North Carolina Department of Environment and Natural Resources

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

CONSTRUCTION AND DEMOLITION WASTE TRANSFER FACILITY
Permit No. 2705T-Transfer-2011

SOUNDSIDE RECYCLING & MATERIALS, INC. (operator)
AND
H. D. NEWBERN, III AND MARLENE H. NEWBERN (landowner)

are all hereby issued a

PERMIT TO CONSTRUCT AND OPERATE

SOUNDSIDE C&D WASTE TRANSFER & RECYCLING CENTER
A CONSTRUCTION AND DEMOLITION WASTE TRANSFER FACILITY

Located at 7565 Caratoke Hwy, Jarvisburg, Currituck County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated there under 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 of this permit.

Digitally signed by Edward F. Mussler III, P.E.
DN: cn=Edward F. Mussler III, P.E., o=NCDWM, ou=Solid Waste Section, email=ed.mussler@ncdenr.gov, c=US
Date: 2014.09.22 16:04:05 -04'00'

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

ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit Issuance	Date Issued	Doc ID No.
Permit to Construct	July 27, 2000	7148
Permit to Operate	November 9, 2000	7148
Permit to Construct, concrete pad and ramp	April 30, 2001	7149
Permit to Operate	June 5, 2001	7149
Permit to Operate	March 28, 2002	7150
Permit to Operate	April 23, 2002	7150
Permit to Operate	June 5, 2002	7150
Permit to Operate	July 10, 2002	7150
Permit to Operate	July 22, 2005	3623
Permit to Construct and Operate	February 18, 2011	12932
Permit to Operate modification	September 22, 2014	21810

1. In February 2011, the facility permit was renewed and the facility layout was changed to move the waste transfer and recycling operation east of the power lines. The permit issuance approves only the C&D waste transfer, recycling, land clearing debris and clean wood waste storage/grinding/mulching operation, and concrete/block/brick grinding operation. The composting portion of the application is not approved.

PART II: LIST OF DOCUMENTS FOR APPROVED PLAN

1. Permit Application for Transfer & Recycling Facility, Soundside Recycling & Materials, Inc. June 2000. Doc ID 7148.
2. Application for Modification, Concrete Pad and Loading Ramp for the Transfer of Shingles, Soundside Recycling & Materials, Inc. March 2001. Doc ID 7149.
3. *Permit Application for Permit Renewal and Expansion, Soundside Recycling & Materials, Inc.* Prepared by Richardson Smith Gardner & Associates, Raleigh, NC. November 2008, revised through February 2011. *The composting portion of the application is not approved at this time.* Doc ID 12931.
4. Application for Modification, Gypsum Pad Construction and Modified Cost Estimates for Financial Assurance. April 2014. Doc ID 21809.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Currituck County, N.C. Register of Deeds			
Book	Page	Grantee (sold to)	Grantor (sold from)
172	325-327	H. D. Newbern, III and Marlene H. Newbern	H. D. Newbern, Jr. and Della C. Newbern
Map book 1	89	Survey Plat	
			Total Acreage: 30 acres

Note – The Currituck County Parcel IDs for the property are 011000000380000 and 011000000390000 (Tax Map 110, Lots 38 and 39).

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 Construct shall be implemented in accordance with Attachment 2 of this permit. The Permit to Operate shall expire February 18, 2016. 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. The Permit to Operate for this facility dated February 18, 2011, was recorded in the Currituck County Register of Deeds on March 2, 2011, in Deed Book 1154, pages 791 - 806, Doc ID 13202.
4. When this property is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer must 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 solid waste transfer station and a reference by book and page to the recordation of the permit.
5. By beginning construction or receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
6. Construction and 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.

7. 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.

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 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.

9. 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, regulation or statute.

- End of Section -

ATTACHMENT 2
CONDITIONS OF PERMIT TO CONSTRUCT

1. Construction of the transfer facility must be conducted in accordance with the approved plans listed in Attachment 1, Part II. Any revision or modification to these plans must be submitted to the Section for review and approval prior to implementation of the change, and may be subject to a permitting fee.

2. The initial, substantial, construction authorized by this Permit to Construct must commence within 18 months from the issuance date of this permit. If substantial construction does not begin within 18 months from the issuance date of this permit, then the permit shall expire. Substantial construction includes, but is not limited to, issuance of construction contracts, mobilization of equipment on site, and construction activities including installation of sedimentation and erosion control structures. The permittee may re-apply for the Permit to Construct prior to the expiration date. The re-application will

be subject to the statutes and rules in effect on that date and may be subject to additional fees.

EROSION AND SEDIMENTATION CONTROL REQUIREMENTS

3. All earth disturbing activities must be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4) and consistent with any other local, state or federal requirements.

4. 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.

5. Modifications to the approved sedimentation and erosion control activities require approval by the North Carolina Land Quality Section. The permittee must notify the Section of any sedimentation and erosion control plan modifications.

- End of Section-

ATTACHMENT 3
CONDITIONS OF PERMIT TO OPERATE

PART I: OPERATING CONDITIONS

1. The Permit to Operate shall expire February 18, 2016. Pursuant to 15A NCAC 13B .0201(g), no later than October 18, 2015, the owner or operator must submit a request to the Section for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.

2. The transfer facility is permitted to receive the following waste types:

   a. "Construction or demolition debris" as defined in G.S. 130A-290 (a)(4) means solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures. C&D waste does not include municipal and industrial wastes that may be generated by the on-going operations at buildings or structures.

   b. "Inert debris" as defined in G.S. 130A-290 (a)(14) means solid waste that consists solely of concrete, brick, concrete block, uncontaminated soil, rock, and gravel.

c. "Land-clearing debris" as defined in G.S. 130A-290 (a)(15) means solid waste which is generated solely from land-clearing activities, such as stumps, trees, limbs, brush, grass, and other naturally occurring vegetative material.

d. "Asphalt" in accordance with G.S. 130-294(m).

e. Wood pallets that are untreated and unpainted and have not been otherwise contaminated. Pallets from non-C&D waste sources may only be accepted if source separated. Pallets must not be accepted if mixed with other waste that is not acceptable at this facility, such as commercial or industrial waste.

3. Those wastes listed in 15A NCAC 13B .0542 (e), must not be accepted at the facility including, but not limited to, municipal solid waste, liquid waste, commercial and industrial wastes, and yard trash. Regulated asbestos containing material as defined in 40 CFR 61 must not be accepted at the transfer facility. Barrels and drums shall not be accepted unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste in contained therein.

4. This facility is permitted to receive construction and demolition (C&D) waste generated within Currituck and Dare counties in North Carolina. Waste must be transported for disposal to the East Carolina Environmental Landfill in Aulander, NC (Permit No. 08-03), John C. Holland Landfill in Suffolk, VA (Permit No. 280), Currituck County Transfer Station in Maple, NC (Permit No. 27-03T), Waterway Recycling, LLC, Chesapeake, VA (Permit No. PBR 506), and/or Atlantic Waste Disposal, Waverly, VA (Permit No. 562). Waste must only be transported to facilities whose service area includes the generation source. Proposed changes to the service area and/or the disposal facilities must be approved by the Section, are considered a modification to the permit, and may be subject to a permitting fee.

5. In accordance with the Currituck County Special Use Permit #PB 00-15:

a. The size of the facility operation must be restricted as follows: Recycling Area, 3.4 acres; Compost Area, 2.0 acres, and Hurricane Storage Area, 8.5 acres.
b. Storage of mulch in the sales area must not exceed 6 feet in height, 100 feet in length, and 60 feet in width.
c. Storage piles of any waste or recyclable must not exceed 15 feet in height.
d. Berms must be maintained to effectively conceal from public view from Caratoke Highway (US 158) all storage piles of waste and recyclable materials. Berm height must be at least 12 feet but may need to be higher depending on the height of the waste and recyclable storage piles.
e. Berm height must be uniform, complete, and continuous.
f. The operator is permitted one permanent sign and one temporary sign for the business.

g. Transportation equipment (tractors or trailers with or without debris) must not be parked or stored outside the designated area as shown on the approved site plan.

h. Comments of the County's Fire Marshall must be followed: (1) No Smoking except in designated areas is allowed. Signage should indicate appropriate areas, (2) Fire operations will require an all weather surface and 20 feet access width to all areas of the compound. Two ingress/egress points are recommended, (3) Each fuel-fired vehicle must be equipped with a 2A20BC or higher fire extinguisher, (4) A fire hydrant must be within 400 feet of all portions of any structure, and (5) Plant growth must be maintained in order to prevent windblown debris from leaving the site.

i. Hours of operation are 7:30 a.m. to 5:00 p.m. weekdays, and 7:30 to 12:00 p.m. on Saturdays. No operations are allowed on Sunday.

j. All materials must be kept onsite at all times and steps must be taken to keep material from blowing off the property.

6. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, solid waste that is generated within the boundaries of a unit of local government that by ordinance:

   a. Prohibits generators or collectors of solid waste from disposing of that type or form of solid waste.

   b. Requires generators or collectors of solid waste to recycle that type or form of solid waste.

7. A responsible individual trained and certified in facility operations must be on-site at all times during all operating hours of the facility, in accordance with G.S. 130A-309.25. An attendant must be present to oversee the loading and unloading of waste.

8. The permittee must actively employ a training and screening program at the facility for detecting and preventing unauthorized wastes from being accepted at the facility. At a minimum, the program must include:

   a. Random inspections of incoming loads or other comparable procedures.

   b. Records of all inspections.

   c. Training of personnel to recognize hazardous, liquid and other excluded waste types.

   d. Development of a contingency plan to properly manage any identified hazardous, liquid, or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.

9. The facility must be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the Section to prevent unauthorized entry.

10. Interior roadways must be of all-weather construction and maintained in good condition.

11. A sign must be posted at the entrance to the facility that states that no MSW, hazardous waste or liquid waste can be received at the facility; and that provides information on dumping procedures, the hours of operation, the permit number, and other pertinent information. Traffic signs or markers must be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.

12. A setback distance of 100 feet to the property line must be maintained from the waste unloading, sorting, waste loading, and waste and recyclable storage areas.

13. Waste must only be deposited on the tipping floor or directly into a transfer container. Waste must not be stored on the tipping floor or in the sorting conveyor area after operating hours.

14. Only cardboard, metal, plastic and glass from construction debris, residential tear-off shingles, sheet rock/gypsum, inert debris, pallets, and clean untreated and unpainted wood are approved for recycling. Engineered wood product (EWP) must not be sorted for recycling at the site unless it is approved in the future for composting. Plastic and glass from municipal solid waste, such as drink bottles, are not acceptable for sorting and recycling.

15. Demolition debris waste must not be sorted for recycling, unless an asbestos screening plan has been submitted to the Division of Epidemiology of the Department of Health and Human Services for approval and the approved plan forwarded to the Section for inclusion in the operations plan for the facility.

16. Loose cardboard and plastic (not baled), metal, glass, and shingles must be sorted and stored in containers by the end of each operating day. Containers must be covered at the end of each operating day, and during precipitation events. All other recyclable material must be removed from the tipping floor and sorting/conveyor area by the end of the operating day. All non-recyclables in the sorting area must be placed in transfer trailers or containers for disposal by the end of each operating day. Any tires found in the waste must be stored in covered containers.

17. Recycled materials and waste tires placed in containers must be removed from the site once the container is full. Recyclable material must not be stored onsite longer than one year. Containers of non-recyclable waste must be removed from the site at least weekly. The maximum onsite storage of non-recyclable waste is 40 cubic yards, and the

maximum onsite storage of tires is 40 cubic yards. The maximum onsite storage of recyclables is listed in the following table:

Recyclable	**Maximum onsite storage volume***
Cardboard (loose, not baled)	40 cubic yards (cy) in containers
Shingles	80 cy in containers
Plastic (loose, not baled)	40 cy in containers
Plastic and cardboard bales	50 bales (plastic and cardboard) covered with tarp
Glass	40 cy in containers
Metal	40 cy in containers
Pallets	250 cy in piles
Clean wood	250 cy in piles
Gypsum	750 cy in piles, on a liner with run-on and run-off controls
Vegetative (green) waste	250 cy in piles
Colored mulch	700 cy in piles
Mulch	700 cy in piles
Clean mulch	700 cy in piles
Land clearing debris	6,000 cy in the land clearing storage area (non-emergency)

* Note – A storage container that is 8’x15’ or 8’x20’ is approximately 40 cubic yards

18. Storage piles of any waste and/or recyclable material in the relocated area must not be larger than 15 feet in height (County requirement) and 50 feet in width. There is no limit on the length.

19. Wood waste and mulch piles should be monitored for temperature and heat generation and should be decreased in size, as necessary, to prevent temperatures in excess of 110 degrees Fahrenheit. Wood and mulch piles with temperatures in excess of 110 degrees F may require composting according to Section .1400 of the Solid Waste Management Rules, and a permit.

20. All water or liquid that comes in contact with solid waste, including vehicle wash-down water and water in contact with gypsum, is leachate and must be captured and properly disposed. Leachate must not be allowed to enter the stormwater drainage basins. Incoming waste and recyclables must not be unloaded onto the tipping area/conveyor area during rainfall and other precipitation events. Any waste or material present on the tipping floor/conveyor area during rainfall events must be promptly removed and containerized. Waste must not be placed in ponded water.

21. The tipping floor, sorting and conveyor area, and transfer trailer loading area must be maintained in a clean, sanitary condition at all times and must be cleaned at least daily.

22. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.

23. Control measures must be utilized to minimize and eliminate visible fugitive dust emissions and blowing litter. Windblown materials must be collected by the end of the day and no windblown material may be allowed to leave the facility boundary.

24. Open burning of solid waste is prohibited. Fires must be reported to the Regional Waste Management Specialist within 24 (twenty-four) hours of the occurrence with a written notification to be submitted within 15 (fifteen) calendar days of the occurrence. The report must include the cause, the location(s) on the premises, the dimensions and volume of material involved, a description of emergency response activities with results, and a description of mitigation measures implemented to reduce or eliminate conditions leading to the fire. All sides of storage areas for flammable materials/waste should be clear and driveable, to provide vehicular access in the event of a fire. Dimensions of the fire lanes must be coordinated with the Fire Marshall having jurisdiction over the site.

25. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated under 15A NCAC 4.

26. 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.

27. Copies of this permit, the approved plans and all records required to be maintained by the permittee must be maintained at the facility, unless otherwise approved by the Section, and made available to the Section upon request during normal business hours.

28. The permittee must maintain a record of the amount of solid waste received at the facility, including daily records of waste received and origins of the loads. Scales must be used to weigh the amount of waste received. The permittee must maintain a record of the amounts of waste transported out of the facility for disposal, amounts of materials transported out of the facility for recovery and recycling, and amounts of waste or material with any other final disposition, to be compiled on a monthly basis. The daily records are to be summarized into a monthly report for use in the required annual reports. Documentation of end-users/processors/recyclers must be maintained for recycled and recovered materials.

29. On or before August 1 annually, the Permittee must submit an annual facility report to the Section, on forms prescribed by the Section.

a. The reporting period shall be for the previous year beginning July 1 and ending June 30.

b. The annual facility report must list the amount of waste received in tons and be compiled:

   i. On a monthly basis.
   ii. By county, city or transfer station of origin.
   iii. By specific waste type.
   iv. By receiving disposal facility.
   v. By diversion to alternative management facilities.

c. The tons of C&D waste recycled, recovered or diverted from disposal including a description of how and where the material was ultimately managed must be included in the report.

d. The completed report must be forwarded to the Regional Environmental Senior Specialist for the facility by the date due on the prescribed annual facility report form.

e. A copy of the completed report must be forwarded to each county manager for each county from which waste was received the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Senior Specialist by the date due on the prescribed annual facility report form.

30. Financial assurance as required by state rules and statutes must be continuously maintained for the duration of the facility in accordance with the applicable rules and statutes. The financial assurance amount is calculated based on an average incoming rate of 160 tons per 5 operational days and the maximum amount of materials to be stored onsite. The financial assurance amount must be increased if the actual average incoming rate is more than 160 tons per 5 days.

PART II: MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS

COMPOSTING OPERATION

31. The composting operation as described in the permit application is not approved for this property at this time.

- End of Permit Conditions –