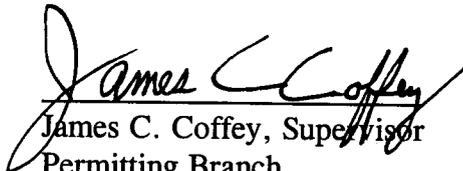


CERTIFIED COPY OF SOLID WASTE PERMIT

I do hereby certify that the attached PERMIT is an exact and true copy of Permit No. 28-03.


James C. Coffey, Supervisor
Permitting Branch
Solid Waste Section

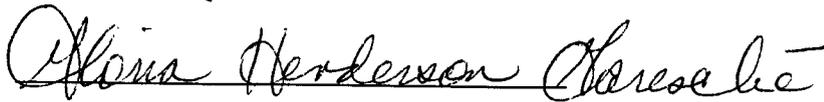
North Carolina

Wake County

I, Alona Henderson Aresche, a Notary Public for said County and State, do hereby certify that James C. Coffey, Solid Waste Section, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 28th day of March, 1997.

OFFICIAL SEAL



NOTARY PUBLIC

My commission expires 11-07, 1996.

State of North Carolina
Department of Environment,
Health and Natural Resources
Division of Solid Waste Management
Fayetteville Regional Office

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
William L. Meyer, Director



March 14, 1995

Mr. Terry Wheeler, County Manager
PO Box 1000
Manteo, NC 27954

Re: Solid Waste Permit No. 28-03
Dare County Construction/Demolition Landfill and
Scrap Tire Processing/Scrap Tire Monofill
Amendment #1

Dear Mr. Wheeler:

The referenced permit is issued in accordance with N.C.G.S. 130A-294 and the N.C. Solid Waste Management Rules, 15A NCAC 13B. Attachment 1 lists documents included in the Approved Plan. The approved facility description includes the area described in the attached legal description (Attachment 1, Document 1). Within the approved facility, the areas permitted for construction/demolition disposal and Scrap Tire Processing/Scrap Tire Monofill are shown on Drawing 2 (Site Map) of Document 1, revised 14 December 1994 and sealed 2 January 1995.

This permit is for a five-year period for Cells 1 (revised) and 2 consistent with the final contours shown on Drawing 2 (Site Plan) of the approved plans. At the end of this five-year period, Dare County may apply for an expansion but will be subject to all rules in effect at that time. This permit is issued to Dare County as the owner and operator of the facility.

Please refer to the GENERAL Conditions of this permit for recordation procedures, the definition of the approved plan, and for general terms of the Solid Waste Permit. The CONSTRUCTION AND OPERATION conditions describe permitted fill areas, acceptable waste types, landfill operation, and requirements which must be satisfied prior to operation of the facility as a Construction/Demolition landfill and Scrap Tire Processing/Scrap Tire Monofill. Specific requirements for groundwater monitoring and facility record keeping and reporting are described in the MONITORING AND REPORTING conditions.

Please review the Conditions of Permit thoroughly, especially the following specific conditions:

Mr. Wheeler
Page 2
March 14, 1995

1. Construction and Operation Requirement No. 4.a. to require the Design Engineer certify that Cells 1 (revised) and 2 have been constructed according to the approved plans.
2. Monitoring and Reporting Requirement No. 1.e. requires that the groundwater quality monitoring wells must be installed and sampled prior to accepting waste at this landfill.
3. Please consult with Mr. Bobby Lutfy, Solid Waste Section Hydrogeologist at (919) 733-0692 just prior to well construction to help ensure that completed wells meet well construction standards and will be acceptable for monitoring purposes.

Again, please review the Conditions of Permit thoroughly and contact me if you have any questions or if you require further clarification. Mr. Chuck Boyette is the Section's Waste Management Specialist for this area and can be contacted at the DEHNR Washington Regional Office, 1424 Carolina Ave., Washington, NC 27889 or by phone at (919) 975-3716. Please contact me, when the site construction process is within two to three weeks of completion, to set a date and time for a Pre-Operative site inspection at (910) 486-1191.

Respectfully,



Jim Barber
Eastern Area Engineer
Solid Waste Section

Enclosure

cc: Jim Coffey
Terry Dover
Chuck Boyette
Butch Smith, P.E., AWT
CENTRAL FILE - (28-03)

DATE ISSUED: September 7, 1994
AMENDMENT #1: March 14, 1995

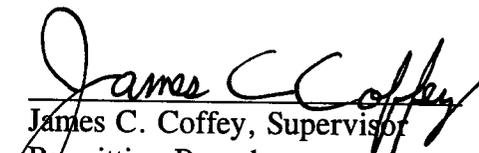
SOLID WASTE PERMIT NO. 28-03

Dare County

is hereby issued a permit to construct and operate a

Construction/Demolition Landfill and a Scrap Tire Processing/Scrap Tire Monofill

located west of US Highway 264 approximately 2.4 miles south of the intersection of US Highway 64/264 in Dare 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 facility is located and described by the legal description of the site on the boundary survey for the Dare County Landfill prepared by William T. Robbins, a Registered Land Surveyor, NC #L-2677, September 3, 1987.


James C. Coffey, Supervisor
Permitting Branch
Solid Waste Section

PERMIT NO. 28-03
DATE ISSUED: 09-7-94
Amendment #1: 03-14-95
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SOLID WASTE PERMIT
Permit to Construct and Operate
Dare County
Construction/Demolition Landfill and
Scrap Tire Processing/Scrap Tire Monofill

CONDITIONS OF PERMIT:

GENERAL

1. This permit shall not be effective unless the certified copy is filed in the Register of Deeds Office, in the grantor index under the name of the owner of the land in the county or counties in which the land is located. After recordation, the certified copy shall be returned to the Solid Waste Section (SWS) and shall have indicated on it the page and book number, date of recordation, and the Register's seal.
2. When this property is sold, leased, conveyed or transferred, 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.
3. This permit will be subject to review every five years as per 15A NCAC 13B .0201(c), according to the issuance date of this permit. Modifications to the facility may be required in accordance with rules in effect at the time of review.
4. The approved plan is described by Attachment 1, "List of Documents for the Approved Plan". Where discrepancies may exist, the most recent submittal and the Conditions of Permit shall govern. Some components of the approved plan are reiterated in the Conditions of Permit.
5. This permit is not transferable.
6. A copy of this permit and the approved plans shall be maintained at the facility.
7. The applicant is responsible for obtaining any and all permits and approvals necessary for the development of this project prior to the commencement of construction activities.

CONSTRUCTION AND OPERATION

1. This permit is for development of the Dare County Construction/Demolition Landfill and Scrap Tire Processing/Scrap Tire Monofill, within the approved facility description in Document 1 of the approved plan. This permit is for a five-year period for Cells 1(revised) and 2 consistent with the final contours shown on Drawing 2 (Site Plan) of the approved plans.
2. This solid waste management facility is permitted to receive the following waste types:
 - a. Land-clearing debris as defined in G.S. 130A-290, specifically, solid waste which is generated solely from land-clearing activities, such as stumps, trees, etc.;
 - b. Inert debris defined as solid waste which consists solely of material that is virtually inert, such as brick, concrete, rock and clean soil; and
 - c. Asphalt in accordance with G.S. 130-294(m).
 - d. Construction and demolition debris defined as solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures.
 - e. Scrap Tire Monofill defined as a Sanitary landfill, or portion thereof, permitted exclusively for scrap tire disposal.

Yard trash as defined in G.S. 130A-290, shall **NOT** be disposed in the landfill area.
3. All sedimentation/erosion control activities will be conducted in accordance with the Sedimentation Control Act codified as 15 NCAC 4. Native vegetation shall be established on the completed landfill.
4. The following requirements shall be met prior to approval being granted to operate this facility:
 - a. Site preparation shall be in accordance with the construction plan and the conditions specified herein and construction of Cells 1(revised) and 2 shall be certified by the design engineer to be constructed in accordance with the approved plans.
 - b. Site inspection shall be made by a representative of the Division of Solid Waste Management (DSWM).
 - c. Signs shall be posted at the facility in accordance with the Access and Safety Requirements under Operation Condition No. 5 listed below.
 - d. Groundwater monitoring wells (see Monitoring and Reporting Requirements) shall be installed in accordance with the approved groundwater monitoring plan. A baseline sampling for water quality shall be performed. Well construction records and sample analysis results shall be submitted to the

Section Hydrogeologist for review and approval prior to operation of the facility as a C&D landfill.

- e. Recordation procedures for the permit shall be implemented as described above in General Conditions Numbers 1 and 2.
5. Operation of the C&D landfill units shall conform to the operating procedures described in the approved plan, in accordance with Section .0505 of the Solid Waste Management Rules, and in accordance with the following requirements:

Waste Acceptance and Disposal

- a. The facility shall accept only those solid wastes which it is permitted to receive.
- b. No municipal solid waste, hazardous waste, or liquid waste shall be accepted for disposal.
- c. The permittee shall implement a program at the facility for detecting and preventing the disposal of municipal solid waste (MSW) and hazardous or liquid wastes. The program shall include, at a minimum:
 - (i) Random inspections of incoming loads or other comparable procedures;
 - (ii) Records of any inspections;
 - (iii) Training of personnel to recognize hazardous and liquid wastes;
 - (iv) Development of a contingency plan to properly manage any identified hazardous, liquid or MSW wastes; The plan must address identification, removal, storage, and final disposition of waste.

Cover Material Requirements

- a. Operational soil cover of at least six inches shall be placed at least once per week or when the active area reaches one-half acre in size, whichever occurs first.
- b. Areas which will not have additional waste placed on them for 12 months or more, but where final termination of operations has not occurred, shall be covered with a minimum of one foot of soil cover.
- c. After final termination of disposal operations at the C/D unit or major part thereof, or upon revocation of a permit, the fill areas shall be covered with at least two feet of suitable compacted earth.

Access and Safety

- a. The facility shall be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the DSWM 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 when necessary.
- e. Signs providing information on dumping procedures, the hours of operation, the permit number, and other pertinent information shall be posted at the site entrance.
- f. Signs shall be posted stating that no MSW, hazardous waste 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 the facility is prohibited unless the owner/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.
- j. Open burning of solid waste is prohibited.
- k. The concentration of explosive gases generated at the facility shall not exceed:
 - i. twenty-five percent of the limit for gases in site structures (excluding gas control or recovery system components; and
 - ii. the lower explosive limit for gases at the facility boundary.
- l. The construction of structures necessary to ensure the safety of operators and users of the landfill shall be implemented by the owner.

Erosion and Sedimentation Control

- a. Adequate sedimentation and erosion control measures shall be practiced to prevent silt from leaving the site.
- b. Adequate sedimentation and erosion control measures shall be practiced to prevent excessive 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 C&D landfill development.

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. A separation distance of at least four feet shall be maintained between waste and the ground-water table.

- d. Solid waste shall not be disposed of in water.
- e. Leachate shall be contained on site or properly treated prior to discharge. An NPDES permit may be required prior to discharge of leachate to surface waters.

All pertinent landfill operating personnel will receive training and supervision necessary to properly operate this landfill.

- 6. Ground water quality at this facility is subject to the classification and remedial action provisions referenced in Rule .0503 (2)(d) of 15A NCAC 13B.
- 7. A closure and post-closure plan must be submitted for approval at least 90 days prior to closure or partial closure of any landfill unit. The plan must include all steps and measures necessary to close and maintain the facility in accordance with all rules in effect at that time. At a minimum, the plan shall address the following:
 - a. Design of a final cover system;
 - b. Construction and maintenance/operation of the final cover system and erosion control structures;
 - c. Surface water, ground water, and explosive gas monitoring.

MONITORING AND REPORTING REQUIREMENTS

- 1. Ground-water monitoring wells and monitoring requirements for the C&D landfill units:
 - a. Monitoring well design and construction shall conform to the specifications outlined in Attachment 2, "North Carolina Water Quality Monitoring Guidance Document for Solid Waste Facilities" and the North Carolina Well Construction Standards, 15A NCAC 2C .0108.
 - b. A total of eight locations as illustrated in the approved plan shall be established to monitor the facility.
 - c. A geologist shall be in the field to supervise well installation.
 - d. For each monitoring well constructed, a well completion record shall be submitted to DSWM within 30 days upon completion.
 - e. Prior to the acceptance of any waste at the facility, a baseline sampling event shall be completed.
 - f. Sampling equipment and procedures shall conform to specifications outlined in the above-referenced guidance document, (Attachment 2), or the current guidelines established by DSWM at the time of sampling.

2. Dare County should employ a record keeping method that accounts for "tires received" and "tires processed" on a daily(cumulative) basis to ensure that the storage limit is not being exceeded as described in 15A NCAC 13B .1110 (a); " A scrap tire processing facility shall not accept any scrap tires for processing above the number which can be processed daily if it has reached its storage limit". Units of measure shall be consistent with Solid Waste rules equating 100 tires/ton or 10 tires/cu. yd. and the record keeping shall be made available at the time of inspection or at the request of the Solid Waste Section.
3. A minimum of seventy-five percent (75%) of tire derived products must be disposed of in Dare County's tire monofill or shipped off-site on an annual basis. Adjustments to this percentage to allow additional amounts of storage or adjustments to allow additional length of storage time must be approved by the Solid Waste Section.
4. This facility shall conform to the operating procedures set forth under section 0.1107 of the Solid Waste Management Rules and the following specific conditions:
 - a. Within one (1) month after termination of operations at the site or a major portion thereof or upon revocation of this permit, all scrap tire and scrap tire derived products shall be removed to a permitted solid waste management facility approved to received this type of waste.
 - b. The Division may require further action to be taken in order to correct any condition which is or may become injurious to the public health or environment.
 - c. Adequate fire protection measures shall be in place and fire prevention procedures shall be practiced at all times. Equipment shall be provided to control accidental fires or arrangements shall be made with the local fire protection agency to immediately provide fire-fighting services when needed.
 - d. Adequate control measures and practices shall be employed to prevent any pollutants from contaminating surface water, groundwater, and soil.
 - e. A copy of the Emergency Preparedness Manual must be kept readily available to employees on the site at all times.
 - f. The site shall be adequately secured to prevent unauthorized entry. An attendant shall be on duty at the site at all times while it is open for public use to assure compliance with operation requirements.

- g. Tires shall be stored in accordance with the approved site plan. Any proposed changes in storage or procedures shall require approval by the Solid Waste Section. Out door tires storage shall comply with 15 NCAC 13B .1107 (2).
5. A report shall be submitted annually on March 1 to the Division containing the information required under 15A NCAC 13B. 1110 (d).
 6. A sign with the name of the facility and permit number must be erected and maintained at the entrance of the facility.

SCRAP TIRE MONOFILL:

1. This solid waste disposal site is permitted to receive scrap tires only.
2. All future necessary maintenance and closure activity shall be the responsibility of Dare County, the permittee. Necessary maintenance will be specified in the closure letter at the time of closure.
3. This facility shall conform to all operating procedures described in the approved plan, in accordance with Section 0.1108 of 15A NCAC 13B and as specified herein.
 - a. Tires shall be chopped or split, restricted to the smallest area feasible and compacted as densely as practical into cells.
 - b. Tires shall be covered twice per week with at least 6" of suitable cover or more frequently if necessary to prevent a public health nuisance. Areas which are inactive for 3 months or more shall be covered with a minimum of 12" of suitable cover. After six months of final termination of disposal activities or a major part thereof, a minimum of 24" of suitable compacted earth shall be provided.
 - c. Adequate erosion control measures shall be practiced to minimize on-site erosion and prevent off-site siltation.
 - d. Within six months after final termination of disposal operations at the site or a major part thereof or upon revocation of a permit, the area shall be stabilize with native grasses.

- e. Temporary seeding will be utilized as necessary to stabilize the site.
 - f. Surface water shall be diverted from operational areas and not allowed to impound over waste. All slopes shall be graded to promote run-off and minimize erosion.
 - g. A minimum separation distance of 4 feet between tires and ground water table shall be maintained. Tires **shall not** be disposed of in water.
 - h. Burning of tires is prohibited.
 - i. Equipment shall be maintained on-site to control fires.
 - j. Fires that occur at the tire monofill shall be reported to the Division within 24 hours and a written notification shall be submitted within 15 days.
 - k. All pertinent tire monofill operating personnel shall receive training and supervision necessary to properly operate this monofill.
 - l. The site shall be adequately secured by means of gates, chains, berms, fences, and other security measures approved by the Division to prevent unauthorized entry. A trained operator shall be on duty at all times while the facility is open to ensure compliance with operational requirements.
 - m. Adequate measures must be taken to minimize dust problems, control noise, and to operate in such a manner as not to create a nuisance or a potential public health hazard.
4. All sedimentation/erosion control activities will be conducted in accordance with the Sedimentation Control Act(15A NCAC 4) and the approved Erosion & Sedimentation Control plan.
 5. On or before August 1, 1995 and each year thereafter, Dare County shall report the amount of scrap tires (in tons) received at this facility and disposed of in the scrap tire monofill or other approved landfill, to the Solid Waste Section on forms prescribed by the Section. This report shall include the following information:
 - a. The reporting period shall be for the previous year, beginning July 1 and ending June 30;
 - b. The amount of waste received and landfilled in tons, compiled on a monthly basis.
 6. All records shall be maintained on-site or at a alternate site, and made available to the Division of Solid Waste Management upon request.

ATTACHMENT 1

List of Documents for the Approved Plan

1. Revised Construction Plan Application for Dare County Construction and Demolition Landfill submitted by Applied Water Technology on behalf of Dare County received in Solid Waste Section Office on July 1, 1994.
2. Hydrogeological Report submitted by Geohydro on behalf of Dare County received in Solid Waste Section Office on November 17, 1993.
3. Response to review comments submitted by Applied Water Technology on behalf of Dare County dated August 18, 1994.
4. Letter regarding lead impacts from shooting range on landfill groundwater monitoring system submitted by Applied Water Technology on behalf of Dare County dated August 23, 1994.
5. Amendment #1: Revised construction plan integrating a scrap tire processing facility and scrap tire monofill in the North portion of Cell 1 of the C&D landfill; and a Operation Plan prepared for the scrap tire processing/scrap tire monofill, dated 3 Jan. 1995, submitted by Applied Water Technology on behalf of Dare County and received by the Solid Waste Section on 3 Jan. 1995.