15A NCAC 13B .1626 OPERATIONAL REQUIREMENTS FOR MSWLF FACILITIES

The owner or operator of any MSWLF unit must maintain and operate the facility in accordance with the requirements set forth in this Rule and the operation plan as described in Rule .1625 of this Section.

(1) Waste Acceptance and Disposal Requirements.

(a) A MSWLF shall only accept those solid wastes which it is permitted to receive. The landfill owner or operator shall notify the Division within 24 hours of attempted disposal of any waste the landfill is not permitted to receive, including waste from outside the area the landfill is permitted to serve.

(b) The following wastes are prohibited from disposal at a MSWLF unit:

(i) Hazardous waste as defined within 15A NCAC 13A, including hazardous waste from conditionally exempt small quantity generators.

(ii) Polychlorinated biphenyls (PCB) wastes as defined in 40 CFR 761.

(iii) Liquid wastes unless they are managed in accordance with Item (9) of this Rule.

(c) Spoiled foods, animal carcasses, abattoir waste, hatchery waste, and other animal waste delivered to the disposal site shall be covered upon receipt.

(d) Asbestos waste shall be managed in accordance with 40 CFR 61, which is hereby incorporated by reference including any subsequent amendments and additions. Copies of 40 CFR 61 are available for inspection at the Department of Environment, Health, and Natural Resources, Division of Solid Waste, 401 Oberlin Road, Raleigh, N.C. at no cost. The waste shall be covered upon receipt, with soil or waste, in a manner that will not cause airborne conditions and must be disposed of separate and apart from other solid wastes:

(i) At the bottom of the working face; or

(ii) In an area not contiguous with other disposal areas. Separate areas shall be designated, with signage, so that asbestos is not exposed by future land-disturbing activities.

(e) Wastewater treatment sludges may only be accepted for disposal in accordance with the following conditions:

(i) Utilized as a soil conditioner and incorporated into or applied onto the vegetative growth layer but, in no case greater than six inches in depth; or

(ii) Co-disposed if the facility meets all design requirements contained within Rule .1624, and approved within the permit, or has been previously approved as a permit condition.

(f) Owners or operators of all MSWLF units must implement a program at the facility for detecting and preventing the disposal of hazardous and liquid wastes. This program must include, in accordance with 40 CFR 258.20:

(i) Random inspections of incoming loads or other comparable procedures;

(ii) Records of any inspections;

(iii) Training of facility personnel to recognize hazardous and liquid wastes; and

(iv) Development of a contingency plan to properly manage any identified hazardous and liquid wastes. The plan must address identification, removal, storage and final disposition of the waste.

(g) Waste placement at existing MSWLF units shall meet the following criteria:

(i) Waste placement at existing MSWLF units not designed and constructed with a base liner system approved by the Division shall be within the areal limits of the actual waste boundary established prior to October 9, 1993 and in a manner consistent with the effective permit.

(ii) Waste placement at existing MSWLF units designed and constructed with a base liner system permitted by the Division prior to October 9, 1993 and approved for operation by the Division shall be within the areal limits of the base liner system and in manner consistent with the effective permit.

(2) Cover material requirements.

(a) Except as provided in Sub-Item (b) of this Item, the owners or operators of all MSWLF units must cover disposed solid waste with six inches of earthen material at the end of each

operating day, or at more frequent intervals if necessary, to control disease vectors, fires, odors, blowing litter, and scavenging.

(b) Alternative materials of an alternative thickness (other than at least six inches of earthen material) may be approved by the Division if the owner or operator demonstrates that the alternative material and thickness control disease vectors, fires, odors, blowing litter, and scavenging without presenting a threat to human health and the environment, in accordance with 40 CFR Part 258.21. A MSWLF owner or operator may apply for a generic approval of an alternative cover material, which would extend to all MSWLF units.

(c) Areas which will not have additional wastes placed on them for 12 months or more, but where final termination of disposal operations has not occurred, shall be covered with a minimum of one foot of intermediate cover.

(3) Disease vector control.

(a) Owners or operators of all MSWLF units must prevent or control on-site populations of disease vectors using techniques appropriate for the protection of human health and the environment.

(b) For purposes of this Item, "disease vectors" means any rodents, flies, mosquitoes, or other animals, including insects, capable of transmitting disease to humans.

(4) Explosive gases control.

(a) Owners or operators of all MSWLF units must ensure that:

(i) The concentration of methane gas generated by the facility does not exceed 25 percent of the lower explosive limit for methane in facility structures (excluding gas control or recovery system components); and

(ii) The concentration of methane gas does not exceed the lower explosive limit for methane at the facility property boundary.

(b) Owners or operators of all MSWLF units must implement a routine methane monitoring program to ensure that the standards of Sub-item (4)(a) of this Rule are met.

The type and frequency of monitoring must be determined based on the following factors:

(i) Soil conditions;

(ii) The hydrogeologic conditions surrounding the facility;

(iii) The hydraulic conditions surrounding the facility; and

(iv) The location of facility structures and property boundaries.

The minimum frequency of monitoring shall be quarterly.

(c) If methane gas levels exceeding the limits specified in Sub-item (4)(a) of this Rule are detected, the owner or operator must:

(i) Immediately take all necessary steps to ensure protection of human health and notify the Division, as provided in 40 CFR Part 258.23;

(ii) Within seven days of detection, place in the operating record the methane gas levels detected and a description of the steps taken to protect human health; and

(iii) Within 60 days of detection, implement a remediation plan for the methane gas releases, place a copy of the plan in the operating record, and notify the Division that the plan has been implemented. The plan shall describe the nature and extent of the problem and the proposed remedy.

Based on the need for an extension demonstrated by the operator, the Division may establish alternative schedules for demonstrating compliance with Sub-item (4)(c)(ii) and (iii) of this Rule.

(d) For purposes of this Item, "lower explosive limit" means the lowest percent by volume of a mixture of explosive gases in air that will propagate a flame at 25°C and atmospheric pressure.

(5) Air Criteria.

(a) Owners or operators of all MSWLFs must ensure that the units do not violate any applicable requirements developed under a State Implementation Plan (SIP) approved or promulgated by the U.S. EPA Administrator pursuant to Section 110 of the Clean Air Act, as amended.

(b) Open burning of solid waste, except for the infrequent burning of land clearing debris generated on site or debris from emergency clean-up operations, as provided for in 40 CFR

Part 258.24, is prohibited at all MSWLF units. Any such infrequent burning must be approved by the Division.

(c) Equipment shall be provided to control accidental fires or arrangements shall be made with the local fire protection agency to provide fire-fighting services as soon as needed.

(d) Fires that occur at a MSWLF require verbal notice to the Division within 24 hours and written notification shall be submitted within 15 days.

(6) Access and safety requirements.

(a) The MSWLF shall be secured by means of gates, chains, berms, fences and other security measures approved by the Division to prevent unauthorized entry.

(b) An attendant shall be on duty at the site at all times while it is open for public use to ensure compliance with operational requirements.

(c) The access road to the site shall be of all-weather construction and maintained in good condition.

(d) Dust control measures shall be implemented.

(e) Signs providing information on dumping procedures, the hours during which the site is open for public use, the permit number and the information specified in the permit conditions shall be posted at the site entrance.

(f) Signs shall be posted stating that no hazardous or liquid waste can be received.

(g) Traffic signs or markers shall be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.

(h) The removal of solid waste from a MSWLF is prohibited unless the owner or operator approves and the removal is not performed on the working face.

(i) Barrels and drums shall not be disposed of unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein, except fiber drums containing asbestos.

(7) Erosion and sedimentation control requirements.

(a) Adequate sediment control measures (structures or devices), shall be utilized to prevent silt from leaving the MSWLF facility.

(b) Adequate sediment control measures (structures or devices), shall be utilized to prevent on-site erosion.

(c) Provisions for a vegetative ground cover sufficient to restrain erosion must be accomplished within 30 working days or 120 calendar days upon completion of any phase of MSWLF development.

(8) Drainage control and water protection requirements.

(a) Surface water shall be diverted from the operational area.

(b) Surface water shall not be impounded over or in waste.

(c) Solid waste shall not be disposed of in water.

(d) Leachate shall be contained within a lined disposal cell or leachate collection and storage system. All leachate shall be treated, as required by the receiving facility, prior to discharge. An NPDES permit may be required prior to the discharge of leachate to surface waters, as provided by 40 CFR Parts 258.26 and 258.27.

(e) MSWLF units shall not:

(i) 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.

(ii) 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 State-wide water quality management plan that has been approved under Section 208 or 319 of the Clean Water Act, as amended.

(9) Liquids restrictions.

(a) Bulk or non-containerized liquid waste may not be placed in MSWLF units unless:

(i) The waste is household waste other than septic waste and waste oil; or

(ii) The waste is leachate or gas condensate derived from the MSWLF unit, whether it is a new or existing MSWLF unit or lateral expansion of the unit, is designed with a composite liner and leachate collection system as described within Rule .1624 of this Section.

(b) Containers holding liquid wastes may not be placed in the MSWLF unit unless:

(i) The container is a small container similar in size to that normally found in household waste;

(ii) The container is designed to hold liquids for use other than storage; or

(iii) The waste is household waste.

(c) For the purpose of this Paragraph:

(i) Liquid waste means any waste material that is determined to contain "free liquids" as defined by Method 9095 (Paint Filter Liquids Test), S.W. 846.

(ii) Gas Condensate means the liquid generated as a result of gas recovery processes at the MSWLF unit.

(10) Recordkeeping requirements.

(a) The owner or operator of a MSWLF unit must record and retain at the facility in an operating record the following information as it becomes available:

(i) Inspection records, waste determination records, and training procedures required in Item (1) of this Rule;

(ii) Amounts by weight of solid waste received at the facility including source of generation;

(iii) Gas monitoring results and any remediation plans required by Item (4) of this Rule;

(iv) Any demonstration, certification, finding, monitoring, testing, or analytical data required by Rules .1630 thru .1637 of this Section;

(v) Any monitoring, testing, or analytical data as required by Rule .1627 of this Section; and

(vi) Any cost estimates and financial assurance documentation required by Rule .1628 of this Section.

(b) All information contained in the operating record must be furnished upon request to the Division or be made available at all reasonable times for inspection by the Division.

(c) The owner or operator must maintain a copy of the operation plan required by Rule .1625 of this Section at the facility.

(11) Spreading and Compacting requirements.

(a) MSWLF units shall restrict solid waste into the smallest area feasible.

(b) Solid waste shall be compacted as densely as practical into cells.

(c) Methods such as fencing and diking shall be provided within the area to confine solid waste subject to be blown by the wind. At the conclusion of each day of operation, all windblown material resulting from the operation shall be collected and returned to the area by the owner or operator.

(12) Leachate management plan. The owner or operator of a MSWLF unit designed with a leachate collection system must establish and maintain a leachate management plan which includes the following:

(a) Periodic maintenance of the leachate collection system;

(b) Maintaining records for the amounts of leachate generated;

(c) Semi-annual leachate quality sampling;

(d) Approval for final leachate disposal; and

(e) A contingency plan for extreme operational conditions.

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