

15A NCAC 13B .0403 SITING AND DESIGN REQUIREMENTS

(a) A transfer station (site) shall meet the following siting requirements:

- (1) Floodplain Restrictions: The portions of the site containing the buildings, leachate collection systems, and any areas where storage or processing of solid waste occurs shall not be located in the 100-year floodplain.
- (2) Cultural Resources Restrictions: A site shall not damage or destroy a property of archaeological or historical significance that has been listed on the National Register of Historic Places or included on the Study List for the Register pursuant to 07 NCAC 04R .0206 and .0300.
- (3) State Nature and Historic Preserve Restrictions: The location, access, size, and operation of the site shall not have an adverse impact on any component included in the State Nature and Historic Preserve pursuant to G.S. 143-260.10.
- (4) Endangered and Threatened Species Restrictions: A site shall not jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of a critical habitat, protected under the Federal Endangered Species Act of 1973, Public Law 93-205, as amended.
- (5) Clean Water Act Requirements: A site or site operations shall:
 - (A) not cause a discharge of pollutants into waters of the United States, including wetlands, that violates any requirements of the Clean Water Act, including the National Pollutant Discharge Elimination System (NPDES) requirements pursuant to Section 402 of the Clean Water Act;
 - (B) comply with Section 404 of the Clean Water Act; and
 - (C) not cause the discharge of a nonpoint source of pollution to waters of the United States, including wetlands, that violates any requirement of an area-wide or Statewide water quality management plan that has been approved under Section 208 or 319 of the Clean Water Act.
- (6) Buffer Requirements: Unless otherwise stated in the site permit or local zoning requires larger buffers, the waste loading, unloading, and storage areas at the site shall be:
 - (A) no less than 100 feet from supply wells;
 - (B) no less than 100 feet from property lines;
 - (C) no less than 50 feet from waters of the State as defined in G.S. 143-212, or wetlands as defined in 40 CFR 232.2; and
 - (D) surrounded by an unused and cleared area of no less than 25 feet to allow access for fire or emergency response vehicles.

(b) Sites shall meet the following design requirements:

- (1) Sites shall be designed and constructed so that all solid waste receiving, handling, transfer, and storage occurs on an impervious surface, such as concrete or asphalt, unless otherwise stated in the site permit.
- (2) Tipping floors shall be located within an enclosed building or covered area to prevent precipitation from coming into contact with waste, and all waste shall be managed on the tipping floors unless otherwise stated in the site permit. For the purpose of the rules of this Section, "tipping floor" means the area where waste is offloaded from residential or commercial vehicles, and staged and consolidated for transport to its intended disposal location.
- (3) All recovered materials and recyclables stored at the site shall comply with G.S. 130A-309.05(c).
- (4) The site shall be designed to operate within the capacity specified in the permit to accommodate estimated waste volumes, and within schedules prescribed in the permit for removal of all waste streams and materials permitted to be handled at the site. Other activities occurring at a site shall not prohibit compliance with the operational requirements in Rule .0405 of this Section.
- (5) A water supply shall be provided for cleaning site floors, walls, and equipment.
- (6) Leachate, including wash water and process water, shall be collected and contained within the site's collection and containment system described in the site permit.
- (7) All vehicles and containers that contain solid waste shall be staged within the perimeter of a leachate collection system or shall comply with Rule .0405(c) of this Section.
- (8) Leachate collection and treatment systems shall be designed to facilitate the removal of leachate and wastewater, and may include pipes, manholes, trenches, berms, collection sumps or basins, pumps, risers, liners, and liner splices.

- (9) The site design shall include barriers such as fencing and gates to prevent unauthorized entry and to minimize the escape of windblown materials off site.
- (10) In accordance with G.S. 130A-295.5, sites shall be designed and operated so that traffic congestion from loading and unloading of collection and transportation vehicles is minimized beyond the site entrance onto the public road, and beyond any egress ramp approved by the N.C. Department of Transportation.
- (11) An all-weather road that is accessible by the Division and loaded collection vehicles shall be provided from the entrance gate to the unloading, receiving, and tipping areas.
- (12) Storage areas for waste materials shall be designed to prevent potential fires from spreading outside the storage area, to prevent vectors, and to prevent the escape of waste, leachate, odors, dust, and litter from the site.
- (13) If materials banned from landfill disposal in accordance with G.S. 130A-309.10(f) or recyclable materials will be stored on site, the site design shall include a storage area for these materials that is separate from the areas used for handling of waste meant for disposal.
- (14) Sites shall be designed and operated to prevent the attraction of vectors.
- (15) Sites shall be designed and operated to minimize the spread of odors and fugitive dust emissions generated by solid waste over the property line to comply with 15A NCAC 02D .0540 and .1806.
- (16) Sites shall be designed, operated, and maintained to direct surface water run-on and run-off to prevent ponding or collection of surface water in waste handling and storage areas.
- (17) Sites that intend to accept, process, or recycle construction and demolition wastes shall be designed to comply with 40 CFR 61, Subpart M, and G.S. 130A-444 through 452.

History Note: Authority G.S. 130A-294;
Eff. January 1, 2021.