

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

(a) A site shall meet the requirements of this Rule at the time of initial permitting and shall continue to meet these requirements throughout the life of the permit only on the site 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 buffer shall be maintained 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 buffer shall be maintained 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 maintain a 200-foot buffer.
- (4) A 100-foot buffer shall be maintained between all wells and compost areas, except monitoring wells.
- (5) A 50-foot buffer shall be maintained between perennial streams and rivers and compost areas.
- (6) A compost facility shall be located in accordance with 15A NCAC 02B .0200, Classification and Water Quality Standards Applicable to Surface Waters in North Carolina.
- (7) All portions of a 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)(C) 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 shall be maintained between compost areas and swales or berms;
- (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), pursuant to 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 the water quality standards as set forth in 15A NCAC 02B.
- (10) A site shall meet the following groundwater and operations area pad requirements:
 - (A) a site shall not contravene groundwater standards as set forth in 15A NCAC 02L;
 - (B) the operations area of Type 1, 2, and 3 facilities shall have one of the following:
 - (i) a soil pad with a soil texture finer than loamy sand. For a Type 1 or 2 facility, the depth to the seasonal high water table shall be maintained at least 12 inches. For a Type 3 facility, the depth to the seasonal high water table shall be maintained at least 24 inches; or
 - (ii) a pad in accordance with Part (C) of this Subparagraph;
 - (C) the operations area of a Type 4 facility shall have a pad with a linear coefficient of permeability no greater than 1×10^{-7} cm/sec. The pad shall consist of one of the following:
 - (i) a non-soil pad, such as concrete and asphalt, designed and constructed to meet the weight requirements of the compost operation and to prevent infiltration of liquids to groundwater; or
 - (ii) a soil pad of at least 18 inches constructed in accordance with Rule .1624(b)(8) and Rule .1621 of this Subchapter. A 12-inch soil layer shall be maintained over the pad to protect it from damage and desiccation: and
 - (D) finished product shall be stored where the depth to the seasonal high water table is at least 12 inches below ground surface.

(b) For Subparagraphs (a)(2) through (a)(4) and Part (a)(10)(B) of this Rule, alternative minimum buffers or requirements may be modified by the Division, based on the waste type, facility design, and regional topography, if necessary 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 unauthorized public access;
- (2) a site shall meet the requirements of Sedimentation Control (15A NCAC 04);

- (3) a site shall meet the requirements of the Air Pollution Control Requirements (15A NCAC 02D) to minimize fugitive emissions and odors; and
- (4) a site shall be designed to minimize odors at the property boundary by means such as expanded buffers, consideration of topography and wind patterns, or process layout design.

*History Note: Authority G.S. 130A-294; 130A-309.03; 130A-309.11; 130A-309.29;
Eff. December 1, 1991;
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