Fac/Perm/Co ID #	Date	Doc ID
2613	8/30/10	11482

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AUG 30 2010

SOLID WASTE SECTION
ASHEVILLE REGIONAL OFFICE

FILED
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.
REGISTER OF DEEDS

FILED	Aug 20, 2010
AT	08:36:00 am
BOOK	08458
START PAGE	0394
END PAGE	0403
INSTRUMENT #	26411
RECORDING	$66.00
EXCISE TAX	(None)

RT

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 CUMBERLAND COUNTY AND SAID PROPERTY BEING OWNED BY THE KENNETH HARDIN AND FURTHER IDENTIFIED BY THE DEED RECORDED AS IDENTIFIED IN THE TABLE INSERTED HERE:

Cumberland County, N.C. Register of Deeds				
Book	Page	Acreage	Grantor	Grantee
6162	814	12.45	Brunson Heirs Partition	Kenneth Hardin
		12.45	Total Facility Acreage	

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A SOLID WASTE MANAGEMENT FACILITY EXISTED ON THE PROPERTY.

Mail: AAA Hauling of NC
1171 South Eastern BLVD
Fay. NC 28306

BK08458 PG0395

NCDENR

North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

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

TRANSFER, RECYCLE, RESOURCE RECOVERY AND PROCESSING FACILITY
Permit No. 26-13

KENNETH HARDIN (OWNER)
and
AAA HAULING OF NC, INC. (OPERATOR)
are hereby issued a

PERMIT TO CONSTRUCT/OPERATE

AAA HAULING OF NC, INC.
A TRANSFER, RECYCLE, RESOURCE RECOVERY AND PROCESSING FACILITY

Located at the *1171 South Eastern Boulevard, City of Fayetteville, Cumberland 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 legal description of the site is identified on the deeds recorded for this property listed in Attachment No. 1 of this permit.

cn=Edward F. Mussler III P. E., o=Division of Waste Mngt, ou=Solid Waste Section, email=ed.mussler@ncdenr.gov, c=US
2010.07.30 09:20:42 -04'00'

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

ATTACHMENT 1

PART I: PERMITTING HISTORY

1. Original Permit for construction and operation of the facility was issued July 28, 2010. DIN 11228.

Permit Type	**Date Issued**
Permit to Construct/Operate	**July 28, 2010**

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *Application for a New Permit.* Prepared by and for AAA Hauling. February 2010. DIN 10831.
2. *Revised Operations Plan and Financial Insurance.* Prepared by and for AAA Hauling. June 2010. DIN 10916.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Cumberland County, N.C. Register of Deeds				
Book	Page	Acreage	Grantor	Grantee
6162	814	12.45	Brunson Heirs Partition	Kenneth Hardin
		12.45	Total Facility Acreage	

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). 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. This permit shall not be effective until the certified copy of this permit which 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 Solid Waste Section within thirty (30) calendar days of issuance of this permit. If the Solid Waste 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 Solid Waste 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 sanitary landfill 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 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", 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 shall 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

PART I: CONSTRUCTION CONDITIONS

1. This permit authorizes construction at the transfer facility in accordance with the approved plans, **Attachment 1, Part II, List of Documents for the Approved Plan.** Any revision or modification to these plans shall be submitted to the NC Solid Waste Section (Section) for review and approval prior to installation, construction or implementation of the change and may be subject to additional fees.

2. The initial, substantial, construction authorized by this Permit to Construct must commence within 18 months from the issuance date of this permit. If substantial construction does not begin within 18 months from the issuance date of this permit, then the permit to construct shall expire. Substantial construction includes, but is not limited to, issuance of construction contracts, mobilization of equipment on site, and construction activities including installation of sedimentation and erosion control structures. The permittee may reapply for the permit to construct prior to the expiration date. The re-application will be subject to the statutes and rules in effect on that date and may be subject to additional fees.

3. An approval to operate by the Section is required prior to commencement of operations at the referenced facility. The following requirements shall be met prior to issuance of an approval to operate:

   a. A site inspection shall be made by a representative of the Section.
   b. Construction must be completed in accordance with the approved plan. A certification letter stating that the facility and related infrastructure was constructed in accordance with the approved plan shall be submitted to the Section by the Project Engineer who shall be a North Carolina registered professional engineer.

c. Three (3) copies of the construction record (As-built) drawings shall be submitted to the Section for filing and records.

d. A representative of the Section shall notify the Permitting Branch Supervisor in writing, either by letter or e-mail, that the conditions have been met. The owner and operator shall be copied on the correspondence. The notification shall suffice as permission to operate as of the date of the notification.

4. Pursuant to the NC Solid Waste Management Rule (Rule) 15A NCAC 13B .1626(5) burning of land-clearing debris generated on site as a result of construction activities requires approval by the Section prior to initiating the burn. In addition, the Division of Air Quality and local fire department must approve the activity prior to burning.

Erosion and Sedimentation Control Requirements

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

8. 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.

9. 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.

10. Modifications to the approved sedimentation and erosion control activities require approval by the North Carolina Land Quality Section. The Section must be notified of any sedimentation and erosion control plan modifications.

- End of Section -

ATTACHMENT 3

CONDITIONS OF OPERATING PERMIT

PART I: OPERATING CONDITIONS

1. The Permit to Operate shall expire **July 28, 2015.** Pursuant to 15A NCAC 13B .0201(g), no later than **May 28, 2015**, the owner or operator must submit a request to the Section for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.

2. The facility is permitted to receive solid waste as defined in NCGS 130A -290 (35).

3. The facility must meet the requirements of 15A NCAC 13B.0105. In addition, the following, at a minimum, must not be accepted at the facility; hazardous waste, liquid wastes, regulated medical waste, sharps not properly packaged, regulated-asbestos containing material as defined in 40 CFR 61, PCB waste as defined in 40 CFR 761.

4. This facility is permitted to receive municipal solid waste generated within Cumberland County. Waste must be transported for disposal to the Cumberland County's Municipal Solid Waste Landfill Facility, Permit No. 26-04 or Cumberland County's Wilkes Road Facility, Permit No. 26-10. Proposed changes to the service area and/or the disposal facility must be approved by the Section and will constitute a permit modification and be subject to the applicable permitting fee.

5. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, municipal solid waste that is generated within the boundaries of a unit of local government that by ordinance:

   a. Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.
   b. Requires generators or collectors of municipal solid waste to recycle that type or form of municipal solid waste.

6. A responsible individual trained and certified in facility operations must be on-site at all times during all operating hours of the facility, in accordance with G.S. 130A-309.25.

7. The permittee must develop, and use, a training and screening program at the facility for detecting and preventing unauthorized wastes from being accepted at the facility. At a minimum, the program must include:

   a. Random inspections of incoming loads or other comparable procedures.
   b. Records of all inspections.
   c. Training of personnel to recognize hazardous, liquid and other excluded waste types.

8. The facility must not cause nuisance conditions.

   a. The tipping floor and transfer trailer loading area must be maintained in a clean, sanitary condition at all times and must be cleaned at least daily in accordance with the approved Operational Plan.
   b. Waste must only be deposited on a "tipping floor" or directly into a transfer container. Waste must not be stored on the "tipping floor" after operating hours.
   c. Waste may be stored on-site, in leak proof transfer trailers, with watertight covers, a maximum of 24 hours except that a minimal amount of waste may be stored for a maximum of 72 hours when the facility is closed during a weekend or holiday.

Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.

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

e. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter.

   i) Fugitive dust emissions are prohibited.

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

9. All water that comes in contact with solid waste, including vehicle wash-down water, is leachate and must be captured and properly treated before release to the environment.

   a. The leachate control system, such as floor drains, leachate collection devices, sanitary sewer connections and leachate storage tanks, must be operational during facility operations.

   b. The tipping floor must drain away from the building entrance and into the leachate collection system.

10. The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.

11. In the event of noncompliance with the permit, the permittee must take all reasonable steps to minimize releases to the environment, and must carry out such measures as are reasonable to prevent adverse impacts on human health or the environment.

12. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated under 15A NCAC 4.

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

14. The permittee must maintain a record of the amount of solid waste received at the facility, including daily records of waste received and origins of the loads. Scales must be used to weigh the amount of waste received. The daily records are to be summarized into a monthly report for use in the required annual reports.

15. On or before August 1 annually, the Permittee must submit an annual facility report to the Solid Waste Section, on forms prescribed by the Section.
    a. The reporting period shall be for the previous year beginning July 1 and ending June 30.
    b. The annual facility report must list the amount of waste received in tons and be compiled:
        i) On a monthly basis.
        ii) By county, city or transfer station of origin.
        iii) By specific waste type.
        iv) By receiving disposal facility.
        v) By diversion to alternative management facilities.
    c. The completed report must be forwarded to the Regional Environmental Specialist for the facility by the date due on the prescribed annual facility report form.
    d. A copy of the completed report must be forwarded to each county manager for each county from which waste was received at the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Specialist by the date due on the prescribed annual facility report form.
16. Financial assurance as required by state rules and statutes must be continuously maintained for the duration of the facility in accordance with applicable rules and statutes. Closure and Post-Closure cost estimates and financial instruments must be updated annually.

PART II: MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS
Not Applicable

- End of Permit Conditions -

I do hereby certify that the attached PERMIT TO CONSTRUCT/OPERATE is an exact and true original of PERMIT NUMBER 26-13 for the AAA Hauling of NC, Inc., Transfer, Recycle, Resource Recovery and Processing Facility.

Larry Frost, Environmental Engineer
Asheville Regional Office
Solid Waste Section
Division of Waste Management

North Carolina
~~Cumberland County~~

I, Carol C. Lagace, Notary Public for Buncombe County, North Carolina, do hereby certify that Larry Frost, Environmental Engineer 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 10th day of August, 2010.

OFFICIAL SEAL

Carol C. Lagace
NOTARY PUBLIC

CAROL C LAGACE
NOTARY PUBLIC
BUNCOMBE COUNTY, NC

My commission expires January 3, 2015. (N.P. SEAL)

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 Larry Frost, Environmental Engineer, Division of Waste Management, Solid Waste Section, 2010 US Highway 70, Asheville, NC 2778.