



North Carolina Department of Environment and Natural Resources  
Division of Waste Management

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

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

**SOLID WASTE MANAGEMENT FACILITY**  
**Permit No. 2001-MSWLF-1990**

**Cherokee County**  
is hereby issued a:

**PERMIT TO CONSTRUCT**  
NOT APPLICABLE

**PERMIT TO OPERATE**  
NOT APPLICABLE

**PERMIT FOR CLOSURE**  
2001-MSWLF-1990 MUNICIPAL SOLID WASTE LANDFILL

Located on *S.R. 1515* east of Marble Community, Cherokee 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 1, Part I of this permit.

---

Edward F. Mussler, III, P.E.,  
Permitting Branch Supervisor  
Solid Waste Section

**ATTACHMENT 1**  
**GENERAL PERMIT CONDITIONS/INFORMATION**

Permit to Operate Data Table

Permit	Status	Issuance	Expiration
2001-MSWLF-1990	Closed	N/A	N/A

**PART I: GENERAL FACILITY**

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 Construct must be implemented in accordance with Attachment 2 of this permit. 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. This permit shall not be effective until the certified copy of this permit which references legal descriptions for all land within the solid waste management facility boundary is recorded in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit affixed with the Register's seal and the date, book, and page number of recording must be returned to the Solid Waste Section within thirty (30) calendar days of issuance of this permit. If the Solid Waste Section does not receive the certified copy of the recorded permit within 30 calendar days of issuance of the permit, then and in that event, the permit is suspended and of no effect until the date the Solid Waste Section receives the certified copy of the recorded permit.
4. When this property is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer shall contain in the description section in no smaller type than that used in the body of the deed or instrument, a statement that the property has been used as a sanitary landfill and a reference by book and page to the recordation of the permit.
5. By receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
6. Operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of the 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.

7. This permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in the “List of Documents for the Approved Plan” which constitute the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.
8. 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 shall 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.
9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for a General or Individual NPDES Stormwater Discharge Permit. Issuance of this permit does not remove the permittee’s responsibilities for compliance with any other local, state or federal rule, regulation or statute.

Properties Approved for the Solid Waste Facility

<b>Cherokee County, N.C. Register of Deeds</b>				
Book	Page	Landowner	Parcel ID No.	Acres
321	177	Cherokee County	553502562475000	44.6±
				Total Site Acreage: 44.6±

Notes:

1. Deed book references are from the Cherokee County GIS website (<http://66.119.96.71/flexviewers/gisflex/>) accessed November 2014.

**PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)**

Permitting History

1. On June 22, 1990 an amendment was made to the Permit for the construction and operation of a vertical expansion.
2. On September 21, 1993 a change in service area, to include Clay Graham and Swain Counties, was approved by the Section.
3. On March 5, 1997 the Transition Plan for the Cherokee County MSW Landfill was approved by the Section.

4. On August 25, 1998 the revised closure schedule for the Cherokee County MSW Landfill was approved by the Section.
5. On August 24, 1999 an Engineer's Certification was issued for the closure of the Cherokee County MSW Landfill.
6. On **December 11, 2014** a Permit for Closure was issued for the Cherokee County MSW Landfill.

<b>No.</b>	<b>Permit Type</b>	<b>Date Issued</b>	<b>DOC ID</b>
1.	Permit Amendment	June 22, 1990	
2.	Service Area Approval	September 21, 1993	22413
3.	Transition Plan Approval	March 5, 1997	22414
4.	Closure Schedule Approval	August 25, 1998	22415
5.	Closure Certification	August 24, 1999	22289
<b>6.</b>	<b>Permit for Closure</b>	<b>December 11, 2014</b>	<b>22140</b>

LIST OF DOCUMENTS FOR THE APPROVED PLAN

*The descriptions of previous/historical documents are found in the Transition Plan Approval issued March 5, 1997, DIN 22414.*

PART III: CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL UNIT(S)

*Not applicable*

PART IV: INDUSTRIAL LANDFILL UNIT(S)

*Not Applicable*

PART V: LAND CLEARING AND INERT DEBRIS LANDFILL UNIT(S)

*Not Applicable*

PART VI: TRANSFER STATION/TREATMENT & PROCESSING UNIT(S)

*Not Applicable*

- End of Section -

**ATTACHMENT 2**  
**CONDITIONS OF PERMIT TO CONSTRUCT**

**PART I: GENERAL FACILITY**

*Not Applicable*

**PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)**

*Not Applicable*

**PART III: CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL UNIT(S)**

*Not Applicable*

**PART IV: INDUSTRIAL LANDFILL UNIT(S)**

*Not Applicable*

**PART V: LAND CLEARING AND INERT DEBRIS LANDFILL UNIT(S)**

*Not Applicable*

**PART VI: TRANSFER STATION/TREATMENT & PROCESSING UNIT(S)**

*Not Applicable*

**PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT**

*Not Applicable*

*- End of Section-*

**ATTACHMENT 3**  
**CONDITIONS OF PERMIT TO OPERATE**

**PART I: GENERAL FACILITY**

*Not Applicable*

**PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)**

*Not Applicable*

**PART III: CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL UNIT(S)**

*Not Applicable*

**PART IV: INDUSTRIAL LANDFILL UNIT(S)**

*Not Applicable*

**PART V: LAND CLEARING AND INERT DEBRIS LANDFILL UNIT(S)**

*Not Applicable*

**PART VI - TRANSFER STATION/TREATMENT & PROCESSING UNIT(S)**

*Not Applicable*

**PART VII- MISCELLANEOUS SOLID WASTE MANAGEMENT**

*Not Applicable*

*- End of Section-*

## **ATTACHMENT 4**

### **CONDITIONS OF PERMIT FOR CLOSURE**

#### **PART I: GENERAL FACILITY**

1. Post-closure use of the property is subject to review and approval by the Division and must not disturb the integrity of the cap system, or the function of the monitoring systems. The Division may approve any other disturbance if the owner or operator demonstrates that disturbance of the cap system, including any removal of waste, will not increase the potential threat to human health or the environment.
2. The permittee must maintain a record of all monitoring events and analytical data. Reports of the sampling events and analytical data must be submitted to the Section in a timely manner.
3. Financial assurance as required by state rules and statutes must be continuously maintained for the duration of the facility in accordance with applicable rules and statutes. Closure and Post-Closure cost estimates and financial instruments must be updated annually.
4. Any proposed expansion to the closed landfill units will be considered a new landfill for purposes of Solid Waste Management permitting.

#### **PART II: MUNICIPAL SOLID WASTE LANDFILL UNIT(S)**

5. Landfill closure activities were completed on November 30, 1998. The landfill unit was certified as closed in accordance with the approved plans and specification on August 24, 1999 (DIN 22289).
6. The permittee must maintain the integrity and effectiveness of the cap system, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and prevent surface water from impounding over waste and run-on and run-off from eroding or otherwise damaging the cap system. In addition, a vegetative cover of native grasses must be maintained and mowed regularly.
7. Landfill gas extraction and methane monitoring must continue as approved by the Section. All structures necessary for gas extraction and methane monitoring must be properly maintained.
8. Assessment groundwater monitoring and surface water monitoring must continue as approved by the Section. All structures necessary for groundwater and surface water monitoring must be properly maintained.
9. Records of all post-closure monitoring and inspection activities must be maintained locally and available for inspection upon request.

PART III: CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL UNIT(S)

*Not Applicable*

PART IV: INDUSTRIAL LANDFILL UNIT(S)

*Not Applicable*

PART V: LAND CLEARING AND INERT DEBRIS LANDFILL UNIT(S)

*Not Applicable*

PART VI: TRANSFER STATION/TREATMENT & PROCESSING UNIT(S)

*Not Applicable*

PART VII: MISCELLANEOUS SOLID WASTE MANAGEMENT

*Not Applicable*

*- End of Permit Conditions -*