

15A NCAC 13B .1404 SITING/DESIGN REQUIREMENTS FOR SOLID WASTE COMPOST FACILITIES

(a) A site shall meet the following requirements at the time of initial permitting and shall continue to meet these requirements throughout the life of the permit only on the property owned or controlled by the applicant or by the landowner(s) at the time of permitting:

- (1) A site located in a floodplain shall not restrict the flow of the 100-year flood; reduce the temporary storage capacity of the floodplain; or result in washout of solid waste so as to pose a hazard to human life, wildlife, land or water resources;
- (2) A 100-foot minimum buffer is required between all property lines and compost areas for Type 3 and 4 facilities, 50-foot for Type 1 or 2 facilities;
- (3) A 500-foot minimum buffer is required between compost areas and residences or dwellings not owned and occupied by the permittee, except that Type 1 and Small Type 2 and 3 facilities shall have a 200-foot minimum buffer;
- (4) A 100-foot minimum buffer is required between all wells and compost areas, except monitoring wells;
- (5) A 50-foot minimum buffer is required between perennial streams/rivers and compost areas;
- (6) A compost facility shall be located in accordance with 15A NCAC 2B .0200, Classification and Water Quality Standards Applicable to Surface Waters in North Carolina;
- (7) All portions of any compost facility located over a closed-out disposal area shall be designed with a pad adequate to protect the disposal area cap from being disturbed, as defined in Part (a)(10)(E) of this Rule, and there shall be no runoff from the pad onto the cap or side slopes of the closed out area;
- (8) A 25-foot minimum distance is required between compost areas and swales or berms to allow for adequate access of fire fighting equipment;
- (9) A site shall meet the following surface water requirements:
 - (A) A site shall not cause a discharge of materials or fill materials into waters or wetlands of the state that is in violation of Section 404 of the Clean Water Act;
 - (B) A site shall not cause a discharge of pollutants into waters of the state that is in violation of the requirements of the National Pollutant Discharge Elimination System (NPDES), under Section 402 of the Clean Water Act; and
 - (C) A site shall not cause non-point source pollution of waters of the state that violates assigned water quality standards;
- (10) A site shall meet the following groundwater requirements:
 - (A) A site shall not contravene groundwater standards as established under 15A NCAC 2L;
 - (B) Portions of a site used for waste receipt and storage, active composting, and curing shall have a soil texture finer than loamy sand and the depth to the seasonal high water table shall be maintained at least 12 inches for a Type 1 or 2 facility and 24 inches for a Type 3 facility, unless a pad is provided;
 - (C) A pad shall be provided for portions of a Type 4 facility used for waste receiving and storage, active composting, and curing;
 - (D) A pad is not required for storage of finished product that is dried so as to pass the Paint Filter Liquids Test (EPA Method 9095), and for which the storage area is prepared in such a manner that water does not collect around the base of the stored material, and where the depth to the seasonal high watertable is maintained at least 12 inches; and
 - (E) The linear coefficient of permeability of pads required in accordance with this Rule shall not be greater than 1×10^{-7} centimeters per second. If natural soils are used, the liner must be at least 18 inches thick.

(b) For Subparagraphs (a)(2) through (a)(4) and Part (a)(10)(B) of this Rule, (dependent upon waste type, facility design, and regional topography) alternative minimum buffers or requirements may be increased if deemed necessary by the Division in order to protect public health and the environment or to prevent the creation of a nuisance.

(c) A site shall meet the following design requirements:

- (1) A site shall not allow uncontrolled public access;
- (2) A site shall meet the requirements of the Sedimentation Pollution Control Law (15A NCAC 4);
- (3) A site shall meet the requirements of the Air Pollution Control Requirements (15A NCAC 2D) to minimize fugitive emissions and odors; and
- (4) A site shall be designed to minimize odors at the property boundary.

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

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