

LCIDN13-F Permit Cabarrus  
LCIDLandfill



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor  
William G. Ross Jr., Secretary

February 4, 2005

Mr. Calvin D. "Corky" McClure  
McClure Equipment Sales  
4424 Taggart Creek Road, Suite 101  
Charlotte, North Carolina 28208

Re: Cabarrus Land Clearing and Inert Debris Landfill at 5001 Morehead Road, Concord, Cabarrus County, North Carolina. Permit No. **13-F, Closure Plan Revision**

Dear Mr. McClure:

Enclosed please find an Approved Closure Plan for the above facility. The submittal was dated 11 November 2004 and performed by Dan E. Brewer, P.E. of Chas. H. Sells, Inc. and titled Cabarrus LCID Landfill Closure Plan with the revision "Flattened NE Slope Per NCDERNR Comments." The issuance of this revised closure plan does not exempt an applicant from any local ordinances that may regulate a facility and the responsibility of compliance with any applicable ordinance lies with the permit holder. As we discussed all buffers will be a minimum of 50 feet.

Please contact James Beale, Waste Management Specialist, or myself if you have any questions. We can be reached at (704) 663-1699.

Sincerely,

John E. Murray, P.E.  
Environmental Engineer  
Solid Waste Section

cc: Jim Barber, SWS  
Brent Rockett, SWS  
James Beale, SWS  
Dan E. Brewer, P.E., Chas. H. Sells, Inc.  
Raleigh Central File: Permit No. **13-F**: Cabarrus County file *w/enc.*



May 15, 2001

Mr. Calvin D. "Corky" McClure  
McClure Equipment Sales  
4424 Taggart Creek Road, Suite 101  
Charlotte, North Carolina 28208

Re: Cabarrus Land Clearing and Inert Debris Landfill at 5001 Morehead Road, Concord,  
Cabarrus County, North Carolina. Permit No. 13-F

Dear Mr. McClure:

Enclosed please find a Solid Waste Permit, Conditions of the Solid Waste Permit, and a Certified Copy of the Solid Waste Permit for the above referenced Land Clearing & Inert Debris (LCID) landfill. This is a PERMIT TO CONSTRUCT & OPERATE in accordance with the approved plans. The issuance of this permit does not exempt an applicant from any local ordinances that may regulate a facility and the responsibility of compliance with any applicable ordinance lies with the permit holder.

Please note Condition No. 3, which states that this permit shall not be effective unless the certified copy is filed in the Register of Deeds office and the copy is returned to the Solid Waste Section, within thirty (30) working days, from date received, with the page and book number, date of recordation, and Register's seal.

Also note Condition No. 9, which requires that we hold a pre-operative meeting and that outlines the pre-operative conditions that need to be met prior to operation. Please contact Rick Doby, Waste Management Specialist, when you are ready to schedule this meeting. Mr. Doby can be reached at (704) 663-1699. If you have questions about your permit, please contact me at (336) 771-4608 ext. 204.

Sincerely,

Timothy A. Jewett  
Western Area Engineer  
Solid Waste Section

cc: Jim Coffey, SWS  
Brent Rockett, SWS  
Rick Doby, SWS  
Raleigh Central File: Permit No. 13-F: Cabarrus County file

North Carolina  
Department of Environment and Natural Resources

Division of Waste Management

Michael F. Easley, Governor  
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William L. Meyer, Director

FILED  
BOOK 3241 PAGE 323

2001 MAY 18 A 10:07



PERMIT NUMBER: 13-F

DATE ISSUED: May 15, 2001

LINDA F. MCADDEE  
REGISTER OF DEEDS  
SOUTH CAROLINA

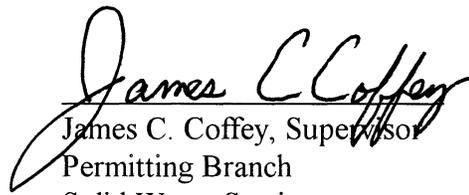
### SOLID WASTE PERMIT

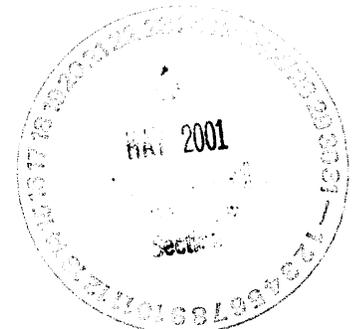
Charlotte Motor Speedway (CMS), Inc. - Landowners  
Cabarrus LCID Landfill (CLL) - Operator

are hereby issued a permit to CONSTRUCT & OPERATE a

### LAND CLEARING AND INERT DEBRIS LANDFILL

located at 5001 Morehead Road (SR 1300) at the Charlotte Motor Speedway near the intersection of Morehead Road and State Highway 29 southwest of Concord, Cabarrus 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 in the permit application and the site drawings.

  
James C. Coffey, Supervisor  
Permitting Branch  
Solid Waste Section



1646 Mail Service Center, Raleigh, North Carolina 27699-1646  
Phone: 919-733-4996 \ FAX: 919-715-3605 \ Internet: www.enr.state.nc.us

PERMIT NUMBER: 13-F  
PERMIT ISSUED: MAY 15, 2001  
FACILITY NAME: CABARRUS LAND CLEARING AND INERT DEBRIS (LCID)  
LANDFILL

CONDITIONS OF PERMIT

1. This permit is valid for a period of five years from date of issuance and shall expire on 15 May 2006. This permit is for the construction and operation of the landfill totaling approximately 6.0 acres, according to the approved plans prepared by Enviro-Pro dated 24 July 2000 and Patterson Brewer & Associates, P.A. dated 19 September 2000. Any revisions of these approved plans must be approved by the North Carolina Solid Waste Section.
2. Amendments or revisions to the NC Solid Waste Management Rules or any violation of groundwater standards may necessitate modification of the approved plans or closure of the 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 shall be returned to the Division of Solid Waste Management, within **THIRTY (30)** working days, from date received. Please send the recorded permit copy to:

SOLID WASTE SECTION  
585 WAUGHTOWN STREET  
WINSTON-SALEM, NORTH CAROLINA 27107-2241  
ATTN: TIM JEWETT

4. When this property is sold, leased, conveyed, or transferred, the deed or other instrument of transfer shall 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.
5. This facility is permitted to receive land clearing waste, yard trash, untreated and unpainted wood, and inert debris such as rock, brick, concrete, concrete block, and uncontaminated soil. Waste acceptance requirements may be affected by future revisions and amendments to the NC General Statutes, or to the NC Solid Waste Management Rules.
6. Waste shall be placed a minimum of four (4) feet above the seasonal high water table.

PERMIT NUMBER: **13-F**

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FACILITY NAME: CABARRUS LAND CLEARING AND INERT DEBRIS (LCID)  
LANDFILL

7. This facility shall 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) prepared by Patterson, Brewer & Associates, P.A. dated 19 September 2000.
8. This permit is not transferable.
9. The following requirements shall be met **prior** to receiving solid waste, at the site:
  - a. A site inspection and pre-operative meeting shall be conducted by a representative of the Solid Waste Section.
  - b. A sign shall be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566 (16).
  - c. A certification letter, from a Registered Professional Engineer (Design Engineer typically), shall be submitted to the Section stating that the facility has been constructed in accordance with the approved plans.
  - d. Survey stakes or other permanent markers shall be installed to delineate the landfill limits. Only the placement of clean soil shall be allowed in the buffer zones while the LCID landfill is active.
  - e. The extended detention wetland shall be maintained in accordance with the agreement with the Division of Water Quality dated 26 April 2001.
10. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.
11. An approved sedimentation and erosion control plan shall be obtained prior to the beginning of earth disturbing activities and all such activities shall be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4) along with any other state, federal or local requirements.
12. Side slopes for the landfill shall 3 (horizontal) to 1 (vertical) or flatter as required by the Solid Waste Management Rules.
13. Open burning of land clearing waste is **PROHIBITED**.

## ATTACHMENTS

1. Original permit submittal documents: Hydrogeologic Report dated 24 July 2000 by Enviro-Pro, P.C. and Construction Plan Application dated 19 September 2000 for the Cabarrus LCID Landfill and received 22 September 2000. Original submittal documents include the application narrative, soil boring and monitoring well records, Zoning Approval (dated 17 August 2000), Wetlands determination (dated 15 August 2000), Site Operations and Maintenance Plan, the Original Site Plan and Lease Agreement (dated 12 April 2000) between CMS, Inc. and Cabarrus LCID, and the Erosion Control Plan.
2. Threatened and Endangered Species Assessment Report dated 12 October 2000 from the Brigman Company, Inc. indicating that no endangered or threatened species or habitat would be affected by the proposed LCID landfill.
3. Letter dated 8 December 2000 issued by Cabarrus County for Erosion Control Plan approval.
4. Letter dated 13 March 2001 from Calvin D. "Corky" McClure including drawings from BFI clarifying the boundaries of MSW Landfill IV - Areas A, B, and C in relation to the proposed LCID fill area
5. Letter dated 20 March 2001 from the Division of Water Quality for the "Approval of 401 Water Quality Certification and Additional Conditions" allowing the placement of fill material in 300 linear feet of stream for the purpose of expanding the footprint of the LCID. The approval is contingent upon an extended wetlands detention plan as a mitigation feature.
6. Extended Wetland Detention Plan and modified Closure Plan for the LCID dated 10 April 2001 submitted by Patterson Brewer & Associates, P.A.
7. Letter from the Division of Water Quality dated 26 April 2001 approving the wetland detention plan listed in item #6.
8. Signed and notarized agreement between the Division of Water Quality and Calvin D. "Corky" McClure for the maintenance of the extended detention wetland dated 26 April 2001.



Division of Waste Management

Michael F. Easley, Governor  
William G. Ross Jr., Secretary  
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PERMIT NUMBER: 13-F  
DATE ISSUED: May 15, 2001

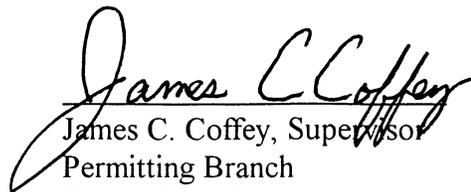
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AN EQUAL OPPORTUNITY \ AFFIRMATIVE ACTION EMPLOYER - 50% RECYCLED / 10% POST CONSUMER PAPER

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Permit No. \_\_\_\_\_  
(to be provided by DWQ)

State of North Carolina  
Department of Environment and Natural Resources  
Division of Water Quality

STORMWATER MANAGEMENT PERMIT APPLICATION FORM

WET DETENTION BASIN SUPPLEMENT

*This form may be photocopied for use as an original*

**(MODIFIED FOR EXTENDED DETENTION WETLAND)**

DWQ Stormwater Management Plan Review:

A complete stormwater management plan submittal includes an application form, a wet detention basin supplement for each basin, design calculations, and plans and specifications showing all basin and outlet structure details.

**I. PROJECT INFORMATION**

Project Name: Cabarrus LCID Landfill

Contact Person: Corky McClure Phone Number: (704) 394-5761

For projects with multiple basins, specify which basin this worksheet applies to: N/A

*elevations*

Basin Bottom Elevation	<u>565</u> ft.	(floor of the basin)
Permanent Pool Elevation	<u>568</u> ft.	(elevation of the orifice)
Temporary Pool Elevation	<u>570</u> ft.	(elevation of the discharge structure overflow)

*areas*

Permanent Pool Surface Area	<u>2313</u> sq. ft.	(water surface area at the orifice elevation)
Drainage Area	<u>9</u> ac.	(on-site and off-site drainage to the basin)
Impervious Area	<u>0.9</u> ac.	(on-site and off-site drainage to the basin)

*volumes*

Permanent Pool Volume	<u>8200 ±</u> cu. ft.	(combined volume of main basin and forebay)
Temporary Pool Volume	<u>4573</u> cu. ft.	(volume detained above the permanent pool)
Forebay Volume	<u>1640</u> cu. ft.	(approximately 20% of total volume)

*Other parameters*

SA/DA <sup>1</sup>	<u>0.59</u>	(surface area to drainage area ratio from DWQ table)
Diameter of Orifice	<u>2.5</u> in.	(2 to 5 day temporary pool draw-down required)
Design Rainfall	<u>1</u> in.	
Design TSS Removal <sup>2</sup>	<u>85</u> %	(minimum 85% required)

Footnotes:

- 1 When using the Division SA/DA tables, the correct SA/DA ratio for permanent pool sizing should be computed based upon the actual impervious % and permanent pool depth. Linear interpolation should be employed to determine the correct value for non-standard table entries.
- 2 In the 20 coastal counties, the requirement for a vegetative filter may be waived if the wet detention basin is designed to provide 90% TSS removal. The NCDENR BMP manual provides design tables for both 85% TSS removal and 90% TSS removal.

**II. REQUIRED ITEMS CHECKLIST**

The following checklist outlines design requirements per the Stormwater Best Management Practices Manual (N.C. Department of Environment, Health and Natural Resources, February 1999) and Administrative Code Section: 15 A NCAC 2H .1008.

Initial in the space provided to indicate the following design requirements have been met and supporting documentation is attached. If the applicant has designated an agent in the Stormwater Management Permit Application Form, the agent may initial below. **If a requirement has not been met, attach justification.**

Applicants Initials

- DEB a. The permanent pool depth is between 3 and 6 feet (required minimum of 3 feet).
- DEB b. The forebay volume is approximately equal to 20% of the basin volume.
- DEB c. The temporary pool controls runoff from the design storm event.
- N/A d. The temporary pool draws down ~~in 2 to 5 days~~ *N/A due to existing spring flow*
- N/A e. If required, a 30-foot vegetative filter is provided at the outlet (include non-crosive flow calculations)
- DEB f. The basin length to width ratio is greater than 3:1.
- DEB g. The basin side slopes above the permanent pool are no steeper than 3:1.
- DEB h. A submerged and vegetated perimeter shelf with a slope of 6:1 or less (show detail).
- DEB i. Vegetative cover above the permanent pool elevation is specified.
- DEB j. A trash rack or similar device is provided for both the overflow and orifice.
- N/A k. A recorded drainage easement is provided for each basin including access to nearest right-of-way.
- N/A l. If the basin is used for sediment and erosion control during construction, clean out of the basin is specified prior to use as a wet detention basin. *(erosion control upstream)*
- N/A m. A mechanism is specified which will drain the basin for maintenance or an emergency.

**III. WET DETENTION BASIN OPERATION AND MAINTENANCE AGREEMENT**

The wet detention basin system is defined as the wet detention basin, pretreatment including forebays and the vegetated filter if one is provided.

- This system (check one)  does  does not incorporate a vegetated filter at the outlet.
- This system (check one)  does  does not incorporate pretreatment other than a forebay.

Maintenance activities shall be performed as follows:

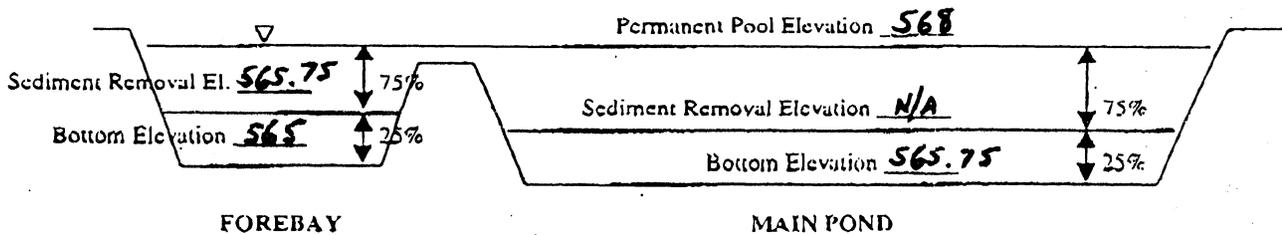
1. After every significant runoff producing rainfall event and at least monthly:
  - a. Inspect the wet detention basin system for sediment accumulation, erosion, trash accumulation, vegetated cover, and general condition.
  - b. Check and clear the orifice of any obstructions such that drawdown of the temporary pool occurs within 2 to 5 days as designed.
2. Repair eroded areas immediately, re-seed as necessary to maintain good vegetative cover, mow vegetative cover to maintain a maximum height of six inches, and remove trash as needed.
3. Inspect and repair the collection system (i.e. catch basins, piping, swales, riprap, etc.) quarterly to maintain proper functioning.
4. Remove accumulated sediment from the <sup>forebay</sup> ~~wet detention~~ basin system semi-annually or when depth is reduced to 75% of the original design depth (see diagram below). Removed sediment shall be disposed of in an appropriate manner and shall be handled in a manner that will not adversely impact water quality (i.e. stockpiling near a wet detention basin or stream, etc.).

The measuring device used to determine the sediment elevation shall be such that it will give an accurate depth reading and not readily penetrate into accumulated sediments.

When the permanent pool depth reads N/A feet in the main pond, the sediment shall be removed.

When the permanent pool depth reads 0.75 feet in the forebay, the sediment shall be removed.

BASIN DIAGRAM  
(fill in the blanks)



N/A

- ~~5. Remove cattails and other indigenous wetland plants when they cover 50% of the basin surface. These plants shall be encouraged to grow along the vegetated shelf and forebay berm.~~
6. If the basin must be drained for an emergency or to perform maintenance, the flushing of sediment ~~through the emergency drain~~ shall be minimized to the maximum extent practical.

(Due to minimum depth and volume, pond shall be drained during an emergency or to perform maintenance by using a portable pump.)

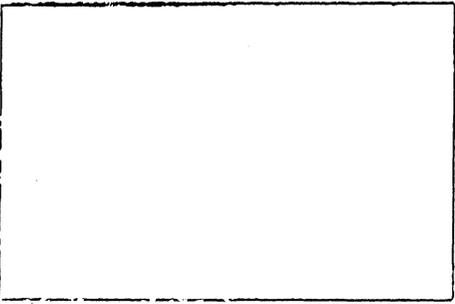
7. All components of the wet detention basin system shall be maintained in good working order.

I acknowledge and agree by my signature below that I am responsible for the performance of the seven maintenance procedures listed above. I agree to notify DWQ of any problems with the system or prior to any changes to the system or responsible party.

Print name: CALVIN D. "CORKY" McCLURE  
Title: OWNER  
Address: 5001 MOREHEAD ROAD CONCORD, NC 28027  
Phone: 704-394-5761  
Signature: *Calvin D. McClure*  
Date: 4-26-2001

Note: The legally responsible party should not be a homeowners association unless more than 50% of the lots have been sold and a resident of the subdivision has been named the president.

I, *Forrest D. Henry*, a Notary Public for the State of *NC*,  
County of *Meck*, do hereby certify that *Calvin D. McClure*  
personally appeared before me this *26* day of *April*, *2001*, and acknowledge the due  
execution of the forgoing wet detention basin maintenance requirements. Witness my hand and official seal.



SEAL

My commission expires *9-5-05*



To: ~~Suzie McClure~~  
204 ~~392-4741~~ ~~392-4741~~  
Suzie McClure  
704 ~~392-4741~~ 392-4741

Michael F. Easley  
Governor

William G. Ross, Jr., Secretary  
Department of Environment and Natural Resources

Kerr T. Stevens  
Division of Water Quality

April 26, 2001

Mr. Calvin McClure  
4424 Taggard Creek Road  
Charlotte, NC 28210

Subject: Stormwater Wetland  
Cabarrus LCID Landfill  
Cabarrus County, NC  
DWQ# 001409

Dear Mr. McClure:

This Office is in receipt of the plans dated April 10, 2001 for the stormwater management ponds at the subject facility prepared on your behalf by Patterson and Brewer and submitted to the Division on April 25, 2001. Staff from the Wetlands Unit reviewed the plans and found them acceptable. Please note that this approval shall not be construed as an approval of the darn design for Dam Safety purposes.

If you have any questions regarding this matter, please contact Mr. Todd St. John at (919) 733-9594.

Sincerely,

John A. Dornay  
Wetlands Unit Supervisor

cc: Mr. Todd St. John, Wetlands Unit  
Mooresville Regional Office  
Mr. Tim Jewett, Winston-Salem Regional Office  
File

RECEIVED  
N.C. Dept. of EHNR  
APR 16 2001  
Winston-Salem  
Regional Office

**EXTENDED DETENTION WETLANDS  
DESIGN CALCULATIONS**

**FOR**

**CABARRUS LCID LANDFILL (CLL)  
CONCORD, NORTH CAROLINA**

**PREPARED FOR:**

Cabarrus LCID Landfill (CLL)  
Concord, North Carolina

**PREPARED BY:**

**PATTERSON, BREWER & ASSOCIATES, P.A.**  
ENGINEERING \* SURVEYING \* PLANNING  
P.O. Box 1387, Mooresville, NC 28115  
(704) 662-0100 \* Fax (704) 662-0101

APRIL 2001



P. PERSON, BREWER & ASSOCIATES, P.A.

Job Name Cabarrus Co LCD Job No. M00119 Date 4/10/01 Sheet 1  
 Subject Extended Detention Wetland Design By TPD Chk By DE

STORMWATER BMP

From Table 1.1 Design For Extended Wetland

Pool Depth = 3ft % Imp = 10% DA = 9 Acres

RECEIVED  
 N.C. Dept. of EHN  
 APR 16 2001

SA/DA = 0.59

SA = 9 AC x 0.59/100 = 2313 ft<sup>2</sup> Required (0.053 AC)

Winston-Salem Regional Office  
 35% To be 0-9" Depth, 35% To be 9"-18" Depth  
 15% To be 3' Depth

Volume Required for 1" Rainfall Storage

Volume = Design Rainfall x RV x DA

Volume = 1" x 0.14 x 1/2 (ft/in) x 9 AC

Volume = 0.105 AC-ft or 4573 ft<sup>3</sup>

SA For 1" storm = 4466 ft<sup>2</sup> or 0.103 AC

$h \approx 0.105 \text{ AC-ft}$

Use Total  $h = 2 \text{ ft}$  to account for inflow from spring.

Estimate Orifice Size - Draw down 2-5 days

$t = \frac{2A\sqrt{h}}{Ca\sqrt{2g}}$

A = SA = 0.103 AC or 4466 ft<sup>2</sup>

h = 2 ft

t = 2 days = 172,800 Seconds

$a (2\frac{1}{2}'' \phi) = \frac{\pi (2^2)}{4} = 0.031 \text{ ft}^2$

Use 2.5" Orifice Minimum Diameter to Drain flow from spring.

check

$t = \frac{2A\sqrt{h}}{Ca\sqrt{2g}}$

$t = \frac{2(4466)(\sqrt{2})}{(0.6)(0.031)\sqrt{2(32.2)}}$

t = 84626 s = 23.5 hr 1 DAY Say OK

Job Name Cabarrus LCID Job No. M00119 Date 4/10/01 Sheet 2  
 Subject Extended Detention Wetland By TPD Chk By DEB

Erosion and Sediment Control Design Manual  
Riser + CMP Sizing

Table 8.07a  $H = 6 \text{ ft}$  Pipe  $\phi = 24''$

$Q_p = 27.01 \text{ cfs}$

Pipe  $\phi = 24'' \therefore$  Pipe Riser =  $30''$

(Figure 8.07b)

Buoyancy Calculation

$$\begin{aligned} \text{Area Displaced in Water} &= \frac{\pi D^2}{4} \times L \\ &= \frac{\pi (2.5^2)}{4} \times 5' \\ &= 24.5 \text{ ft}^3 \end{aligned}$$

Density of Water =  $64.2 \text{ lb/ft}^3$

$$\begin{aligned} \text{Up Force} &= 64.2 \text{ lb/ft}^3 \times 24.5 \text{ ft}^3 \\ &= 1572.9 \text{ lb} \end{aligned}$$

$$\text{Down Force} = 4' \times 4' \times 1' \times 150 \text{ lb/ft}^3 = 2400 \text{ ft}^3$$

$$F.S. = 1.5 \checkmark$$

RECEIVED  
 N.C.D. of EHNR  
 APR 16 2001

V. Regional Office

Job Name Cabarrus LCD Job No. M00119 Date 4/10/01 Sheet 3  
 Subject Extend Detention Wetland Design By TPD Chk By DEB

Erosion and Sediment Control  
 Design Manual

$$Q_e = Q_{10} - Q_p$$

$Q_e =$  Non existant for 10yr storm

$$Q_{10} = 9 \times 2.5 \times 7.03$$

$$Q_{10} = 157.275 \text{ cfs}$$

From Table 8.07a

$$H=4 \quad \text{Pipe } \phi = 24"$$

$$Q_p = 27 \text{ cfs}$$

Use min 15 cfs in erosion resistant soils

Table 8.07c

$$\text{width} = 12 \text{ feet}$$

$$\text{stage} = 0.69 \text{ ft}$$

Rip Rap Outlet from Figure 8.06a

$$Q = 27 \text{ cfs}$$

$$\text{Pipe } \phi = 24"$$

$$d_{50} = 6"$$

$$d_{\text{max}} = 9"$$

$$t = 13.5'$$

$$L = 10 \text{ FT}$$

$$W = 11 \text{ FT}$$

$$h = 18"$$

RECEIVED  
 N.C. Dept. of EHNR  
 APR 16 2001  
 Winston-Salem  
 Regional Office

McClure Equipment Sales  
Post Office Box 19381, 28219  
4424 Taggart Creek Road, #101  
Charlotte, NC 28208  
Ph 704-394-5761  
Fax 704-392-4741

March 13, 2001

Mr. Bobby Lutfy  
NCDENR-Solid Waste Section  
401 Oberlin Road, #150  
Raleigh, NC 27605



Bobby,

I was able to obtain these drawings from BFI indication the boundaries of MSW landfills. Harvey Walters, who is in charge of Lowe's Motor Speedway buildings and ground and has been on site from the speedways beginning and 'Cotton' who is BFI's landfill site manager physically walked the area to confirm the maps and their recollections were one in the same. It is their belief that the area in blue was not MSW as the speedway was in such desperate need of parking that inert debris and fill dirt was used.

I hope these maps will enlighten you more as to what we want to accomplish with this permit. Ron and I would more than be glad to come back to Raleigh if you have further questions.

I have been trying to obtain a permit for a year and three months now and I have installed a gate and berms to insure no activity goes on in that area. Anything you can do to help me would be greatly appreciated.

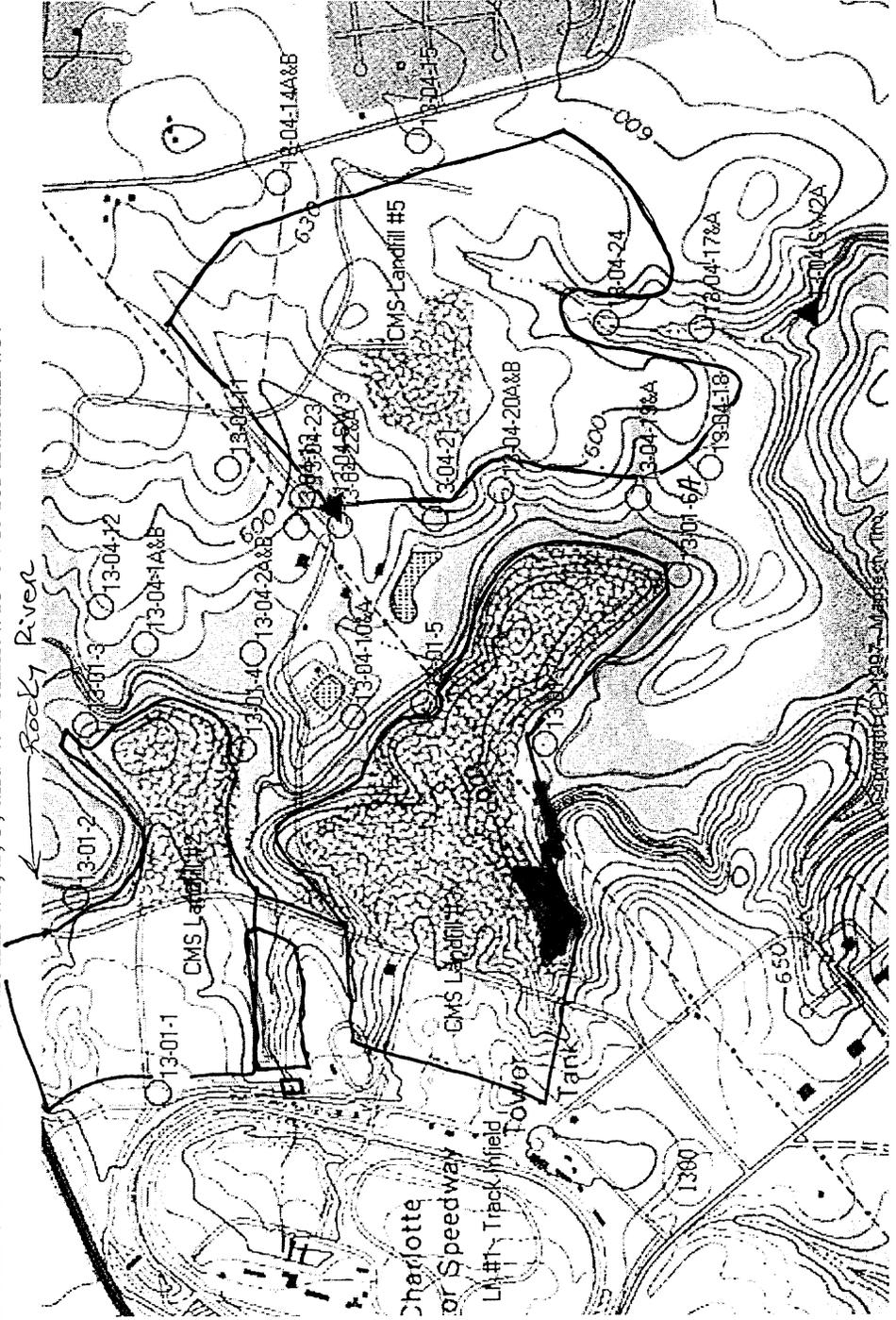
Thank you very much for your consideration.

  
Calvin D. 'Corky' McClure

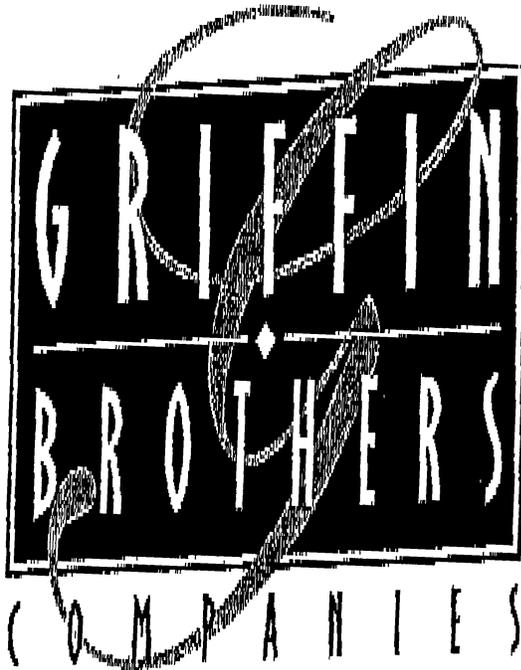
January 23, 2001

CMS Landfills and Monitoring Locations – Cabarrus County

**NOTE:** CMS Landfill #4 (outlined in red, west side of Rocky River) went over and expanded beyond CMS Landfills #2 and #3. Permit #13-01 includes Landfills #1, 2, 3, and 4. Permit #13-04 is for Landfill #5.







# LANDFILL DEVELOPMENT

## •• FAX TRANSMITTAL ••

Date: 3/27/01

To: TIM JEWETT Fax Number:: 336-771-4631

From:  RON GILKERSON • 895.0329

MIKE GRIFFIN • 895.4506



Michael F. Easley  
Governor

Sheri Evans-Stanton, Acting Secretary  
Department of Environment and Natural Resources

Kerr T. Stevens  
Division of Water Quality

March 20, 2001  
Cabarrus County  
DWQ Project #  
001409

**APPROVAL of 401 Water Quality Certification and ADDITIONAL CONDITIONS**

Mr. Calvin McClure  
4424 Taggard Creek Road  
Charlotte, NC 28219

Dear Mr. McClure:

You have our approval, in accordance with the attached conditions and those listed below, to place fill material in 300 linear feet of streams for the purpose of expanding an existing landfill at Cabarrus LCID Landfill as described in your application dated October 20, 2000 and revised on February 22, 2001. After reviewing your application, we have decided that this fill is covered by General Water Quality Certification Number 3287. This certification allows you to use Nationwide Permit Number 39 when the Corps of Engineers issues it. In addition, you should get any other federal, state or local permits before you go ahead with your project including (but not limited to) Sediment and Erosion Control Coastal Stormwater



Michael F. Easley  
Governor

Sherril Evans-Stanton, Acting Secretary  
Department of Environment and Natural Resources

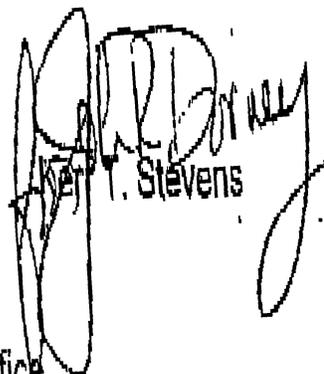
Kerr T. Stevens  
Division of Water Quality

structural stormwater practices as approved by this Office as well as drainage patterns must be maintained in perpetuity. No changes to the structural stormwater practices shall be made without written authorization from the Division of Water Quality

If you do not accept any of the conditions of this certification, you may ask for an adjudicatory hearing. You must act within 60 days of the date that you receive this letter. To ask for a hearing, send a written petition, which conforms to Chapter 150B of the North Carolina General Statutes to the Office of Administrative Hearings, P.O. Box 27447, Raleigh, N.C. 27611-7447. This certification and its conditions are final and binding unless you ask for a hearing.

This letter completes the review of the Division of Water Quality under Section 401 of the Clean Water Act. If you have any questions, please telephone John Dorney at 919-733-9646.

Sincerely,

  
Kerr T. Stevens

Attachment

cc: Corps of Engineers Asheville Field Office  
Mooresville DWO Regional Office



Michael F. Easley  
Governor

Sheri Evans-Stanton, Acting Secretary  
Department of Environment and Natural Resources

Kerr T. Stevens  
Division of Water Quality

DWQ Project No.: \_\_\_\_\_ County: \_\_\_\_\_  
Applicant: \_\_\_\_\_  
Project Name: \_\_\_\_\_  
Date of Issuance of 401 Water Quality Certification: \_\_\_\_\_

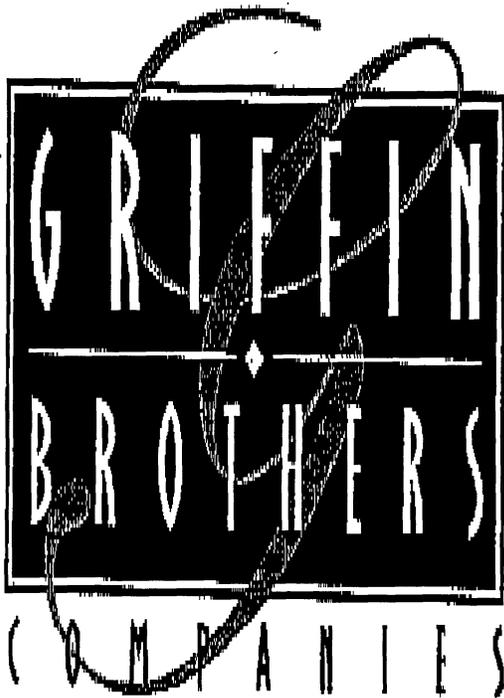
**Certificate of Completion**

Upon completion of all work approved within the 401 Water Quality Certification or applicable Buffer Rules, and any subsequent modifications, the applicant is required to return this certificate to the 401/Wetlands Unit, North Carolina Division of Water Quality, 1621 Mail Service Center, Raleigh, NC, 27699-1621. This form may be returned to DWQ by the applicant, the applicant's authorized agent, or the project engineer. It is not necessary to send certificates from all of these.

**Applicant's Certification**

I, \_\_\_\_\_, hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# LANDFILL DEVELOPMENT

## •• FAX TRANSMITTAL ••

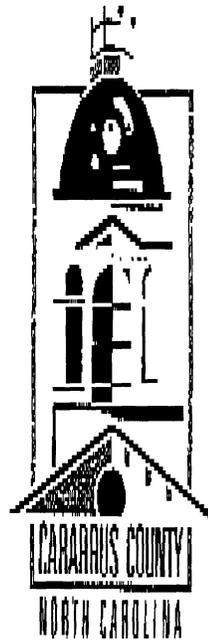
Date: 12/15/00

To: TIM JEWETT Fax Number: 336-771-4631

From:  RON GILKERSON • 895.0329

MIKE GRIFFIN • 895.4506

MESSAGE



December 8, 2000

Mr. Calvin D. McClure  
Cabarrus LCID Landfill  
4221 Taggart Road  
Charlotte NC 28219

Re: LETTER OF APPROVAL WITH MODIFICATIONS  
(For Site with Disturbed Area Exceeding Five (5) Acres)  
Project Name: Cabarrus LCID Landfill  
Locations: Morehead Road.  
Submitted By: Patterson, Brewer & Associates  
Date Received: November 16, 2000  
New Submittal:  X  Revision:

Page -2-

town agencies under local ordinances, or other approvals that may be required. This approval cannot supersede any other permit or approval."

Cabarrus County Soil Erosion and Sedimentation Control Ordinance and North Carolina's Sedimentation Pollution Control Program is performance oriented, requiring protection of the natural resources and adjoining properties. If following the commencement of this project it is determined that the erosion and sedimentation control plan is inadequate to meet the requirements of the Ordinance (Sections 1 thru 23) and the Sedimentation Pollution Control Act of 1973 (North Carolina General Statute 113A-51 thru 66), this office may require revisions to the plan and implementation of the revisions to insure compliance with the Ordinance and Act.

Please note that this approval is based in part of the accuracy of the information provided in the Financial Responsibility Form, which you have provided. You are requested to file an amended form if there is any change in the information included on the form. In addition, it would be helpful if you notify this office of the proposed starting date for this project.

Also note that the Ordinance (Sec. 19 [g]) indicates a certification of occupancy will not be issued if the tract is deemed to be in violation of this Ordinance.



**THREATENED AND ENDANGERED SPECIES ASSESSMENT**

**Proposed Cabarrus L.C.I.D. Landfill  
Calvin D. McClure  
Cabarrus County, North Carolina**

**Prepared For:**

**Mr. Calvin D. McClure  
4424 Taggart Creek Road  
Charlotte, NC 28219**

**Effective Date:**

**October 12, 2000**

**Prepared By:**

**THE BRIGMAN COMPANY, INC.  
PO BOX 1532  
CONWAY, SC 29528**

## **INTRODUCTION**

The Brigman Company, Inc. has completed an endangered and threatened species assessment on the Proposed Cabarrus L.C.I.D. Landfill near the town of Concord, North Carolina. The purpose of this assessment was to provide a professional opinion as to the existence of any rare or endangered species on the proposed Site. Work was authorized and site access was granted by Mr. Ron Gilkerson.

State and Federal agencies were contacted for information on known occurrences of endangered, threatened and rare species in Cabarrus County. The U.S. Fish and Wildlife Service listed five species of flora and fauna as being Federal endangered or Federal species of concern in Cabarrus County.

By providing NC Natural Heritage Program with the exact location of the site, they were able to provide us with information on state concerned species that occur near the site or have possible habitat within the project boundaries. The NC Natural Heritage Program contacted us with one species of concern.

## STUDY AREA

The proposed Cabarrus L.C.I.D Landfill project is situated near the town of Concord in Cabarrus County, North Carolina. The site is located approximately 1200' northeast of NC Hwy 1300 and about 900' east of Lowes Motor Speedway.

## BACKGROUND

Based on the literature review and communication with various agencies, the following list was prepared of the species potentially present near the proposed project. (E=federal endangered, T= federal threatened, FSC=Federal species of concern), SC=State concern.

\*\*\*\* Obscure and incidental record

\*\*\* Species last observed outside of its normal range or habitat

\*\* The date and/or location of observation is uncertain

\* Species was last observed in the county more than 50 years ago.

	<u>Status</u>	<u>Certainty of Occurrence</u>
<b>Vertebrates</b>		
Carolina darter ( <u>Etheostoma collis</u> )	FSC	Known
<b>Invertebrates</b>		
Pee Dee crayfish ( <u>Dactylocythere peedeensis</u> )	FSC*	
Carolina heelsplitter ( <u>Lasmigona decorata</u> )	Endangered**	
<b>Vascular Plants</b>		
Schweinitz's sunflower ( <u>Helianthus schweinitzii</u> )	Endangered	Known
Heller's trefoil ( <u>Lotus helleri</u> )	FSC	Known

## METHODOLOGY

Aerial photographs were used to locate any areas of potential habitat for rare or endangered species. A ground survey of the site was used to confirm the presence or absence of any endangered, threatened or candidate species. The identification of rare or endangered species was facilitated by use of various field guides and by previous experience.

## RESULTS

A ground survey was conducted on *September 21, 2000*, of the proposed site by The Brigman Company, Inc. The survey revealed that the majority of the site has been cleared for no less than three years and is currently mowed on a regular basis. The site does contain a mature mixed hardwood forest with a bed and bank perennial stream within it.

This mixed hardwood forest is mostly dominated by American beech (*Fagus grandifolia*), Flowering dogwood (*Cornus florida*), Sugar maple (*Acer saccharinum*) and Yellow poplar (*Liriodendron tulipifera*). The understory included Chinese privet (*Ligustrum sinense*), Red buckeye (*Aesculus pavia*) and Pawpaw (*Asimina triloba*). The ground cover was sparse and included Virginia creeper (*Parthenocissus quinquefolia*), Muscadine grape (*Vitis rotundifolia*), Ginger (*Hedychium coronarium*) and Japanese honeysuckle (*Lonicera Japonica*).

## CONCLUSION

Based on the on site survey, the proposed Cabarrus L.C.I.D. Landfill project was found to be void of any threatened or endangered species or species of federal concern. Furthermore, the project site does not contain any areas of critical habitat. Therefore the determination has been made that the proposed project will have no effect on critical habitat or on species of State or Federal concern.

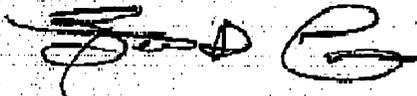
## LIMITATIONS

This report has been prepared for the exclusive use of the town of Calvin D. McClure and its designees for specific application to the subject project. Copies of our report may be distributed provided their use is consistent with the scope and intent of our services. Our findings have been developed in accordance with generally accepted standards of practice. No other warranty is expressed or implied. The client recognizes that future changes in regulations and guidelines may affect the conclusions/ findings presented in this report.

## ACKNOWLEDGMENT

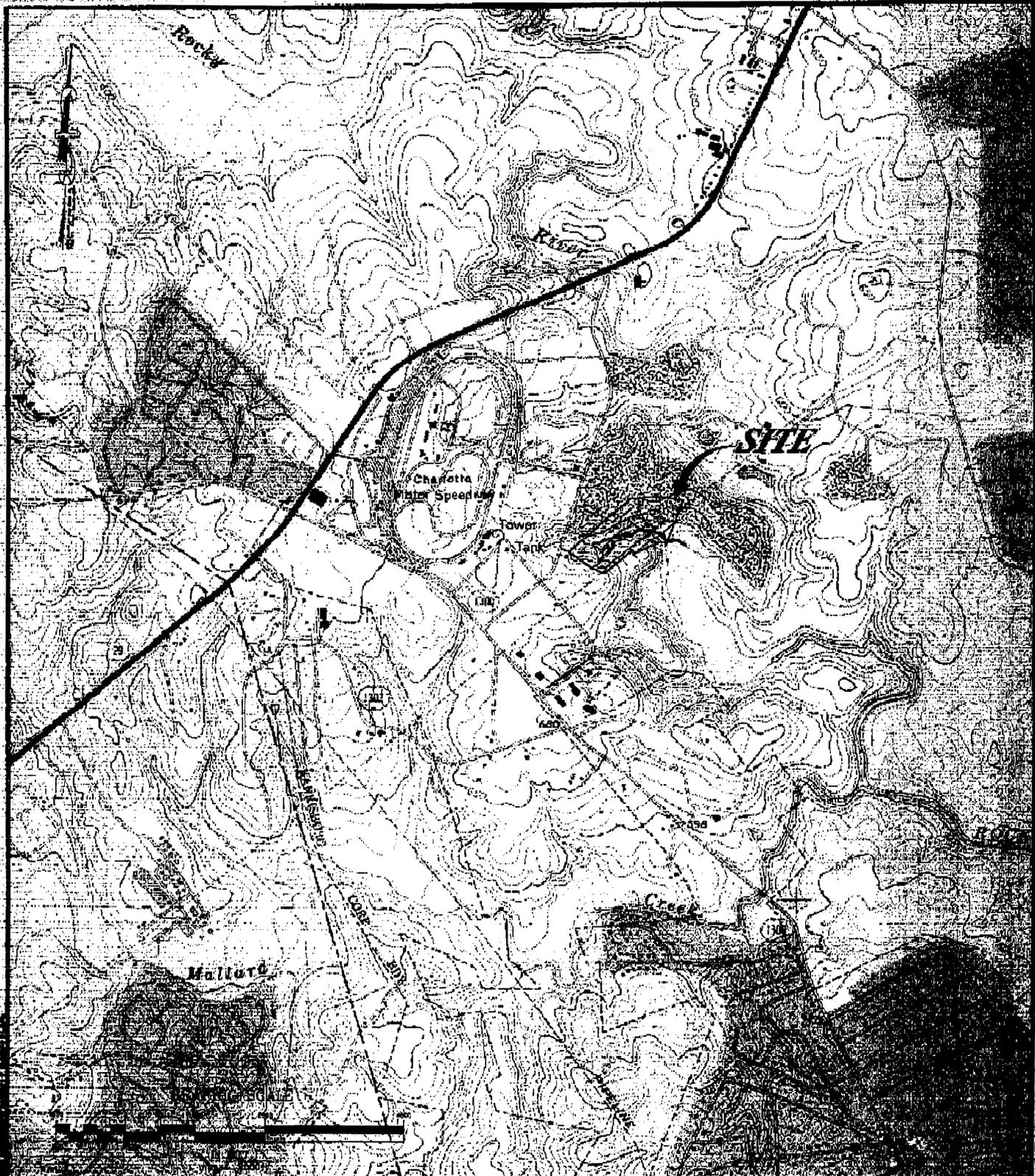
The Brigman Company, Inc. appreciates the opportunity to be of service to you by performing an endangered and threatened species assessment on the project site and preparing this report.

Respectfully submitted,



Britt A. Feldner  
Wetland Ecologist

**ADDENDA**



USGS 7.5 MIN QUADRANGLE (HARRISBURG)

**THE  
BRIGMAN  
COMPANY  
INCORPORATED**

**PROJECT LOCATION MAP**

---

PROJECT/SITE  
**CABARRUS L.C.I.D. LANDFILL**

---

APPLICANT/OWNER  
**CALVIN D. McCLURE**

SCALE: 1" = 2000'

DATE: 10/12/00

JOB NO.: 00017

DWG. NO.: 000171.00





# LANDFILL DEVELOPMENT

## •• FAX TRANSMITTAL ••

Date: 10/20/00

To: TIM JENETT Fax Number:: 336-771-4631

From:  RON GILKERSON • 895.0329

MIKE GRIFFIN • 895.4506

### MESSAGE

*TIM,*  
*ATTACHED YOU WILL FIND THE WETLAND*  
*CERTIFICATION FOR CABARRUS LAND LANDFILL*  
*@ LOWE'S MOTOR SPEEDWAY. IF YOU HAVE*  
*ANY QUESTIONS GIVE ME A CALL.*  
*THANKS,*  
*Ron*

This facsimile transmission consist of 2 pages, including this cover page.

19109 W Catawba Ave • Suite 118 • Cornelius, North Carolina 28031-5613

Oct-20-00 01:33P

P.02

**U.S. ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT**

Action ID: 200031297

County: Cabarrus

**Waters of the U.S. Survey/Delineation Verification**

Property owner/Authorized Agent: Cabarrus L.D.C. I. Landfill

Address: 4424 Taggart Creek Circle

Charlotte, NC 28219

Telephone Number:

Size and Location of Property (waterbody, Highway name/number, town, etc.):

Landfill Site located on 21.98 acre tract north of Harrisburg N.E. of the intersection of  
Morehead Rd. and U.S. 29.

Indicate Which of the following apply:

There are waters of the U.S. on the above described property which have been accurately flagged/delineated. We recommend that the delineated lines be surveyed. The surveyed lines must be verified by our staff before the Corps will make a final jurisdictional determination on your property.

The submitted survey plat dated 09/22/2000 for the above referenced property accurately reflects the limits of waters of the U.S. on the property. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed 5 years from the date of this notice.

Placement of dredged or fill material in waters of the U.S. on this property without a Department of the Army permit is in most cases a violation of Section 301 of the Clean Water Act (33 USC 1311). A permit is not required for work on the property restricted entirely to existing high ground. If you have any questions regarding the Corps of Engineers regulatory program, please contact:

Steve Chapin at (828) 271-4014

Project Manager Signature Steve Chapin Date October 18, 2000