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

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

January 20, 2012

Mr. Kenneth Autry
Autry Grading, Inc.
5124 US Highway 301
Hope Mills, North Carolina 28348

Re: Issuance of Permit to Construct and Operate
Autry Grading LCID Pit #1
Cumberland County, North Carolina
Permit No. 26M-LCID

Dear Mr. Autry:

Enclosed is the combined Permit to Construct and Operate of the above referenced facility. Please review the permit carefully and contact me with any questions or concerns.

Two permit conditions must be met before disposal operations may commence at the facility:

- Condition 3 (Attachment 1, Part IV, page 3 of 9) requires the permit be recorded with the Cumberland County Register of Deeds under the name of the landowner with a certified copy forwarded to the Solid Waste Section – 1646 Mail Service Center, Raleigh, NC 27699-1646.

- Condition 3d (Attachment 2, Part I, page 5 of 9) requires that a site inspection and pre-operative meeting be conducted by a representative of the Section, more specifically Drew Hammonds, Environmental Senior Specialist for Cumberland County prior to accepting waste in the Pit #1.

Thank you for your cooperation in this matter. If you have questions about the permit conditions or questions arise during construction, please contact either me at 919.707.8253 or Drew Hammonds at 910.433.3351.

Sincerely,

Elizabeth S. Werner
Hydrogeologist
Solid Waste Section
Division of Waste Management

Cc: Michael Scott, Solid Waste Section
Ed Mussler, Solid Waste Section
Drew Hammonds, Solid Waste Section
Evan Andrews, P.E., Joyce Engineering
Hannu Kemppinen, P.G., Joyce Engineering

Enclosure

I do hereby certify that the attached PERMIT TO CONSTRUCT and PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 26M-LCID for the Autry Grading Land Clearing and Inert Debris Landfill.

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

North Carolina

Wake County

I, Holly A. Murray, Notary Public for Wake 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 20th day of January, 2012.

OFFICIAL SEAL

NOTARY PUBLIC

HOLLY A. MURRAY
Notary Public
Wake County, NC
My Commission Expires 1/19/2014

My commission expires 1/19, 2014.

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

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

THIS PAGE IS PROVIDED FOR RECORDATION PURPOSES. THE ENTIRE DOCUMENT, INCLUDING THIS PAGE, SHOULD BE RECORDED 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 AUTRY GRADING, INC. AND FURTHER IDENTIFIED BY THE DEED RECORDED IN BOOK: 5334 AND PAGE(S): 656 THRU 659. THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A LANDFILL EXISTS ON THE PROPERTY.

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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. 26M-LCID

Autry Grading, Inc.

is hereby issued a

PERMIT TO CONSTRUCT AND OPERATE

Autry Grading LCID LANDFILL

PIT #1

Located on Doc Bennett Road north of Interstate 95 near the intersection of Radar Road (former Arm Pit Sand Mine), Hope Mills Township, 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 deed recorded for this property listed in Attachment No. 1 of this permit.

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

ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit	Date
Date of Original Issue	January 20, 2012

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *Application for Permit to Construct and Operate Land Clearing and Inert Debris Landfill (LCID) Autry Grading, Inc.* Prepared by Joyce Engineering, September 2011, Document ID No. 15906 (DIN).

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Property	Book	Page	Acreage	Grantor (Sold From)	Grantee (Sold To)
Original Permit	5334	656-659	52.93	APAC-Carolina, Inc.	Autry Grading, Inc.
Total Landfill Site Acreage:			**34.25**		

Note: Deed book reference is from Cumberland 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). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B .0201(e), a land clearing and inert debris solid waste management facility permit may be combined in two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct shall expire on January 20, 2017. The Permit to Construct conditions are contained in Attachment 2 of this permit. The Permit to Operate shall expire January 20, 2017. The Permit to Operate conditions are contained in 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 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 Pit #1 of the Autry Grading LCID Landfill totaling approximately 8.5 acres, according to the approved plans prepared by Joyce Engineering dated September 2011. Any revisions to these approved plans must be approved by the North Carolina Solid Waste Section.

2. The landfill is permitted for approximately 34.25 acres and total gross capacity of approximately 369,498 cubic yards broken into five-year phases of approximately 8.5 acres. Each future five-year phase (Pit #2, Pit #3, Pit #4) will require the submittal of a permit amendment. Development of the approved landfill is summarized below:

	Acreage	Capacity (cubic yards)	Status
Pit #1	8.5	16,236	Active
Pit #2	8.5	17,926	Future/non-permitted
Pit #3	8.5	19,792	Future/non-permitted
Pit #4	8.5	21,852	Future/non-permitted

3. The following are required prior to receiving solid waste in a new phase:

   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 shall 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 January 20, 2017. Pursuant to 15A NCAC 13B .0201(g), no later than July 20, 2016, 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) prepared by Joyce Engineering dated September 2011.

3. This Permit to Operate authorizes the operation of Pit #1 of the LCID Landfill when the Permittee has complied with the conditions specified in Attachment 2 (Conditions of Permit to Construct) of this permit. Pit #1 has a total of 8.5 acres and an apporximate total gross capacity of 16,236 cubic yards in accordance with approved plan referenced in Attachment 1, Part II of this permit (List of Documents For the Approved Plan).

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, unpainted concrete, and unpainted concrete block; and asphalt in accordance with NCGS 130-294(m).

5. When operational, monthly intake tonnages for the LCID will vary from 500 to 800 tons per month. Pit #1 covers 8.5 acres.

6. This facility is permitted to receive waste generated from the construction activities associated with Autry Grading, Inc. No private waste will be accepted. 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 Conditio