



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

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Secretary

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STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

LARGE TYPE 3 SOLID WASTE COMPOST FACILITY
Permit No. 6022 -COMPOST

Wallace Farm, Inc.
is hereby issued a

PERMIT TO OPERATE
WALLACE FARM COMPOST FACILITY

Located at 14410 Eastfield Road, in Huntersville, Mecklenburg County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The legal description of the site is identified on the deeds recorded for this property listed in Attachment No. 1 of this permit.

Ellen B. Lorscheider
Section Chief
Solid Waste Section

ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit Issuance	Date	Doc ID
Original Issue Permit to Operate (PTO)	July 31, 2000	24544
Permit renewal to Operate (PTO)	April 22, 2010	24507
Permit renewal to Operate (PTO)	XXXX, 2015	24374

PART II: LIST OF DOCUMENTS FOR APPROVED PLAN

Note – Documents referenced in this permit (e.g., Doc ID 24375) can be viewed online at the NC Solid Waste Section website in the Documents database.

1. *Application for Compost Facility, Operation and Maintenance Manual. Prepared by: E & A Environmental Consultants, Inc., Cary, NC. February 1998, revised through September 2000. Doc ID 24545 and 24548.*
2. *Application for Compost Facility, Permit Renewal, Operation and Maintenance Manual. Prepared by: Barnes R. Bierck, P. E., Chapel Hill, NC. August 2009 revised through December 2009. Doc ID 24555 and 24556.*
3. *Application for Compost Facility, Permit Renewal, Operation and Maintenance Manual. Prepared by: Garrett & Moore, Inc., Cary, NC. October 2014 revised through May 2015. Doc ID 24375.*

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Mecklenburg County, N.C. Register of Deeds			
Book	Page	Grantee (sold to)	Acres
29128	955	Woodley Wallace Farms, LLC	134.83
			Total Property: 134.83 acres

Mecklenburg County Parcel No. 02924103A. The actual compost area is 105.10 acres.

PART IV: GENERAL PERMIT CONDITIONS

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B .0201(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Operate shall expire **xxxx**, 2020. The Permit to Operate must be implemented in accordance with Attachment 3 of this permit.
2. The persons to whom this permit is issued (“permittee”) are the owners and operators of the solid waste management facility.

3. By receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
4. Operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit, and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition. Failure to comply may result in compliance action or permit revocation.
5. This permit is issued based on the documents submitted in support of the application for permitting the facility identified in Attachment 1, "List of Documents for Approved Plan," which constitutes the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.
6. This permit may be transferred only with the approval of the Section, through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g), the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to, a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.
7. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for sedimentation and erosion control, and a General or Individual National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit, if applicable. Issuance of this permit does not remove the permittee's responsibilities for compliance with any other local, state or federal rule, or statute.

- End of Section -

**ATTACHMENT 2
CONDITIONS OF PERMIT TO CONSTRUCT**

[NOT APPLICABLE]

- End of Section -

ATTACHMENT 3 CONDITIONS OF OPERATING PERMIT

1. The Permit to Operate shall expire **XXXX**, 2020. Pursuant to 15A NCAC 13B .0201(g), no later than **XXXX**, 2020, the permittee must submit a request to the Section for permit review and must update pertinent facility plans.
2. The facility must be adequately secured by means of gates, chains, berms, fences, or other measures approved by the Section to prevent unauthorized entry.
3. A sign must be maintained at the site entrance providing site information including the permit number, prohibited materials, and emergency contact information.
4. A responsible individual trained in facility operations must be onsite during all operating hours of the facility, in accordance with NCGS 130A-309.25.
5. Interior roadways must be of all-weather construction and maintained in good condition. All sides of storage and compost areas for flammable materials must be clear and drivable, to provide vehicular access in the event of a fire.
6. Only materials specifically listed in the permit application may be managed at this facility. These materials include wood and yard waste, animal manure, food waste, and other feedstocks (reference Doc ID 24375, pdf page 10). A request must be submitted to receive additional feedstocks, and may require a permit modification.
7. The total capacity of the site for composting is maximum 100,000 tons of material received per year. The facility also receives an additional maximum of 40,000 tons of wood material per year, to produce mulch. A permit modification is required for a request to increase capacity.
8. An appropriate Division of Water Resources (DWR) or Division of Energy, Mineral and Land Resources (DEMLR) permit for managing any stormwater or wastewater at the facility must be maintained as required. Any leachate generated at the facility and any runoff from the facility must be managed in such a manner that ground or surface water quality will not be adversely affected. The facility must be maintained to prevent the accumulation of stormwater and leachate on composting areas, storage areas, and roads.
9. Feedstocks must not be received that are in an anaerobic state.
10. Windrow dimensions for active composting must be limited to maximum 7 feet high and 16 feet wide, unless otherwise approved by the Section (reference Doc ID 24375, pdf page 144).
11. Turning and covering of windrows must meet the following:
 - a. The owner shall not turn any compost windrow that has been in existence less than six weeks unless it has two operators on site, one operating its compost

windrow turner and the second its custom spreader. Both operators shall work in tandem so that the top surface and the upper half of each side surface of compost windrows being turned are evenly covered with a three- to six-inch layer of finished compost or carbonaceous material within 90 minutes of completion of turning.

- b. Each newly created compost windrow must be evenly covered on the top surface and upper half of each side surface with a three- to six-inch layer of finished compost or other carbonaceous material within three hours of its creation.
 - c. The requirements of this condition shall be suspended during the occurrence of a "Force Majeure." The term Force Majeure shall mean tornadoes, sudden lightning storm, other Acts of God, and other events not reasonably within Wallace Farm's control or anticipation. Wallace Farm must promptly notify the Section upon the occurrence of an event of Force Majeure, must use reasonable efforts to promptly resume the requirements of this condition once the event of Force Majeure concludes, including resumption of any turning of windrows, and must promptly notify the Section upon the conclusion of such period of Force Majeure.
12. Windrow turning must not occur at the facility before 8:00 a.m. and after 4:00 p.m., and not without consulting the onsite weather station for favorable conditions, including temperature, wind direction, temperature inversions, and precipitation.
 13. The owner must advise Mecklenburg County and the Section by email at least one hour prior to turning of each of its compost windrows.
 14. Odor management procedures must be followed to minimize odors at the facility boundary, reference Doc ID 24375, pdf pages 25, 150-151, 163-164, and 206. Upon receipt of an odor complaint, the facility operator must investigate and take action as necessary to minimize the cause of the complaint. A copy of all written complaints regarding this facility must be maintained for the duration of the permit including the operator's actions taken to resolve the complaints.
 15. Upon the request of the Section, based upon field observations, Wallace Farm must consult with the Section and must eliminate an odorous feedstock within 60 days from the date of receiving the Section's field inspection report confirming the odor issue. After a full cycle of composting has elapsed (60 to 90 days) following the date of the elimination of the feedstock, the Section and Wallace Farm must assess odors at the property boundary. If the elimination of the feedstock results in an improvement of odor conditions at the property boundary, this feedstock must be permanently eliminated from the Wallace Farm composting process. If the elimination of the

feedstock does not result in an improvement of odor conditions at the property boundary, the feedstock may be reintroduced into the composting process. If and in the event that this feedstock is reintroduced and field observations warrant, Wallace Farm must eliminate another feedstock, following the same procedure delineated herein until a determination is made as to whether any particular feedstock should be eliminated because of it being a factor in affecting odor at the property boundary. If Wallace Farm has identified four feedstocks through this process, and the odor problem continues, the parties shall enter into negotiations on good faith to determine whether elimination of further feedstocks will affect odor at the property boundary. The Section shall not seek to require Wallace Farm to eliminate any feedstock that could be accepted at a Type I facility.

16. Stockpiling of feedstocks and compost onsite must meet the following:
 - a. Unprocessed yard waste must be limited to a maximum pile size of 30 feet high and 50 feet wide, unlimited length.
 - b. Curing, but not stable compost must be limited to maximum pile size of 30 feet high and 50 feet wide, unlimited length.
 - c. Stable compost, that is not undergoing rapid decomposition, has passed the Process to Further Reduce Pathogens (PFRP), with temperatures below thermophillic (113° F), must be limited to a maximum pile size of 60 feet high and 200 feet wide, unlimited length. Pile development and monitoring must follow the approved plan, reference Doc ID 24375, pdf pages 146-147.
17. Compost process data must be maintained in writing as required to document temperature, moisture level, oxygen level, and turning/aeration intervals. Bulk density and carbon to nitrogen ratio (C:N) calculations must be reviewed by the operator at least every 14 days.
18. Thermometers used for documenting composting temperatures must be calibrated annually. Documentation of calibration must be kept in the facility records.
19. Moisture levels must be maintained in the 40 to 60 percent range for newly created windrows and compost windrows within PFRP.
20. All compost produced at the facility must meet the requirements of Rule .1407 of the Solid Waste Compost Rules and the permit application.
21. Testing and reporting must be conducted in accordance with the requirements of Rule .1408 and the permit application.
22. In the event of a mechanical failure, the facility must immediately use its best effort to utilize substitute equipment for completion of the composting operation.

23. The facility must be operated in a manner that reduces the potential for vector attraction.
24. The facility must be operated and maintained with sufficient dust control measures to minimize airborne emissions and to prevent dust from becoming a nuisance or safety hazard. Facility operation must meet Division of Air Quality Rules 15 NCAC 2D. Fugitive dust emissions from the facility that contribute to substantive complaints may subject the facility to the Division of Air Quality requirements as listed in 15A NCAC 2D .0540.
25. Trash and unacceptable wastes received at the site must be stored in containers and promptly removed from the site for proper disposal.
26. An annual report of facility activities for the fiscal year July 1 to June 30 must be submitted to the Section by August 1 of each year on forms provided by the Section. This report must include the amount of materials composted in tons.
27. Copies of this permit, the approved plans, and all records required to be maintained by the permittee must be maintained at the facility and made available to the Section upon request during normal business hours.
28. Open burning of solid waste is prohibited. Fires must be reported to the regional environmental senior specialist with 24 hours of the occurrence, followed by a written report of the details of the fire within 10 days of the occurrence.
29. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act NCGS 113A-50, et seq., and rules promulgated under 15A NCAC 4. All required sedimentation and erosion control measures must be installed and operable to mitigate excessive on-site erosion and to prevent silt from leaving the compost area.
30. Facility construction, operations or practices must not cause or result in a discharge of pollution, dredged material, and/or fill material into waters of the state in violation of the requirements under Sections 401 and 404 of the Clean Water Act, as amended.
31. Groundwater quality at this facility is subject to the classification, monitoring, and remedial action provisions of 15A NCAC 2L. Groundwater monitoring may be required if there is an indication for the potential for groundwater contamination.
32. The neighborhood advisory committee shall meet at least quarterly to hear and consider concerns of any person, group or neighborhood regarding the compost operation. The committee shall elect a chair from the committee members. In the event a majority of the committee members believe a member is a hindrance to the process, then such member

will be removed. The role of the committee shall be advisory. The committee shall consist of the following, at a minimum:

- a. A neighborhood representative from the Simonton Drive community, two representatives from the Highland Creek community, one representative from the Skybrook Community, and one representative from the north side of Eastfield Road not represented by a neighborhood association. The neighborhood representatives shall be mutually agreeable to both Wallace Farm and to the neighborhood associations. If a mutually agreeable representative cannot be agreed upon, Wallace Farm and the designated neighborhood association shall each appoint a representative from the community.
- b. A Wallace Farm representative.
- c. A representative from an environmental organization selected by the committee.
- d. A non-voting employee from the Section or Mecklenburg County Land Use and Environmental Services Agency who shall attend periodically.

- *End of Permit Conditions* -