RECEIVED FEB - 9 2011 SOLID WASTE SECTION

2010039607

FOR REGISTRATION REGISTER OF DEEDS
Willie L. Covington
DURHAM COUNTY, NC
2010 DEC 20 11:57:43 AM
BK:6630 PG:416-428 FEE:$41.00

INSTRUMENT # 2010039607

**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 DURHAM COUNTY AND SAID PROPERTY BEING OWNED BY CURRIN BROTHERS, INC. AND FURTHER IDENTIFIED BY THE DEEDS RECORDED AS LISTED BELOW:

| Property | Book | Page | Acreage | Grantor | Grantee |
|---|---|---|---|---|---|
| Original Deed | 1475 | 428-430 | Not stated | | Currin Brothers, Inc. |
| Original Permit issued 1/25/1989 | 1506 | 606-609 | | | Currin Brothers, Inc. |
| Permit Amendment 9/7/93 | 1911 | 378-380 | | | Currin Brothers, Inc. |
| | | | | | |

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

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A SOLID WASTE MANAGEMENT ACTIVITY HAS OPERATED ON THE PROPERTY.

Return to
James R. Rogers III
575-B Washington St.
Raleigh NC 27605

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

# LAND CLEARING AND INERT DEBRIS (LCID) LANDFILL And TREATMENT AND PROCESSING FACILITY PERMIT NO. 32-D-LCID

Currin Brothers, Inc. (owner and operator)

are hereby issued a

## PERMIT TO CONSTRUCT AND OPERATE

Currin Brothers LCID LANDFILL NO.1

Located off of S.R. 1000 (Coley Road) in Durham 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.

cn=Edward F. Mussler III P. E., o=Division of Waste Mngt, ou=Solid Waste Section, email=ed.mussler@ncdenr.gov, c=US
2010.11.04 13:42:46 -04'00'

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

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Telephone 919-508-8400 \ Fax 919-733-4810 \ Internet http://wastenotnc.org

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# ATTACHMENT I

## PART I: PERMITTING HISTORY

| Permit | Date |
|---|---|
| Date of Original Issuance | January 25, 1989 |
| Permit Amendment | September 7, 1993 |
| | |
| Permit Amendment | November 3, 2010 |

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

1. *Currin Brothers LCID Landfill No. 1 Permit Renewal Application and Operations Plan, Permit No. 32-D-LCID. Prepared by Glen B. Currin, owner and John A.K. Tucker, P.E. - April 5, 2010, Document ID No. 12006. Revised Operations Plan – September 16, 2010, Document ID No. 12007.*

2. Correspondence associated with this permit: February 5, 2010 through November 1, 2010, Document ID No. 12005.

3. Historical information: Previous permits issued September 7, 1993 and January 25, 1989, including associated documentation. Document ID No. 12004.

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

| Property | Book | Page | Acreage | Grantor | Grantee |
|---|---|---|---|---|---|
| Deed | 1475 | 428-430 | Not stated | Continental Land Sale, Inc. | Currin Brothers, Inc. |
| Deed (Progress Energy-Easement) | 1172 | 127-130 | Not stated | Andrew H. McDaniel and wife, Louise B. McDaniel | CP&L (Progress Energy) |

| | | | | | |
|---|---|---|---|---|---|
| Original Permit (1/25/89) | 1506 | 606-609 | | | Currin Brothers, Inc. |
| Durham Co. Zoning letter (11/22/89) | | | 22 acres granted by Durham Co. | | |
| Permit Amendment (9-7-93) | 1911 | 378-380 | acreage not stated | | |
| Permit Renewal (November .....2010) | | | 0.25 acres for additional LCID disposal<br>0.86 acre area for Treatment and Wood Recycling | | |
| | | | | | |
| | | | | | |

Note: Deed book reference is from Durham 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 November 3, 2015. The Permit to Construct conditions are stated in Attachment 2 of this permit. The Permit to Operate shall expire November 3, 2015. 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 – TREATMENT AND PROCESSING FACILITY SPECIFIC CONDITIONS

*Not Applicable*

## PART II – MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS

*Not Applicable*

# ATTACHMENT 3

## CONDITIONS OF OPERATING PERMIT

## PART I – LAND CLEARING AND INERT DEBRIS TREATMENT AND PROCESSING FACILITY CONDITIONS

1. The Permit to Operate shall expire November 3, 2015. Pursuant to 15A NCAC 13B .0201(e), no later than May 3, 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 has a total permitted gross capacity of 1,118,000 cubic yards of permitted LCID materials and a projected 180 cubic yards of recycled wood material to be sold each week.

3. The facility is permitted to receive the following materials:

   a. land clearing waste as defined in 15A NCAC 13B, Rule .0101(23);
   b. unpainted and untreated natural wood;
   c. wooden pallets constructed of unpainted and untreated natural wood;

4. Only materials specifically listed in the permit application may be managed at this facility without adequate testing and prior approval of the Division of Waste Management. Should materials begin to compost, generate heat in excess of 110 degrees Fahrenheit, resulting in a change in physical appearance of the ground material, it will be necessary to obtain a compost permit for operation.

5. 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.

6. 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.

7. The facility must not cause nuisance conditions.

a. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.
b. 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.
c. Areas shall be operated and maintained in a manner so as to minimize odors.

8. Surface water shall be diverted from all operational and storage areas to prevent standing water in operational areas and under or around storage piles. Water that comes in contact with solid waste shall be contained on-site or properly treated prior to discharge.

9. Wastes received and product stored shall be maintained in containers or reasonably sized piles with adequate fire breaks and lanes in accordance with the approved operational plans and the pertinent rules.

10. 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.

11. 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.

12. 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. The daily records are to be summarized into a monthly report for use in the required annual reports.

13. 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 Facility name, address and permit number;
c. The total quantity in tons and type of waste received at the facility during the reporting year (based on 450 lbs. per cubic yard);
d. The total quantity in tons and type of waste processed at the facility during the reporting year (based on 450 lbs. per cubic yard);
e. The total quantity in tons and type of material produced at the facility during the reporting year (based on 625 lbs. per cubic yard);

f. The total quantity in tons and type of material removed for use or disposal from the facility, along with a description of the market use, for the facility during the reporting year (based on 625 lbs. per cubic yard);

g. The completed report must be forwarded to Durham County Engineering and Environmental Services.

14. The facility must manage the treatment and processing according to the Operation Plan included in Attachment I, Part II: "List of Documents for the Approved Plan". This document is included in the approved plan. Any revisions to the approved plan shall be approved by the Section, prior to implementation.

*- End of Permit Conditions -*

I do hereby certify that the attached PERMIT TO CONSTRUCT AND OPERATE is an exact and true original of PERMIT NUMBER 32-D for the Currin Brothers, Inc. LCID & Treatment/Processing Landfill.

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

North Carolina

Wake County

I, Betty Jo Stanfield, Notary Public for Wake County,

North Carolina, do hereby certify that Edward F. Mussler, III, 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 5 day of November, 20 16.

Betty Jo Stanfield NOTARY PUBLIC Wake County, NC

OFFICIAL SEAL

NOTARY PUBLIC

My commission expires December 29, 20 14.

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.

WILLIE L. COVINGTON
REGISTER OF DEEDS, DURHAM COUNTY
DURHAM COUNTY COURTHOUSE
200 E. MAIN STREET
DURHAM, NC 27701

# PLEASE RETAIN YELLOW TRAILER PAGE

It is part of recorded document, and must be submitted with original for re-recording and/or cancellation.

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| Filed For Registration: | 12/20/2010 11:57:43 AM |
| Book: | RE 6630 Page: 418-428 |
| Document No.: | 2010039607 |
| | NOTICE 11 PGS $41.00 |
| Recorder: | APRIL J WILLIAMS |

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