

### **15A NCAC 13B .0547 EXISTING C&DLF UNITS AS OF JANUARY 1, 2007**

An owner and operator of an existing C&DLF unit(s), those receiving waste prior to January 1, 2007, must close or submit an application document according to the criteria and scheduling requirements set forth in this Rule. All C&DLF unit(s) must conform to the specific conditions set forth in the permit and the following general provisions.

- (1) Closure of existing C&DLF unit(s). C&DLF unit(s), which did not and will not receive solid waste after June 30, 2008, must comply with the Solid Waste Permit, the Conditions of Permit, and Rule .0510 of this Section.
- (2) Financial Assurance for existing C&DLF facilities and units. Owners and operators of existing C&DLF facilities and units must submit the following by July 1, 2008:
  - (a) a closure and post-closure plan prepared in accordance with Rule .0543 of this Section; and
  - (b) financial responsibility in accordance with Rule .0546 of this Section.
- (3) Application for a Permit to Construct a new phase of an existing C&DLF facility or unit must be subject to the following. An owner and operator of an existing C&DLF must submit an application 120 days prior to the expiration date of the effective permit to operate or at least 180 days prior to the date scheduled for constructing a phase of C&DLF development not approved in the effective permit to operate, whichever occurs first. The application must consist of the following:
  - (a) a facility plan that defines the comprehensive development of the property. The plan includes a set of drawings and a report which presents the long-term, general design concepts related to construction, operation, and closure of the C&DLF unit(s). The scope of the plan spans the active life of the unit(s). A facility plan must be prepared in accordance with Subparagraphs (d)(1), (e)(1), (e)(2), and (e)(3) of Rule .0537 of this Section. Additional solid waste management activities located at the C&DLF facility must be identified in the plan and must meet the requirements of this Subchapter. The facility plan defines the waste stream proposed for management at the C&DLF facility. If different types of landfill units or non-disposal activities are included in the facility design, the plan must describe general waste acceptance and segregation procedures. The areal limits of the C&DLF unit(s), total capacity of the C&DLF unit(s), and the proposed waste stream must be in accordance with the current permit for an existing facility applying for a Permit to Construct a new phase not approved in the current permit;
  - (b) an engineering plan that is prepared for the initial phase of landfill development prepared in accordance with Rule .0539 of this Section;
  - (c) a construction quality assurance plan prepared in accordance with Rule .0541 of this Section;
  - (d) an operation plan prepared in accordance with Rule .0542 of this Section, with an appended monitoring plan in accordance with Rule .0544 of this Section; and
  - (e) a closure and post-closure plan prepared in accordance with Rule .0543 of this Section.
- (4) Owners and operators of existing C&DLF units on top of closed MSWLFs must submit a permit application by July 1, 2008, for the continued operations of those units. The permit must be reviewed at the end of each five-year period. The permit will be reissued upon receipt of a complete permit amendment prepared in accordance with Rule .0535(b) and upon determination that the corrective action plan prepared in accordance with Rule .0547(4)(c) is being implemented. The application must contain:
  - (a) local government approval in accordance with Rule .0536(c)(11) of this Section,
  - (b) an operations plan in accordance with Rule .0542 of this Section, including a five-year phase of development and a waste acceptance plan in accordance with the existing permit,
  - (c) a corrective action plan for the closed MSWLF, as required by Rule .1635 of this Subchapter, prepared in accordance with Rules .1636 and .1637 of this Subchapter,
  - (d) a closure and post-closure plan in accordance with Rule .1627 of this Subchapter, and
  - (e) financial assurance in accordance with Rule .1628 of this Subchapter.

*History Note:* Authority G.S. 130A-294;  
Eff. January 1, 2007.