

1 15A NCAC 13B .1626 is proposed for amendment as published in 25:04 NCR 472 as follows:

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3 **15A NCAC 13B .1626 OPERATIONAL REQUIREMENTS FOR MSWLF FACILITIES**

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

6 (1) Waste Acceptance and Disposal Requirements.

- 7 (a) A MSWLF shall only accept those solid wastes which it is permitted to receive. The
8 landfill owner or operator shall notify the Division within 24 hours of attempted disposal
9 of any waste the landfill is not permitted to receive, including waste from outside the area
10 the landfill is permitted to serve.
- 11 (b) The following wastes are prohibited from disposal at a MSWLF unit:
- 12 (i) Hazardous waste as defined within 15A NCAC 13A, to also include hazardous
13 waste from conditionally exempt small quantity generators.
- 14 (ii) Polychlorinated biphenyls (PCB) wastes as defined in 40 CFR 761.
- 15 (iii) Liquid wastes unless they are managed in accordance with Item 9 of this Rule.
16 ~~Rule .1626(9) of this Section.~~
- 17 (c) Spoiled foods, animal carcasses, abattoir waste, hatchery waste, and other animal waste
18 delivered to the disposal site shall be covered immediately.
- 19 (d) Asbestos waste shall be managed in accordance with 40 CFR 61, which is hereby
20 incorporated by reference including any subsequent amendments and additions. Copies
21 of 40 CFR 61 are available for inspection at the Department of Environment, Health, and
22 Natural Resources, Division of Solid Waste, 401 Oberlin Road, Raleigh, N.C. at no cost.
23 The waste shall be covered immediately with soil in a manner that will not cause airborne
24 conditions and must be disposed of separate and apart from other solid wastes:
- 25 (i) At the bottom of the working face; or
- 26 (ii) In an area not contiguous with other disposal areas. Separate areas shall be
27 clearly designated so that asbestos is not exposed by future land-disturbing
28 activities.
- 29 (e) Wastewater treatment sludges may only be accepted for disposal in accordance with the
30 following conditions:
- 31 (i) Utilized as a soil conditioner and incorporated into or applied onto the
32 vegetative growth layer but, in no case greater than six inches in depth.
- 33 (ii) Co-disposed if the facility meets all design requirements contained within Rule
34 .1624, and approved within the permit, or has been previously approved as a
35 permit condition.

- 1 (f) Owners or operators of all MSWLF units must implement a program at the facility for
2 detecting and preventing the disposal of hazardous and liquid wastes. This program must
3 include, at a minimum:
- 4 (i) Random inspections of incoming loads or other comparable procedures;
 - 5 (ii) Records of any inspections;
 - 6 (iii) Training of facility personnel to recognize hazardous and liquid wastes; and
 - 7 (iv) Development of a contingency plan to properly manage any identified hazardous
8 and liquid wastes. The plan must address identification, removal, storage and
9 final disposition of the waste.
- 10 (g) Waste placement at existing MSWLF units shall meet the following criteria:
- 11 (i) Waste placement at existing MSWLF units not designed and constructed with a
12 base liner system approved by the Division shall be within the areal limits of the
13 actual waste boundary established prior to October 9, 1993 and in a manner
14 consistent with the effective permit.
 - 15 (ii) Waste placement at existing MSWLF units designed and constructed with a base
16 liner system permitted by the Division prior to October 9, 1993 and approved for
17 operation by the Division shall be within the areal limits of the base liner system
18 and in manner consistent with the effective permit.
- 19 (2) Cover material requirements.
- 20 (a) Except as provided in Sub-Item (b) of this Item, ~~(2)(b) of this Paragraph,~~ the owners or
21 operators of all MSWLF units must cover disposed solid waste with six inches of earthen
22 material at the end of each operating day, or at more frequent intervals if necessary, to
23 control disease vectors, fires, odors, blowing litter, and scavenging.
 - 24 (b) Alternative materials of an alternative thickness (other than at least six inches of earthen
25 material) may be approved by the Division if the owner or operator demonstrates that the
26 alternative material and thickness control disease vectors, fires, odors, blowing litter, and
27 scavenging without presenting a threat to human health and the environment. A MSWLF
28 owner or operator may apply for a generic approval of an alternative cover material,
29 which would extend to all MSWLF units.
 - 30 (c) Areas which will not have additional wastes placed on them for 12 months or more, but
31 where final termination of disposal operations has not occurred, shall be covered with a
32 minimum of one foot of intermediate cover.
- 33 (3) Disease vector control.
- 34 (a) Owners or operators of all MSWLF units must prevent or control on-site populations of
35 disease vectors using techniques appropriate for the protection of human health and the
36 environment.

- 1 (b) For purposes of this Item, "disease vectors" means any rodents, flies, mosquitoes, or
2 other animals, including insects, capable of transmitting disease to humans.
- 3 (4) Explosive gases control.
- 4 (a) Owners or operators of all MSWLF units must ensure that:
- 5 (i) The concentration of methane gas generated by the facility does not exceed 25
6 percent of the lower explosive limit for methane in facility structures (excluding
7 gas control or recovery system components); and
- 8 (ii) The concentration of methane gas does not exceed the lower explosive limit for
9 methane at the facility property boundary.
- 10 (b) Owners or operators of all MSWLF units must implement a routine methane monitoring
11 program to ensure that the standards of (4)(a) of this Rule are met. A permanent
12 monitoring system shall be constructed on or before October 9, 1994. A temporary
13 monitoring system shall be used prior to construction of the permanent system.
- 14 (i) The type and frequency of monitoring must be determined based on the
15 following factors:
- 16 (A) Soil conditions;
- 17 (B) The hydrogeologic conditions surrounding the facility;
- 18 (C) The hydraulic conditions surrounding the facility; and
- 19 (D) The location of facility structures and property boundaries.
- 20 (ii) The minimum frequency of monitoring shall be quarterly.
- 21 (c) If methane gas levels exceeding the limits specified in (4)(a) of this Rule are detected, the
22 owner or operator must:
- 23 (i) Immediately take all necessary steps to ensure protection of human health and
24 notify the Division;
- 25 (ii) Within seven days of detection, place in the operating record the methane gas
26 levels detected and a description of the steps taken to protect human health; and
- 27 (iii) Within 60 days of detection, implement a remediation plan for the methane gas
28 releases, place a copy of the plan in the operating record, and notify the Division
29 that the plan has been implemented. The plan shall describe the nature and
30 extent of the problem and the proposed remedy.
- 31 (iv) Based on the need for an extension demonstrated by the operator, the Division
32 may establish alternative schedules for demonstrating compliance with (4)(c)(ii)
33 and (iii) of this Rule.
- 34 (d) For purposes of this Item, "lower explosive limit" means the lowest percent by volume of
35 a mixture of explosive gases in air that will propagate a flame at 25°C and atmospheric
36 pressure.
- 37 (5) Air Criteria.

- 1 (a) Owners or operators of all MSWLFs must ensure that the units do not violate any
2 applicable requirements developed under a State Implementation Plan (SIP) approved or
3 promulgated by the U.S. EPA Administrator pursuant to Section 110 of the Clean Air
4 Act, as amended.
- 5 (b) Open burning of solid waste, except for the infrequent burning of land clearing debris
6 generated on site or debris from emergency clean-up operations, is prohibited at all
7 MSWLF units. Any such infrequent burning must be approved by the Division.
- 8 (c) Equipment shall be provided to control accidental fires or arrangements shall be made
9 with the local fire protection agency to immediately provide fire-fighting services when
10 needed.
- 11 (d) Fires that occur at a MSWLF require verbal notice to the Division within 24 hours and
12 written notification shall be submitted within 15 days.
- 13 (6) Access and safety requirements.
- 14 (a) The MSWLF shall be adequately secured by means of gates, chains, berms, fences and
15 other security measures approved by the Division to prevent unauthorized entry.
- 16 (b) An attendant shall be on duty at the site at all times while it is open for public use to
17 ensure compliance with operational requirements.
- 18 (c) The access road to the site shall be of all-weather construction and maintained in good
19 condition.
- 20 (d) Dust control measures shall be implemented when necessary.
- 21 (e) Signs providing information on dumping procedures, the hours during which the site is
22 open for public use, the permit number and other pertinent information specified in the
23 permit conditions shall be posted at the site entrance.
- 24 (f) Signs shall be posted stating that no hazardous or liquid waste can be received.
- 25 (g) Traffic signs or markers shall be provided as necessary to promote an orderly traffic
26 pattern to and from the discharge area and to maintain efficient operating conditions.
- 27 (h) The removal of solid waste from a MSWLF is prohibited unless the owner or operator
28 approves and the removal is not performed on the working face.
- 29 (i) Barrels and drums shall not be disposed of unless they are empty and perforated
30 sufficiently to ensure that no liquid or hazardous waste is contained therein, except fiber
31 drums containing asbestos.
- 32 (7) Erosion and sedimentation control requirements.
- 33 (a) Adequate sediment control measures (structures or devices), shall be utilized to prevent
34 silt from leaving the MSWLF facility.
- 35 (b) Adequate sediment control measures (structures or devices), shall be utilized to prevent
36 excessive on-site erosion.

- 1 (c) Provisions for a vegetative ground cover sufficient to restrain erosion must be
2 accomplished within 30 working days or 120 calendar days upon completion of any
3 phase of MSWLF development.
- 4 (8) Drainage control and water protection requirements.
- 5 (a) Surface water shall be diverted from the operational area.
- 6 (b) Surface water shall not be impounded over or in waste.
- 7 (c) Solid waste shall not be disposed of in water.
- 8 (d) Leachate shall be contained ~~on site or~~ within a lined disposal cell or leachate collection
9 and storage system. All leachate shall be properly treated prior to discharge. An NPDES
10 permit may be required prior to the discharge of leachate to surface waters.
- 11 (e) MSWLF units shall not:
- 12 (i) Cause a discharge of pollutants into waters of the United States, including
13 wetlands, that violates any requirements of the Clean Water Act, including, but
14 not limited to, the National Pollutant Discharge Elimination System (NPDES)
15 requirements, pursuant to Section 402.
- 16 (ii) Cause the discharge of a nonpoint source of pollution to waters of the United
17 States, including wetlands, that violates any requirement of an area-wide or
18 State-wide water quality management plan that has been approved under Section
19 208 or 319 of the Clean Water Act, as amended.
- 20 (9) Liquids restrictions.
- 21 (a) Bulk or non-containerized liquid waste may not be placed in MSWLF units unless:
- 22 (i) The waste is household waste other than septic waste and waste oil; or
- 23 (ii) The waste is leachate or gas condensate derived from the MSWLF unit, whether
24 it is a new or existing MSWLF unit or lateral expansion, is designed with a
25 composite liner and leachate collection system as described within Rule .1624 of
26 this Section.
- 27 (b) Containers holding liquid wastes may not be placed in the MSWLF unit unless:
- 28 (i) The container is a small container similar in size to that normally found in
29 household waste;
- 30 (ii) The container is designed to hold liquids for use other than storage; or
- 31 (iii) The waste is household waste.
- 32 (c) For the purpose of this Paragraph:
- 33 (i) Liquid waste means any waste material that is determined to contain "free
34 liquids" as defined by Method 9095 (Paint Filter Liquids Test), S.W. 846.
- 35 (ii) Gas Condensate means the liquid generated as a result of gas recovery processes
36 at the MSWLF unit.
- 37 (10) Recordkeeping requirements.

- 1 (a) The owner or operator of a MSWLF unit must record and retain at the facility, or an
2 alternative location near the facility approved by the Division, in an operating record the
3 following information as it becomes available:
- 4 (i) Inspection records, waste determination records, and training procedures
5 required in Item (1) of this Rule;
- 6 (ii) Amounts by weight of solid waste received at the facility to include source of
7 generation;
- 8 (iii) Gas monitoring results and any remediation plans required by Item (4) of this
9 Rule;
- 10 (iv) Any demonstration, certification, finding, monitoring, testing, or analytical data
11 required by Rules .1630 thru .1637 of this Section;
- 12 (v) Any monitoring, testing, or analytical data as required by Rule .1627 of this
13 Section; and
- 14 (vi) Any cost estimates and financial assurance documentation required by Rule
15 .1628 of this Section.
- 16 (b) All information contained in the operating record must be furnished upon request to the
17 Division or be made available at all reasonable times for inspection by the Division.
- 18 (c) The owner or operator must maintain a copy of the operation plan required by Rule .1625
19 of this Section at the facility.
- 20 (11) Spreading and Compacting requirements.
- 21 (a) MSWLF units shall restrict solid waste into the smallest area feasible.
- 22 (b) Solid waste shall be compacted as densely as practical into cells.
- 23 (c) Appropriate methods such as fencing and diking shall be provided within the area to
24 confine solid waste subject to be blown by the wind. At the conclusion of each day of
25 operation, all windblown material resulting from the operation shall be collected and
26 returned to the area by the owner or operator.
- 27 (12) Leachate management plan. The owner or operator of a MSWLF unit designed with a leachate
28 collection system must establish and maintain a leachate management plan which, at a minimum,
29 includes the following:
- 30 (a) Periodic maintenance of the leachate collection system;
- 31 (b) Maintaining records for the amounts of leachate generated;
- 32 (c) Semi-annual leachate quality sampling;
- 33 (d) Approval for final leachate disposal; and
- 34 (e) A contingency plan for extreme operational conditions.

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36 *History Note: Authority G.S. 130A-294;*
37 *Eff. October 9, ~~1993~~-1993;*

