

SUBCHAPTER 13B - SOLID WASTE MANAGEMENT

SECTION .0100 - GENERAL PROVISIONS

15A NCAC 13B .0101 DEFINITIONS

The definitions in Article 9 of Chapter 130A of the General Statutes and the following definitions shall apply throughout this Subchapter, except for Section .1500 of this Subchapter:

- (1) "Aerated static pile composting" means the process in which decomposing organic material is placed in piles over an active aeration system that is used to supply oxygen and to control temperature for the purpose of producing compost.
- (2) "Agricultural waste" means waste materials produced from the raising of plants and animals, including animal manures, bedding, plant stalks, hulls, and vegetable matter.
- (3) "Airport" means public-use airport open to the public without prior permission and without restrictions within the physical capacities of available facilities.
- (4) "Anaerobic digestion" means the biological process in which microorganisms break down biodegradable organic material in the absence of oxygen.
- (5) "Backyard composting" means the on-site composting of yard waste and food residuals by the owner or tenant of a residential property. The waste material is generated only onsite, and the resulting compost is used only onsite or on the owner or tenant's property.
- (6) "Backyard vermicomposting" means the on-site vermicomposting by the owner or tenant of a residential property using organic material from the residential property with the product produced used only onsite or on the owner or tenant's property.
- (7) "Collection center" means a collection point for the temporary storage of solid waste for individual residential households who choose to transport solid waste generated on their own property to a facility owned or operated by a local government, rather than directly to a solid waste management facility permitted in accordance with the rules of this Subchapter. Collection centers are also known as "convenience centers" and "drop-off-centers," and are not transfer stations for the purpose of this Subchapter. A person, business, or local government facility that collects materials for the purpose of recycling, and does not collect any solid waste for the purpose of disposal, is not a collection center for the purpose of this Subchapter. A collection center shall operate in accordance with Rule .0208(a) of this Subchapter.
- (8) "Compost" means a decomposed, humus-like organic matter, produced in an aerobic composting process that is designed and monitored to ensure that the product is free from pathogens, toxins, or materials harmful at the point of end use. Compost is suitable for use as a soil conditioner and may have varying nutrient values.
- (9) "Compost facility" means a solid waste facility established in accordance with Section .1400 of this Subchapter that utilizes a controlled biological process of degrading non-hazardous solid waste. A compost facility may include:
 - (a) materials processing and hauling equipment;
 - (b) structures to control drainage;
 - (c) structures to collect and treat leachate; and
 - (d) storage areas for the incoming waste, the final products, and residual materials.
- (10) "Composting" means the biological decomposition of organic waste by naturally occurring bacteria under an aerobic process that is designed and monitored to yield a stable, humus-like, pathogen-free compost product.
- (11) "Composting pad" means a surface, whether soil or manufactured, where the process of composting takes place, and where raw and finished materials are stored.
- (12) "Construction and demolition debris landfill" and "C&DLF" mean a sanitary landfill unit established in accordance with Rules .0531 through .0546 of this Subchapter for the land disposal of C&D waste.
- (13) "Curing" means a continuation of the composting process after the high heat stage during which compost stability and maturity continue to increase. Curing occurs after completing the process to further reduce pathogens and the requirements for vector attraction reduction.
- (14) "C&D waste" means solid waste generated solely from the construction, remodeling, repair, or demolition operations on pavement and buildings or structures. C&D waste includes municipal

and industrial solid wastes that are identical to materials generated from the construction, remodeling, repair, or demolition operations on pavement and buildings or structures.

- (15) "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 (LCIDLF).
- (16) "Digestate" means the organic material produced during the anaerobic digestion process. The digestate is a wet mixture of solid and liquid that is rich in nutrients.
- (17) "Division" means the Director of the Division of Waste Management or the Director's authorized representative.
- (18) "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.
- (19) "Explosive gas" means a landfill gas that will propagate a flame in air at 25 degrees Celsius and atmospheric pressure, such as methane or hydrogen sulfide.
- (20) "Floodplain", "base floodplain", "one-hundred-year floodplain", or "100-year floodplain" mean "base floodplain" as defined in G.S. 143-215.52.
- (21) "Foreign matter" means metals, glass, plastics, rubber, bones, and leather, but does not include sand, grit, rocks, or other similar materials.
- (22) "Hazardous waste" means the term as defined in G.S. 130A-290(a)(8). The term does not include those solid wastes excluded from regulation pursuant to 40 CFR 261.4, incorporated by reference in 15A NCAC 13A .0106. The term does include hazardous waste generated by very small quantity generators as defined by 40 CFR 260.10, incorporated by reference in 15A NCAC 13A .0102(b).
- (23) "Incineration" means the disposal of solid, semi-solid, or gaseous combustible wastes through a burning process designed to create a waste gas emission that complies with 15A NCAC 02D and a waste residue containing little or no combustible material; but is not open burning.
- (24) "Incinerator" means a device designed to dispose of solid, semi-solid, or gaseous combustible wastes by incineration.
- (25) "Industrial process waste" means any solid, semi-solid, or liquid waste generated by a manufacturing or processing plant that is a result of the manufacturing or processing process. This definition does not include packaging materials associated with such activities.
- (26) "Industrial solid waste" means the term as defined in G.S. 130A-290(a)(13b). Such waste may include waste resulting from electric power generation, water treatment, and manufacturing processes for the following:
 - (a) fertilizer/agricultural chemicals;
 - (b) food and related products or byproducts;
 - (c) inorganic chemicals;
 - (d) iron and steel;
 - (e) leather and leather products;
 - (f) nonferrous metals or foundries;
 - (g) organic chemicals;
 - (h) plastics and resins;
 - (i) pulp and paper;
 - (j) rubber and miscellaneous plastic products;
 - (k) stone, glass, clay, and concrete products;
 - (l) textiles; and
 - (m) transportation equipment.This term does not include mining waste or oil and gas waste.
- (27) "Industrial solid waste landfill" and "ISWLF" mean a sanitary landfill unit established in accordance with Rules .0503 through .0505 of this Subchapter for the disposal of industrial solid waste, or for the exclusive disposal of scrap tires also known as a tire monofill.
- (28) "Inert debris waste" means inert debris that consists solely of asphalt, cured concrete, brick, concrete block, gravel, and rock. Inert debris waste shall not contain chemical adhesives or sealants, or lead-based paint.

- (29) "In-vessel composting" or "within-vessel" means the process in which decomposing organic material is enclosed in a drum, silo, bin tunnel, or other container for the purpose of producing compost under aerobic conditions.
- (30) "Land clearing and inert debris landfill" or "LCIDLF" mean a landfill unit established in accordance with Rules .0563 through .0567 of this Subchapter for the disposal of yard waste and inert debris waste.
- (31) "Land clearing waste" means land-clearing debris that consists solely of stumps, trees, limbs, brush, grass, and other naturally occurring vegetative material.
- (32) "Landfill gas" means a gas or mixture of gases generated by the decomposition of solid waste in a landfill.
- (33) "Licensed geologist" means the term as defined in G.S. 89E.
- (34) "Licensed professional engineer" means "professional engineer" as defined in G.S. 89C.
- (35) "Licensed professional land surveyor" means "professional land surveyor" as defined in G.S. 89C.
- (36) "Licensed soil scientist" means the term as defined in G.S. 89F.
- (37) "Lower explosive limit" means the lowest percent by volume of a mixture of explosive gases that will propagate a flame in air at 25 degrees Celsius and atmospheric pressure.
- (38) "Microbiological waste" means cultures and stocks of etiologic agents. The term includes cultures of specimens from medical, pathological, pharmaceutical, research, commercial, and industrial laboratories.
- (39) "Mulch" means a material generated from the chipping or grinding of naturally occurring wood waste such as tree stumps, limbs, and branches. Mulch shall not contain material generated from engineered, treated, or manufactured wood waste such as creosote telephone poles or railroad ties; laminated wood including flooring; painted, stained, or oiled wood; plywood; or composite boards such as particle board, medium-density fiberboard (MDF), oriented strand board (OSB), or similar products manufactured by binding or fixing the strands, particles, fibers, veneers, or boards of wood together to form a composite material. Mulch may contain material generated from the chipping or grinding of wooden pallets or skids only if the wood used in their construction is naturally occurring and has not been engineered, treated, or manufactured.
- (40) "Municipal solid waste landfill" and "MSWLF" mean a sanitary landfill unit established in accordance with Section .1600 of this Subchapter for the disposal of municipal solid waste.
- (41) "One-hundred-year flood", "100-year flood", or "base flood" means "base flood" as defined in G.S. 143-215.52.
- (42) "Open burning" means the term as defined in 15A NCAC 02D .1902.
- (43) "Pathogens" means organisms that are capable of producing infection or diseases, often found in waste materials.
- (44) "Pathological waste" means the following wastes that are removed during surgery and autopsies: human tissues, organs, body parts, secretions and excretions, and blood and body fluids. It also includes the carcasses and body parts of animals that have been exposed to pathogens in research, were used in the production of biologicals or in the in vivo testing of pharmaceuticals, or that died of a known or suspected infectious disease.
- (45) "Putrescible waste" and "putrescent" mean solid waste that is capable of or is generating odors and gases from the process of decomposition by microorganisms. Putrescible waste or solid waste that may become putrescent may include medical waste, kitchen and food waste, offal, and carcasses.
- (46) "Regulated medical waste" means blood and body fluids in individual containers in volumes greater than 20 milliliters, microbiological waste, and pathological waste that have not been treated pursuant to Rule .1204 of this Subchapter.
- (47) "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. The residues shall be non-toxic, non-hazardous, and shall contain no domestic wastewater.
- (48) "Respondent" means the person against whom an administrative penalty has been assessed.
- (49) "Sanitary landfill" means the term as defined in G.S. 130A-290(31). Landfills permitted in accordance with Rules .0503 through .0505 and .0510; Rules .0531 through .0546; and Section .1600 of this Subchapter are sanitary landfills. Land clearing and inert debris landfills are not sanitary landfills.
- (50) "Sediment" means the term as defined in G.S. 113A-52.

- (51) "Septage management facility" means land, personnel, and equipment used in the management of septage, including septage management firms as defined in G.S. 130A-290(a)(33), septage detention and treatment facilities, and septage land application sites established in accordance with Rules .0831 through .0846 of this Subchapter.
- (52) "Silt" means sediment resulting from accelerated erosion that is settleable or removable by control measures that are designed, constructed, and maintained and has been transported from its point of origin within the site land-disturbing activity and has been deposited, or is in suspension in water.
- (53) "Silviculture waste" means waste materials produced from the care and cultivation of forest trees, including bark and woodchips.
- (54) "Soil" means the unconsolidated mineral and organic material of the land surface. It consists of a mixture of organic matter and of sand, silt, and clay minerals.
- (55) "Solid waste collector" means any person who collects or transports solid waste by methods such as highway, rail, and navigable waterway.
- (56) "Solid waste generator" means any person who produces solid waste.
- (57) "Spoiled food" means any food that has been removed from sale by the United States Department of Agriculture, the N.C. Department of Agriculture and Consumer Services, or any other regulatory agency having jurisdiction in determining that food is unfit for consumption.
- (58) "Temporary debris storage and reduction site" means a site that complies with the requirements of Rule .0208(b) of this Subchapter for the storage and processing of additional waste generated from the following:
- (a) an incident that caused a declaration of a state of emergency or disaster in accordance with Chapter 166A, Article 1A, Part 4 of the General Statutes to assist with local and State recovery and compliance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended; or
 - (b) a hurricane, tornado, severe storm, ice storm, or a 100-year flood event.
- (59) "Transfer station" means a permanent structure with mechanical equipment established in accordance with Section .0400 of this Subchapter that is used for the collection, consolidation, or compaction of solid waste prior to the transportation of solid waste for final disposal.
- (60) "Treatment and processing facility" means a facility established in accordance with Section .0300 of this Subchapter for the treatment and processing of solid waste prior to the transportation of solid waste for final disposal or for utilization by reclaiming or recycling.
- (61) "Vector" means a carrier, such as rodents, insects, and birds, that is capable of transmitting a pathogen from one organism to another.
- (62) "Vermicompost" means the product of the vermicomposting process that is a dark, fertile mixture of decomposed organic waste, bedding material, and granular castings.
- (63) "Vermicomposting" means the controlled and managed process by which live worms convert organic materials into vermicompost.
- (64) "Vermiculture" means raising of earthworms for the purpose of vermicomposting.
- (65) "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.
- (66) "Water table" means the term defined in 15A NCAC 02L .0102.
- (67) "Windrow composting" means a process for compost production in which decomposing organic materials are placed in piles and are turned or agitated to assure all parts of the decomposing material meet the requirements of Section .1400 of this Subchapter for pathogen reduction and vector attraction reduction.
- (68) "Working face" means that portion of the solid waste disposal site where solid wastes are discharged, spread, and compacted prior to the placement of cover material.
- (69) "Yard waste" means land-clearing waste and yard trash.

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