NCDENR

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Pat McCrory
Governor

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

SOLID WASTE MANAGEMENT FACILITY
PERMIT NO. 3505-TP-2014

Bald Eagle Land Development, LLC, owner
Capital Materials & Recycling, operator

are hereby issued a

Permit to Operate

A Treatment and Processing Facility

Located in Franklin County at 2095 US 1 Hwy, Franklinton, NC 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 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: 2014.12.08 13:15:15 -05'00'

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

Part I: Permitting History

	Date Issued
Original Issue Permit to Operate, Perry Demo Landfill (PIP Demo Landfill Permit No. 35-C)	September 13, 1991
Closure (Permit No. 35-C)	March 13, 2006
Permit to Construct and Operate (Permit No. 35-03TP)	March 10, 2006
Permit to Operate (Permit 3505-TP-2014)	December 8, 2014

Part II: List of Documents for the Approved Plan

1. November 2005 Operations Plan DIN 20254.
2. November 2005 Erosion and Sedimentation Control Plan DIN 20255.
3. November 19, 2012 Application to renew Treatment & Processing permit DIN 17779.
4. February 7, 2013 Technical review letter from NC Solid Waste Section DIN 20256.
5. October 20, 2014 Revised application to renew Treatment & Processing permit DIN 22442.

Part III: Properties Approved for the Solid Waste Facility

Franklin County, NC Register of Deeds

Book	Page	Grantor	Grantee	Parcel ID
1458	143	North State Bank	Bald Eagle Land Development	1854-13-8602

Total acreage: 71.53

Note: Property was previously owned by Organic Partners, LLC and then owned by North State Bank.

Part IV: General 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 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. The permit shall not be effective until the certified copy of this permit which shows current ownership and 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 Section within 30 calendar days of issuance of this permit. If the 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 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 solid waste management facility 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 shall 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 Attachment 1, "List of Documents for Approved Plan," and 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 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 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.

-End of Section-

ATTACHMENT 2
CONDITIONS OF PERMIT TO CONSTRUCT

Not applicable

ATTACHMENT 3
CONDITIONS OF PERMIT TO OPERATE

1. Financial assurance must be continuously maintained for the duration of the facility in accordance with NCGS 130A 295.2. The owner and operator must annually adjust cost estimates for inflation.

2. The Permit to Operate shall expire December 8, 2019. Pursuant to 15A NCAC 13B .0201(g), no later than June 8, 2019, the permittee must submit a request to the Section for permit review and must update pertinent facility plans.

3. The facility is permitted to receive vegetative debris from land clearing operations, including clean untreated and unpainted wood, vegetative land clearing debris, root mat, stumps, limbs, tree trunks, soil and bushes. Unpainted concrete block, slab, brick or stone may be accepted at the concrete grinding area. Materials NOT accepted at the facility include: metals, brick, block, stone, plastics, liquids, treated wood products, tires, or other non-vegetative debris. A permit modification is required to be submitted and approved to receive additional types of waste.

4. The treatment and processing area consists of 31.44 acres, as shown on the application drawings.

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

6. A sign must be maintained at the site entrance providing information on the types of acceptable waste, the permit number, and emergency phone numbers.

7. A buffer of at least 100 feet must be maintained between the property line and the treatment and processing operation. A 25-foor minimum distance is required around the vegetative debris processing and storage areas for access of firefighting equipment. This access can be within the 100 foot buffer to the property line.

8. A responsible individual trained in facility operations must be on-site during all operating hours of the facility, in accordance with NCGS 130A-309.25.

9. Unacceptable wastes received at the site must be stored in containers and promptly removed from the site for proper disposal.

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

11. In the event of a mechanical failure, the facility must take prompt action to utilize substitute equipment.

12. Storage of pre-processed debris must be limited to a maximum of 30 feet high and 50 feet wide. A minimum of 15-foot row aisles must be maintained to separate the piles.

13. Storage of finished product/mulch must be limited to a maximum of 30 feet high and 50 feet wide. A minimum of 15-foot row aisles must be maintained to separate the piles in all storage areas.

14. 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. 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.

15. Effective vector control measures must be implemented as necessary to control flies, rodents, insects, or vermin.

16. Open burning of waste is prohibited. Fires must be reported to the Regional Waste Management Specialist within 24 hours of the occurrence with a written notification to be submitted within 15 calendar days of the occurrence.

17. Heat generation in the storage piles shall be monitored to prevent elevated temperatures that may lead to spontaneous combustion.

18. Surface water must be diverted from all operation and storage areas to prevent standing water in and around storage piles. Any leachate generated at the facility must be managed to prevent contamination of groundwater and surface water.

19. 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.

20. 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.

21. The permittee must maintain records of the amount of solid waste received at the facility. 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.

22. 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.

-End of Section-

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 3505-TP-2014 for the Capital Materials & Recycling, LLC Treatment and Processing Facility.

Ed Mussler, PE
Environmental Engineer
Permitting Branch
Solid Waste Section
Division of Waste Management

North Carolina

Franklin County

I, ELIZABETH A. PATTERSON, Notary Public for JOHNSTON County,

North Carolina, do hereby certify that Ed Mussler, PE, Environmental Engineer with the Permitting Branch, Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal,

This the 8TH day of DECEMBER, 20 14.

OFFICIAL SEAL

NOTARY PUBLIC

ELIZABETH A. PATTERSON
NOTARY PUBLIC
Johnston County
North Carolina
My Commission Expires 01/25/2016

My commission expires JANUARY 25, 2016.

Note to Register of Deeds: This certified original permit shall be recorded by the Register of Deeds and indexed in the grantor index under the name of the land owner. The certified original affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Permitting Branch Supervisor, Division of Waste Management, Solid Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646.

NOTE: THE SPACE ABOVE IS FOR THE REGISTER OF DEEDS USE

This page is provided for recordation purposes. The **entire document**, including this page, should be recorded at the Register of Deeds and indexed as follows:

Grantor/Landowner: BALD EAGLE LAND DEVELOPMENT, LLC

Grantee/Holder of Permit: NC DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Document Type: Permit to Operate

Description: Treatment and Processing Facility

The property is identified by the deeds recorded as listed below:

Franklin County, N.C. Register of Deeds			
Book	Page	Name of Landowner	Acres
1458	143	Bald Eagle Land Development, LLC	71.53 acres
			Total Site Acreage: 71.53 acres

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A SOLID WASTE LANDFILL HAS OPERATED ON THE PROPERTY.