BK: R 7813
PG: 983-993
RECORDED:
05-13-2016
01:46:03 PM
BY: DEBORAH LIGHT
DEPUTY-GB

2016024844
GUILFORD COUNTY, NC
JEFF L. THIGPEN
REGISTER OF DEEDS

NC FEE $26.00

PERMIT

P14 Boring

**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 IN THE GRANTOR INDEX UNDER THE NAME OF THE LANDOWNER FOR THE PARCEL OF PROPERTY LOCATED IN GUILFORD COUNTY AND SAID PROPERTY BEING OWNED BY WINFREE ROAD LANDFILL. INC. AND FURTHER IDENTIFIED BY THE DEED RECORDED IN BOOK: 4616 AND PAGE(S): 116 THRU 123. THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A LANDFILL EXISTS ON THE PROPERTY.

11L

Form LCID2009

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 41I-LCID for the Winfree Road Landfill.

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

North Carolina

WAKE County

I, ELIZABETH A. PATTERSON, Notary Public for JOHNSTON County, North Carolina, do hereby certify that Edward F. Mussler, Supervisor of the Permitting Branch, Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal,

This the 9TH day of MAY, 2016.

OFFICIAL SEAL

NOTARY PUBLIC

ELIZABETH A. PATTERSON
NOTARY PUBLIC
Johnston County
North Carolina
My Commission Expires 2/5/2021

My commission expires FEBRUARY 5TH, 2021.

**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.**

Waste Management
ENVIRONMENTAL QUALITY

North Carolina Department of Environmental Quality
Division of Waste Management

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

Exhibit

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

# LAND CLEARING AND INERT DEBRIS (LCID) LANDFILL PERMIT NO. 41I-LCID

WINFREE ROAD LANDFILL, INC.
(owner/operator)

is hereby issued a

**PERMIT TO CONSTRUCT PHASE 2B**
and
**PERMIT TO OPERATE PHASES 2A and 2B**
at
WINFREE ROAD LANDFILL

Located at 7965 Winfree Road, Bruce Township, Guilford County, Summerfield, 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 No. 1 of 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: 2016.05.09 08:45:41 -04'00'

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

# ATTACHMENT 1

## PART I: PERMITTING HISTORY

| Permit | Date |
|---|---|
| Guilford County Planning and Development Department Special Use Permit Case # 31-97-SP | April 24, 1997 |
| Permit Amendment Phase 2A | November 10, 2010 |
| Permit Amendment Phase 2A and 2B | May 9, 2016 |

## PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *Special Use Permit, Case # 31-97-SP*, Guildford County Planning and Development Department, April 24, 1997.
2. *Grading Permit, Permit Number 101157.* Guilford County Planning and Development Department. September 10, 1997.
3. *L.C.I.D. Permit Application for Jerry Friddle,7965 Winfree Road, Summerfield, NC 27358.* Prepared by Evans Engineering, Inc. Greensboro, NC. November 12, 2001.
4. *Technical Review letter for Jerry Friddle LCID permit application from NC Solid Waste Section to Evans Engineering, Inc.* December 5, 2003.
5. *Response to NC SWS technical review letter including: Final Grading and Erosion Control Plan, updated groundwater elevation data, letter from the NC Natural Heritage Program.* November 30, 2004.
6. *Updated Operations Plan, revised site drawings, revised cross-sections.* Prepared by Evans Engineering, Inc. September 17, 2010. DIN12184
7. *Updated Operation Plan and revised engineered site drawings Nos. 1 through 5.* Prepared by Evans Engineering, Inc., January 25, 2016. DIN 26019. *Technical review by NCSWS,* April-May, 2016. DIN 25992. Revised drawings and Operation Plan submitted April 28, 2016 and May 3, 2016.

## PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

| Property | Book | Page | Acreage | Grantor | Grantee |
|---|---|---|---|---|---|
| Original Permit | 4530 | 585 | 43.34 | Jerry W. Friddle | Jerry W. Friddle |

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

## 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).

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 unless the certified copy 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, 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 must contain in the deed 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 land clearing and inert debris landfill 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.

7. The 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 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

## PART I: FACILITY SPECIFIC CONDITIONS

1. Pursuant to the NC Solid Waste Management Rules (Rule) 15A NCAC 13B .0201(c) and (e), this permit approves construction of the next Phase (Phase 2B) of the Winfree Road Landfill.

2. The landfill has a total gross capacity of 537,031 cubic yards. Gross capacity is the measured volume between the bottom of waste and the top of final cover. Development of the landfill is approved as summarized below:

| | Acreage | Total Capacity (+ cubic yards) | Current Capacity (+ cubic yards) | Status | Estimated Cover Soil Required* (cubic yards) |
|---|---|---|---|---|---|
| | | | | | |
| Phase 1 | 9.7 | 213,380 | 213,380 | Permitted | 25, 800 |
| | | | | | |
| Phase 2A | 5.6 | 25,000 | 27,012 | Permitted | 16,265 |
| Phase 2B | 2.4 | 25,000 | | Not permitted | 8,000 |
| Phase 2C | | 25,000 | | Not permitted | |
| Phase 2D | | 25,000 | | Not permitted | |
| Phase 2E | | 25,000 | | Not permitted | |
| Phase 2F | | 25,000 | | Not permitted | |
| Phase 2G | | 25,000 | | Not permitted | |
| Phase 2H | | 18,600 | | Not permitted | |
| Phase 2I | | 14,311 | | Not permitted | |
| **Phase 2 Totals | 8.8 | 115,740 | 27,012 | | |
| | | | | | |
| Total | 18.5 | 537,031 | | | |

*(Cover Soil will be from onsite excavation and will be stock piled at various locations convenient to operations).
** Phase 2 is the sum of Phase 2A-2E

3. The following are required prior to receiving solid waste in the Phase 2B:

   a. Written certification from a Registered Professional Engineer must be submitted to the Section certifying that the waste disposal unit(s) has been constructed in accordance with the approved plans.

   b. A sign must be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566(16).

   c. The disposal unit boundary must be accurately identified with permanent markers.

   d. 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.

   e. After completion of the requirements in subparagraphs a. through d. 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 unit(s) may commence receiving waste. The permittee will be copied on the notification and may begin receiving waste at that time.

## 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

## PART I: FACILITY SPECIFIC CONDITIONS

1. This Permit to Operate expires May 9, 2021. Pursuant to 15A NCAC 13B .0201(g), no later than November 9, 2020, the owner or operator must submit a request to the Section for permit review and must submit updated facility plans meeting the requirements of Rule 0.565 and .0566.

2. This facility must conform to the operational requirements of the NC Solid Waste Management Rules, 15A NCAC 13B .0566, and to the operational plan required by 15A NCAC 13B .0565(4).

3. This Permit to Operate authorizes the continued operation of the Winfree Road Landfill. The landfill is permitted for a total gross capacity of 537,031 cubic yards on 18.5 disturbed acres. Phase 1 is 9.7 acres, contains 213,380 cubic yards of waste, and is closed. Phase 2 covers an area of 8.8 acres and has a total gross capacity of 115,740 cubic yards of waste. Gross capacity is the measured volume between the bottom of waste and the top of final cover.

4. This facility is permitted to receive land clearing waste; yard trash; untreated and unpainted wood; uncontaminated soil; inert debris such as unpainted rock, brick, concrete, and concrete block; and asphalt in accordance with NCGS 130-294(m).

5. The facility has an average disposal rate of 5,000 cubic yards per year for the landfill (average of 100 cubic yards per week and 50 operating weeks per year). The proposed facility boundary remains the same as in the original permit.

6. This facility is permitted to receive waste generated within Guilford County, Rockingham County and Alamance County. Proposed changes to the service area must be submitted to the Section for review prior to any changes in accordance with Condition No. 10 of this Attachment

7. The permanent markers that accurately delineate the waste disposal boundary must be maintained.

8. Excavation, grading and fill material side slopes must not exceed a ratio of three horizontal feet to one vertical feet (3:1).

9. Open burning of land clearing waste is prohibited. If a fire occurs, the permittee must provide oral notification to the Section within 24 hours of the occurrence followed by a

written report of the details of the fire within 10 working 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. Other conditions may be required based on the severity or nature of the fire.

10. Revisions to the design or operation of the facility or changes to the facility service area must be submitted to the Section for review and approval prior to the implementation of any changes. Revisions or changes that require modification to the permit will be subject to the appropriate permitting fee.

11. Amendments or revisions to the NC General Statutes or to the NC Solid Waste Management Rules or any violation of ground water standards may necessitate modification of the approved design or operation plans, waste acceptance requirements or may require closure of the facility.

**Cover Material Requirements**

12. Solid waste must be covered with 1-foot of suitable soil cover at least once per month or when the active area reaches 1 acre in size, whichever occurs first, or more often when necessary to prevent the site from becoming a nuisance or to mitigate conditions associated with fire, windblown materials, vectors or excessive water infiltration.

13. The facility must maintain a supply of cover material adequate to cover the working face in case of an emergency or fire, at all times.

14. Vegetative ground cover sufficient to control erosion must be established within 30 (thirty) working days upon completion of any phase of LCID landfill development or as addressed in the approved Sedimentation and Erosion Control permit.

15. Within 120 calendar days after completion of the final disposal operations, the disposal area must be closed and covered with a minimum of 1-foot of suitable soil cover sloped to allow surface water runoff in a controlled manner. However, for ditches with depths greater than 6 inches and widths less than 3 feet located on the landfill, at least 2 feet of soil is required between the bottom elevation of the ditches and the waste mass.

**Drainage Control and Water Protection Requirements**

16. All required sedimentation and erosion control measures must be installed and maintained to mitigate excessive on-site erosion and to prevent silt from leaving the site of the landfill unit during the service life of the facility.

17. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.

18. Solid waste must be placed a minimum of four feet above the seasonal high water table.

19. Solid waste must not be disposed in standing water. Surface water must be diverted away from the operational area and must not be impounded over or in waste.

20. Leachate must be properly managed on site using best management practices.

*- End of Permit Conditions -*