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Franklin County North Carolina
Brandi S. Davis Register of Deeds
BK 2031 PG 663-670

DIN26020

Environmental Quality

PRTI, Inc.
Facility Permit No: 3507-TireTP-2016
Permit to Construct and Operate
Page 1 of 8
February 22, 2016
DIN 25608

North Carolina Department of Environmental Quality

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

RECEIVED
APR 12 2016
SOLID WASTE SECTION

SCRAP TIRE FACILITY
PERMIT NO. 3507-TIRETP-2016

BRIAN LAIBLE and
PRTI, Inc.

ARE HEREBY ISSUED A

PERMIT TO CONSTRUCT AND OPERATE
FRANKLIN COUNTY SCRAP TIRE COLLECTION AND PROCESSING FACILITY

Located on 2105 US Highway 1, Franklinton, Franklin 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.

Digitally signed by Edward F. Mussler III P.E.
DN: cn=Edward F. Mussler III P.E., o=Division of Waste Management, ou=Solid Waste Section, email=ed.mussler@ncdenr.gov, c=US
Date: 2016.02.22 13:31:33 -05'00'

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

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone 919-707-8200 Internet: https://deq.nc.gov/about/divisions/waste-management
An Equal Opportunity / Affirmative Action Employer

I do hereby certify this to be a true and correct copy of the original documents as same appears of record in the Franklin County Register of Deeds' Office. Book 2031 page 663 in testimony whereof, I hereunto set my hand and affix my official seal this 22 day of March 20 16.

Brandi S Davis ROD
Brandi S. Davis, Register of Deeds, Franklin County, NC

ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit Type	Date Issued
Permit to Construct and Operate	February 22, 2016

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *Application for Permit for a Scrap Tire Collection and Processing Facility.* Prepared by: Brian Laible, 2105 US Highway 1. Franklinton, North Carolina. October 28 2015 and additions submitted November 5, 2015.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Franklin County, N.C., Register of Deeds					
Book	Page	PIN	Grantor	Grantees	Acres
1972	635	1854-22-9236	Bald Eagle Land Development, LLC	PRTI, Inc.	-
				Tract One	3.75
2015	116	1854-13-8602	Louise Kelly Matthews and Cassidy Maria Matthews	PRTI, Inc.	
				Tract Two	1.01
				Total Site Acreage:	4.75

Note: Deed book reference is from Franklin County, NC, Register of Deeds office.

PART IV: GENERAL PERMIT CONDITIONS

1. This permit is issued by the North Carolina Department of Environmental Quality, 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.

   a. The Permit to Construct contained in Attachment 2 of this permit approves the construction of scrap tire processing facility and related equipment, and shall expire 18 months from the issuance date of this permit. The conditions of the Permit to Construct must be completed and submitted to the Division before the Permit to Operate the Scrap Tire Processing Facility becomes effective in accordance with Section .0201(d) of 15A NCAC 13B.

   b. The Permit to Operate the Scrap Tire Collection and Scrap Tire Processing Facility shall not be valid after August 30, 2016, unless the operator demonstrates to the Division that a full Certificate of Occupancy is issued to the Permittee by the County of Franklin.

   c. After documentation that Condition b. of this subsection is satisfied, then the Permit to Operate shall expire at the close of business December 31, 2019. Pursuant to 15A NCAC 13B .0201(g), no later than June 30, 2019, the Permittee must submit a request to the North Carolina Department of Environmental Quality, Division of Waste Management, Solid Waste Section, for permit review and must update pertinent facility plans including but not limited to the facility operation and waste screening plans.

2. The person or 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 unless the certified copy of this permit is filed 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 Division of Waste Management within 30 (thirty) calendar days. If the Section does not receive the certified copy of the recorded permit within 30 calendar days of issuance of the permit, 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 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 Scrap Tire Processing Facility and a reference by book and page to the recordation of the permit.

5. By beginning construction or receiving tires 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 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.

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, Part II "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 Solid Waste 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 Solid Waste 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 Permittee of the facility.

9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including but not limited to local zoning, certificate of occupancy, approval from appropriate agencies for a General or Individual NPDES Stormwater Discharge Permit. All sedimentation/erosion control activities in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated there under at 15A NCAC 4.

10. 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

PART I: GENERAL CONDITIONS

1. Pursuant to the NC Solid Waste Management Rules (Rule) 15A NCAC 13B .0201(c) and (e), this permit approves construction of a scrap tire processing facility in accordance with the approved documents listed in Attachment 1, Part II.

2. The scrap tire collection and processing facility is permitted for a total gross capacity of approximately 13,000 stockpiled and processed scrap tires at any one time, or 130 tons, assuming 100 tires per ton.

3. The following are required prior to issuance of a Permit to Operate the tire processing facility:

   a. Written certification must be submitted to the Section certifying that the scrap tire processing facility has been constructed in accordance with the approved plans listed in Attachment 1.

   b. As required under N.C. General Statute 130A-295.2, the permit holder is required to establish and maintain financial assurance in the amount of at least $19,500 based on 130 tons x 100 tires/ton x $1.50/tire, for closure at the facility based on the approved total gross capacity of approximately 13,000 collected, stockpiled and processed scrap tires at any one time. Should the amount of tires or tons exceed the posted financial assurance, the tires must be removed immediately or the financial assurance must be immediately increased as required.

   c. A site inspection and pre-operative meeting must be conducted by a representative of the Section. The permittee must notify the Section's Environmental Senior Specialist and make arrangements for the site inspection and pre-operative meeting.

   d. After completion of the requirements in subparagraphs above, the Section Environmental Senior Specialist will notify the Permitting Branch Supervisor by letter or email that the pre-operative requirements have been met and that the facility may commence operation. The permittee will be copied on the notification and may begin receiving waste at that time.

   e. The Permittee is authorized to process up to 500 tires during installation and set-up of processing equipment. Shredded tires resulting from the start-up installation must be stored in accordance with the approved application listed in Attachment 1 Part II.

EROSION AND SEDIMENTATION CONTROL REQUIREMENTS

4. 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.

5. 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.

6. 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
SCRAP TIRE COLLECTION FACILITY

PART I: OPERATING CONDITIONS

1. The facility is permitted to receive scrap tires as defined in NCGS 130A -309.53.

2. The facility must be operated in accordance with the requirements of 15A NCAC 13B.1107.

3. The facility is restricted to collecting and storing no more than 13,000 scrap tires or shredded tires at any time in accordance with the Financial Responsibility requirements of 15A NCAC 13B. 1111.

   a. Financial Responsibility must be maintained in full effect at all times.
   b. Failure to comply with the Financial Responsibility requirements may result in voiding this Permit to Operate.
   c. Tires may not be accumulated prior to posting an adequate financial assurance instrument.

4. This facility is permitted to receive scrap tires from all counties in North Carolina, Virginia, Tennessee and South Carolina. Unwanted tires must be sent to an appropriately permitted disposal facility.

5. The permittee must obtain Section approval in writing for any revisions or modifications to the approved plans prior to the initiation of any changes or modifications.

6. The facility must not cause nuisance conditions.

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

8. The Permittee must maintain records of the information required under Solid Waste Rule .1110(d) including following.

   a. Daily records of the amount of scrap tires received and origins of the tires.
   b. The amount of scrap tires shipped to each destination.
   c. The daily reports are to be summarized into a monthly report for use in the required annual reports.
   d. On or before August 1 annually, the Permittee must submit an annual facility report to the Section on forms prescribed or approved by the Section. The reporting period shall be for the previous year beginning July 1 and ending June 30.
   e.

- End of Section -

ATTACHMENT 4
CONDITIONS OF PERMIT TO OPERATE
SCRAP TIRE PROCESSING FACILITY

PART I: GENERAL CONDITIONS

1. The Permit to Operate the scrap tire processing facility is not in effect until the Permittee is in compliance with the conditions of the Permit to Construct in Attachment 2.

2. The scrap tire processing facility is permitted to collect, store, process and maintain on site, not more than 13,000 tires or the equivalent in shredded tire or by-products (130 tons x 100 tires per ton). This number is based on the financial assurance for closure and clean up provided in the current amount of $19,500, before the application of annual inflation.

   a. Subsequent adjustments to the tire storage amount and/or financial assurance amounts must be submitted to the Section for review and approval.

   b. Financial assurance for closure and clean-up must remain in force during the operation of this site in accordance with N.C. General Statute 130A-295.2 and 15A NCAC 13B .1111. PRTI, Inc. must submit to the Division for review and approval any subsequent changes in the instrument or the provider of financial assurance at least one-hundred-twenty (120) days prior to any requested change.

   c. The financial assurance instrument must be renewed annually with verification submitted to the Division within 60 days prior to the anniversary date of the establishment of the financial instrument(s).

   d. The owner and operator must annually submit adjusted cost estimates including closure and post-closure activities for inflation within 60 days prior to the anniversary date of the establishment of the financial instrument in accordance with applicable Rules and Statutes.

e. PRTI, Inc. will provide for a performance bond for the amount below as well as setup a standby trust:

For closure: 13,000 tires x $1.50 = $19,500

i. PRTI, Inc. will provide a certificate of insurance detailing the coverage below as required by 13B .1111 for third party liability

a. $2,500 x 13 = $32,500 per occurrence

b. $5,000 x 13 = $65,000 annual aggregate

3. A minimum of seventy-five percent (75%) of tire derived products must be shipped off-site annually for legal usage. Adjustments to this percentage to allow additional amounts of storage or adjustments to allow additional length of storage time must be submitted to the Section for review and approval.

4. Operation of the facility must conform to the permitting and operating procedures described in the approved plan and in accordance with the conditions contained in this permit.

a. This facility must be maintained and operated in accordance with the North Carolina Solid Waste Management Rules.

b. Material processing, shredding and grinding operations may only occur in compliance with any applicable local ordinance or special use permit.

c. Amendments or revisions to the Solid Waste Management Rules or violations of standards may necessitate the modification of the construction and operation plans of this facility.

d. The operating and permit conditions are subject to revision or revocation at any time the operations either threaten or have the potential to adversely affect the environment or public health and safety.

e. Within 30 days after termination of operations at the site or a major portion thereof or upon revocation of this permit, all scrap tires and scrap tire derived products must be removed to an appropriately permitted solid waste management facility.

f. Adequate fire protection measures must be in place and fire prevention procedures must be practiced at all times in accordance with the most current fire safety survey as required by 15A NCAC 13B.1107(2)(f). Equipment must be provided to control accidental fires or arrangements must be made with the local fire protection agency to immediately provide fire-fighting services when needed.

g. Control measures and practices must be employed to prevent any pollutants from contaminating surface water, groundwater, and soil.

h. A sign identifying the name of the facility and the Solid Waste Permit Number must be erected and maintained at the entrance of the facility.

i. Stakes or posts must be installed to delineate the tire storage areas and the tire chip pile storage areas as shown in the approved site plan.

5. The Division may require additional actions be taken by the permittee to mitigate any condition that threatens or may become injurious to public health or environment.

6. A trained and knowledgeable operator must be on-site during operating hours to assure that operations are in accordance with this permit and the approved Operating Plan.

   a. All operating personnel must receive training and supervision necessary to properly operate the facility including the approved waste screening procedures.

   b. Employee training must include the procedures contained in the Emergency Preparedness Manual that must be kept readily available to employees at all times.

7. The facility must not cause nuisance conditions.

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

   b. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter emanating from waste materials.

      i. Fugitive dust emissions are prohibited.

      ii. Windblown materials must be collected by the end of the day and no windblown material is allowed to leave the facility boundary.

   c. Fires and other incidents that do not conform to the normal operating conditions authorized by this permit 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.

8. Except in circumstances involving the immediate protection of human life, health or the environment, changes in operations or facility construction are not authorized unless submitted in writing to and approved by the Division.

- End of Section -