varying nutrient values.
- (7) "Compost Facility" means a solid waste facility which utilizes a controlled biological process of degrading non-hazardous solid waste. A facility may include materials processing and hauling equipment; structures to control drainage; and structures to collect and treat leachate; and storage areas for the incoming waste, the final products, and residual materials.
- (8) "Composting" means the controlled decomposition of organic waste by naturally occurring bacteria, yielding a stable, humus-like, pathogen-free final product resulting in volume reduction of 30 - 75 percent.
- (9) "Composting Pad" means a surface, whether soil or manufactured, where the process of composting takes place, and where raw and finished materials are stored.
- (10) "Curing" means the final state of composting, after the majority of the readily metabolized material has been decomposed, in which the compost material stabilizes and dries.
- (11) "Demolition landfill" means a sanitary landfill that was limited to receiving stumps, limbs, leaves, concrete, brick, wood, uncontaminated earth or other solid wastes approved by the Division, which either ceased operation or was converted to a Land Clearing and Inert Debris Landfill pursuant to Rule .0563.
- (12) "Division" means the Director of the Division of Waste Management or the Director's authorized representative.
- (13) "Erosion control measure, structure, or device" means physical devices constructed, and management practices utilized, to control sedimentation and soil erosion such as silt fences, sediment basins, check dams, channels, swales, energy dissipation pads, seeding, mulching and other similar items.
- (14) "Explosive gas" means Methane (CH₄).
- (15) "Federal act" means the Resource Conservation and Recovery Act of 1976, P.L. 94-580, as amended.
- (16) "Floodplain" means the lowland and relatively flat areas adjoining inland and coastal waters, including flood-prone areas of offshore islands, which are inundated by the 100-year flood.
- (17) "Foreign Matter" means metals, glass, plastics, rubber, bones, and leather, but does not include sand, grit, rocks or other similar materials.
- (18) "Hazardous waste landfill facility" means any facility or any portion of a facility for disposal of hazardous waste on or in land in accordance with rules promulgated under this article.
- (19) "Incineration" means the process of burning solid, semi-solid or gaseous combustible wastes to an inoffensive gas and a residue containing little or no combustible material.
- (20) "Industrial Process Waste" means any solid, semi-solid, or liquid waste generated by a manufacturing or processing plant which is a result of the manufacturing or processing process. This definition does not include packaging materials associated with such activities.

- (21) "Industrial Solid Waste Landfill" means a facility for the land disposal of "industrial solid waste" as defined in Item (11) of Rule .1602 of this Subchapter, and is not a land application unit, surface impoundment, injection well, or waste pile, as defined under 40 CFR Part 257.
- (22) "Land clearing and inert debris landfill" 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.
- (23) "Land clearing waste" means solid waste which is generated solely from land clearing activities such as stumps, trees, limbs, brush, grass, and other naturally occurring vegetative material.
- (24) "Leachate" means any liquid, including any suspended components in liquid, that has percolated through or drained from solid waste.
- (25) "Lower explosive limit" means the lowest percent by volume of a mixture of explosive gases which will propagate a flame in air at 25 degrees Celsius and atmospheric pressure.
- (26) "Microbiological wastes" means and includes cultures and stocks of etiologic agents. The term includes cultures of specimens from medical, pathological, pharmaceutical, research, commercial, and industrial laboratories.
- (27) "Mulch" means a protective covering of various substances, especially organic, to which no plant food has been added and for which no plant food is claimed. Mulch is generally placed around plants to prevent erosion, compaction, evaporation of moisture, freezing of roots, and weed growth.
- (28) "One-hundred year flood" means a flood that has a one percent or less chance of recurring in any year or a flood of a magnitude equaled or exceeded once in 100 years on the average over a significantly long period.
- (29) "Open burning" means any fire wherein the products of combustion are emitted directly into the outdoor atmosphere and are not directed thereto through a stack or chimney, incinerator, or other similar devices.
- (30) "Pathogens" means organisms that are capable of producing infection or diseases, often found in waste materials.
- (31) "Pathological wastes" means and includes human tissues, organs, body parts, secretions and excretions, blood and body fluids that are removed during surgery and autopsies; and the carcasses and body parts of all animals that were exposed to pathogens in research, were used in the production of biologicals or in the in vivo testing of pharmaceuticals, or that died of known or suspected infectious disease.
- (32) "Putrescible" means solid waste capable of being decomposed by microorganisms with sufficient rapidity as to cause nuisances from odors and gases, such as kitchen wastes, offal and carcasses.
- (33) "Radioactive waste material" means any waste containing radioactive material as defined in G.S. 104E-5(14).
- (34) "Regulated Medical Waste" means blood and body fluids in individual containers in volumes greater than 20 ml, microbiological waste, and pathological waste that have not been treated pursuant to Rule .1207 of this Subchapter.
- (35) "Residues from Agricultural Products and Processing" means solids, semi-solids or liquid residues from food and beverage processing and handling; silviculture; agriculture; and aquaculture operations that are non-toxic, non-hazardous, and contain no domestic wastewater.
- (36) "Respondent" means the person against whom an administrative penalty has been assessed.
- (37) "Runoff" means the portion of precipitation that drains from an area as surface flow.
- (38) "Sediment" means solid particulate matter both mineral and organic, that has been or is being transported by water, air, gravity, or ice from its site of origin.
- (39) "Sharps" means and includes needles, syringes, and scalpel blades.
- (40) "Siltation" means sediment resulting from accelerated erosion which is settleable or removable by properly designed, constructed, and maintained control measures and which has been transported from its point of origin within the site land-disturbing activity and which has been deposited, or is in suspension in water.
- (41) "Silviculture Waste" means waste materials produced from the care and cultivation of forest trees, including bark and woodchips.
- (42) "Soil Group I" means soil group I as defined in 15A NCAC 13B .0807(a)(1)(A) of the Septage Management Rules.

- (43) "Soil Scientist" means an individual who is a North Carolina Licensed Soil Scientist, a Certified Professional Soil Scientist or Soil Specialist by American Registry of Certified Professional in Agronomy, Crops, and Soils (ARCPACS) or an individual that demonstrates equivalent experience or education.
- (44) "Solid waste collector" means any person who collects or transports solid waste by whatever means, including but not limited to, highway, rail, and navigable waterway.
- (45) "Solid waste generator" means any person who produces solid waste.
- (46) "Spoiled food" means any food which has been removed from sale by the United States Department of Agriculture, North Carolina Department of Agriculture, Food and Drug Administration, or any other regulatory agency having jurisdiction in determining that food is unfit for consumption.
- (47) "Steam sterilization" means treatment by steam at high temperatures for sufficient time to render infectious waste non-infectious.
- (48) "Transfer facility" means a permanent structure with mechanical equipment used for the collection or compaction of solid waste prior to the transportation of solid waste for final disposal.
- (49) "Treatment and processing facility" means a facility used in the treatment and processing of solid waste for final disposal or for utilization by reclaiming or recycling.
- (50) "Vector" means a carrier, usually an arthropod, that is capable of transmitting a pathogen from one organism to another.
- (51) "Water supply watershed" means an area from which water drains to a point or impoundment, and the water is then used as a source for a public water supply.
- (52) "Water table" means the upper limit of the portion of the ground wholly saturated with water.
- (53) "Windrow" means an elongated compost pile (typically eight feet wide by ten feet high).
- (54) "Working face" means that portion of the land disposal site where solid wastes are discharged, spread, and compacted prior to the placement of cover material.
- (55) "Yard trash" means solid waste resulting from landscaping and yard maintenance such as brush, grass, tree limbs, and similar vegetative material.
- (56) "Yard Waste" means "Yard Trash" and "Land-clearing Debris" as defined in G.S. 130A-290, including stumps, limbs, leaves, grass, and untreated wood.

*History Note: Authority G.S. 130A-294;
Eff. April 1, 1982;
Amended Eff. August 1, 2008; October 1, 1995; January 4, 1993; December 1, 1991; February 1, 1991.*