

LCIDN/33-C Permit Barnhill  
Contracting-Bullock

Edge Co.  
33-C



February 18, 1992

State of North Carolina  
Department of Environment, Health and Natural Resources  
Division of Solid Waste Management  
P. O. Box 27687  
Raleigh, North Carolina 27611-7687

Re: Demolition Landfill  
SR 1243, Edgecombe County  
Permit No. 33-C

Attention: Sherri C. Hoyt

Dear Ms. Hoyt:

In accordance with Condition 1 of the Solid Waste Permit for the above referenced landfill, we are returning the certified copy of the permit for your records.

If we can be of further assistance, please let us know.

Yours very truly,

BARNHILL CONTRACTING COMPANY

A handwritten signature in cursive script that reads 'William F. Davis'.

William F. Davis  
Vice President

/s

Enclosure

PERMIT NO. 33-C

DATE ISSUED 8/28/87

STATE OF NORTH CAROLINA  
DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH SERVICES  
P. O. Box 2091                      Raleigh, NC 27602

S O L I D   W A S T E   P E R M I T

BARNHILL CONTRACTING COMPANY  
is hereby issued a permit to operate a  
Demolition Landfill  
located  
on SR 1243, Edgecombe County,

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 of the site on the attached sheet.

  
\_\_\_\_\_  
Jerry Rhodes, Assistant Branch Head  
Solid and Hazardous Waste Management Branch  
Environmental Health Section

This deed drawn by Walter J. Early & Chandler, Attorneys, 119 S. Grace St., Rocky Mount, N.

NORTH CAROLINA, EDGECOMBE County.

THIS DEED, made this 30th day of November, 1982, by \_\_\_\_\_

OTIS R. BULLUCK and wife, PATSY E. BULLUCK Grantors,

To BARNHILL CONTRACTING COMPANY, A North Carolina Corporation  
Post Office Box 1529, Tarboro, N. C. 27886, Grantees, all of

Edgecombe County, North Carolina; Witnesseth: That the Grantors, in consideration of Ten Dollars and other valuable considerations to them paid by the Grantees, the receipt of which is hereby acknowledged, have Bargained and sold, and by these presents do grant, bargain, sell and convey unto the Grantees, their heirs, or successors, and assigns, the parcel(s) of Land in Edgecombe County, North Carolina, in Number 12 Township, adjoining the lands of \_\_\_\_\_

and others, and more particularly described as follows:

BEING a parcel or tract of land containing 1.666 acres bounded on the North by property of Armenous Dobson, Jr. and Clark & Langley, Inc., on the east by the property of George T. Denton (to be conveyed to the Grantee herein), on the South by Section 1, Block B of Manor Acres Subdivision, which map is recorded in Map Book 15, Page 69, Edgecombe County Registry and on the West by other lands owned by the Grantee herein and being more particularly described as follows:

BEGINNING at a stake in the eastern margin of Aztec Avenue, northwest corner of Lot 31, Block B, as shown on map of Section 1, Manor Acres, recorded in Map Book 15, Page 69, Edgecombe County Registry; thence NORTH 02° 48' EAST 33.07 feet to an iron stake, a new corner; thence NORTH 87° 12' WEST 60 feet to an iron stake in the western margin of Aztec Avenue, northeast corner of Lot 3, Block C according to map of Section 1 of Manor Acres Subdivision which map is recorded in Map Book 15, Page 69, Edgecombe County Registry, a corner with the property of Barnhill Contracting Company conveyed by Otis R. Bulluck and wife by deed dated October 1, 1982; thence with the said Barnhill Contracting Company property NORTH 02° 48' EAST 309.56 feet to an iron stake; thence along a curve to the left a chord measurement of NORTH 21° 21' WEST 63.93 feet to an iron stake; thence NORTH 09° 19' EAST 90.28 feet to an iron stake in the southern property line of the property of Armenous Dobson, Jr.; thence with the Dobson line SOUTH 81° 29' EAST 30.0 feet to an iron stake, common corner of the property of Armenous Dobson, Jr. and Clark & Langley, Inc.; thence with the line of the property of Clark & Langley, Inc. SOUTH 57° 49' EAST 64.41 feet to an iron stake and SOUTH 82° 07' EAST 85.0 feet to an iron stake, northwest corner of the property of George T. Denton; thence with the line of the said George T. Denton property SOUTH 02° 48' WEST 444.99 feet to an iron stake in the northern property line of Lot 30, Block B, Section 1 of said Manor Acres Subdivision; thence with the line of said Lot 30 and Lot 31, Block B, NORTH 89° 20' WEST 95.0 feet to the point and place of BEGINNING.

The above described property is made subject to 1982 Edgecombe County taxes and to easements of record.

The above description was made from map of property of Otis R. Bulluck and George T. Denton to be conveyed to Barnhill Contracting Company, Number 12 Township, Edgecombe County, N. C. dated November 23, 1982 by Gay Jarvis Associates, Inc., a copy being hereto and incorporated herein.

This instrument drawn by Walter J. Ea. , 119 S. Grace Street, Rocky Mount, N. C. INDIVIDUAL DEED  
NORTH CAROLINA - County of EDGECOMBE THIS DEED, made this 1st day of October, 1982,  
by OTIS R. BULLUCK and wife, PATSY E. BULLUCK

Grantors  
to BARNHILL CONTRACTING COMPANY, A North Carolina Corporation  
Post Office Box 1529, Tarboro, North Carolina 27886 Grantees.

Witnesseth: That the Grantors in consideration of Ten Dollars and other valuable consideration to them paid by the Grantees, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto the Grantees, their heirs, or successors and assigns, the following described real estate in the City or Town of \_\_\_\_\_, Number 12 Township, EDGECOMBE County, North Carolina:

BEING all of Lots 4, 5, 6, 7 and 8, Block C, Section 2 of Manor Acres according to map recorded in Map Book \_\_\_\_\_, Page \_\_\_\_\_, Edgecombe County Registry and an unnumbered parcel of the Otis R. Bulluck land lying North of Lot 8 and adjoining the property of Armenous Dobson and being more particularly described as follows:

BEGINNING at a point in the western right of way line of Aztec Avenue NORTH 2° 48' EAST 250.38 feet as measured along the western right of way of Aztec Avenue from the point of intersection of the western right of way of Aztec Avenue and the northern right of way of Farmer Street, were the two extended to intersect, the northeast corner of Lot 3, Block C of Manor Acres, Section 1 according to map recorded in Map Book 15, Page 69, Edgecombe County Registry; thence along the western right of way of Aztec Avenue, NORTH 2° 48' EAST 309.56 feet to an iron stake in the front property line of Lot 8, Block C, Manor Acres, Section 2, at a point where Aztec Avenue begins to curve into a culdesac; thence with the curve of said culdesac as the same curves in a generally northerly direction a chord measurement of NORTH 21° 21' WEST 63.93 feet to an iron stake, northeast corner said Lot 8, Block C, Manor Acres, Section 2; thence a new line NORTH 09° 19' EAST 90.28 feet to an iron stake in the southern property line of the property of Armenous Dobson conveyed to him by deed dated August 11, 1977 and recorded in Book 869, Page 746, Edgecombe County Registry; thence with the southern property line of the said Armenous Dobson property, NORTH 81° 29' WEST 185 feet to an iron stake in the line of the property of the Brantley heirs; thence SOUTH 02° 48' WEST 476 feet to an iron stake, northwest corner Lot 3 of Block C of Manor Acres, Section 1, according to map recorded in Map Book 15, Page 69, Edgecombe County Registry; thence with the northern property line of said Lot 3, Block C, Manor Acres, Section 1, SOUTH 87° 12' EAST 200 feet to a point in the western right of way Aztec Avenue, the point and place of BEGINNING.

The foregoing description is in accordance with map of the property of Otis R. Bulluck to be conveyed to Barnhill Contracting Company, dated September 30, 1982 by Gay Jarvis Associates, Inc., a copy of which is attached hereto and incorporated herein by reference. The foregoing conveyance is made SUBJECT TO 1982 Edgecombe County taxes and to easements and covenants of record.  
See Deed dated \_\_\_\_\_, recorded in Book 723, Page 620, Edgecombe County Registry.

TO HAVE AND TO HOLD the aforesaid real estate and all privileges and appurtenances thereunto belonging, to the said Grantees, their heirs, or successors and assigns forever.  
And the said Grantors, for themselves, their heirs, executors and administrators, covenant with the Grantees, their heirs, or successors and assigns that they are seized of said premises in fee and have the right to convey the same in fee simple; that the same are free from encumbrances except as herein set forth; and that they will warrant and defend the said title to the same against the claims of all persons whomsoever.  
The plural number as used herein shall equally include the singular. The masculine or feminine gender as used herein shall equally include the neuter.  
IN TESTIMONY WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

OTIS R. BULLUCK (SEAL)  
OTIS R. BULLUCK

PATSY E. BULLUCK (SEAL)  
PATSY E. BULLUCK

\_\_\_\_\_  
(SEAL) \_\_\_\_\_ (SEAL)  
(Type name under signature)

NORTH CAROLINA - County of EDGECOMBE  
I, WILLIAM F. DAVIS, Notary Public, do hereby certify that  
Otis R. Bulluck and his wife, Patsy E. Bulluck  
Grantors, each personally appeared before me this day and acknowledged the due execution of the foregoing instrument.  
Witness my hand and official seal, this 2<sup>nd</sup> day of October, 1982

NOTARIAL STAMP OR SEAL HERE  
(Must be impressed sufficiently for Notary's name to be readable.)  
William F. Davis, Notary Public.  
My commission expires: \_\_\_\_\_

(If acknowledgment not taken in North Carolina, show county and state where taken)  
STATE OF \_\_\_\_\_, County of \_\_\_\_\_  
I, \_\_\_\_\_, Notary Public, do hereby certify that  
\_\_\_\_\_ and his wife, \_\_\_\_\_  
Grantors, each personally appeared before me this day and acknowledged the due execution of the foregoing instrument.  
Witness my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

NOTARIAL STAMP OR SEAL HERE  
(Must be impressed sufficiently for Notary's name to be readable.)  
\_\_\_\_\_, Notary Public.  
My commission expires: \_\_\_\_\_

NORTH CAROLINA - County of \_\_\_\_\_ The foregoing certificate(s) of \_\_\_\_\_  
Notary(ies) Public is (are) certified to be correct. This instrument was presented for registration and recorded in this office in \_\_\_\_\_  
Book \_\_\_\_\_, Page \_\_\_\_\_, This \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

BY: \_\_\_\_\_  
Register of Deeds Register of Deeds

NORTH CAROLINA  
EDGECOMBE COUNTY

THIS INSTRUMENT PREPARED BY  
GEORGE G. WHITAKER  
MOORE, DIEDRICK, WHITAKER & CARLISLE  
ROCKY MOUNT, NORTH CAROLINA

THIS DEED, made and entered into this 3rd day of December, 1982, by and between Sidney M. Denton and wife, Lenora B. Denton, Lucy D. Harper and husband, Jimmie Harper, Lela D. Thompson, widow, Lena D. King and husband, George K. King, Nora D. Moore, widow, and George G. Whitaker, Administrator of the Estate of George T. Denton, Grantors, to Barnhill Contracting Company, a corporation, Highway 97 East, Rocky Mount, North Carolina, 27801, Grantee;

WITNESSETH:

That the Grantors in consideration of Ten Dollars (\$10.00) and other valuable consideration to them paid by the Grantee, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell, grant and convey, unto the Grantee, its successors and assigns, the following described real estate located in Number 12 Township, Edgecombe County, North Carolina:

BEING a parcel or tract of land containing 4.95 Ac. ± bounded on the north by property of Clark-Langley, Inc., on the east and west by property of Otis R. Bulluck and on the south by Section 1 of Manor Acres Subdivision which map is recorded in Map Book 15, Page 69, Edgecombe County Registry and being more particularly described as follows:

BEGINNING at a stake in the northern property line of Lot 30, Block B, Section 1, Manor Acres, said map being recorded in Map Book 15, Page 69, Edgecombe County Registry, said beginning point being SOUTH 89° 20' EAST 95.0 feet from the northwestern corner of Lot 31, Block B, Section 1, said Manor Acres; and the eastern property line of Aztec Avenue; thence NORTH 02° 48' EAST 444.99 feet to a stake in the line of the property of Clark-Langley, Inc., a corner for Otis R. Bulluck; thence along the southern property line of Clark-Langley, Inc. SOUTH 82° 07' EAST 90.35 feet to a stake; thence continuing along the line of Clark-Langley, Inc. SOUTH 87° 12' EAST 287 feet to a stake on the bank of a ditch; thence continuing SOUTH 87° 12' EAST to the center line of said ditch; thence down the center line of said ditch to a point where the northern line of Lot 23, Block B, Section 1, Manor Acres, if extended, would intersect the center line of said ditch, a tangent as measured along the bank of said ditch being measured from the last mentioned iron stake SOUTH 32° 11' EAST 411.6 feet to a stake, northeast corner for Lot 23, Block B, Section 1, Manor Acres; thence along the Manor Acres line SOUTH 72° 53' WEST 251.66 feet to a stake, common corner for Lots 25 and 26, Block B, Section 1, Manor Acres; thence continuing along the Manor Acres line NORTH 89° 20' WEST 376.62 feet to the point of BEGINNING.

The above described property is subject to a 20 feet drainage and utility easement along the eastern property line of the above described property.

PERMIT NO. 33-C  
DATE ISSUED 8/26/87

S O L I D W A S T E P E R M I T  
(Demolition Landfill)

Conditions of Permit:

1. This permit shall not be effective unless the certified copy is filed in the register of deeds' office, in the grantor index under the name of the owner of the land in the county or counties in which the land is located. After recordation, the certified copy shall be returned to the Solid & Hazardous Waste Management Branch and shall have indicated on it the page and book number, date of recordation and registrar's seal.
2. When this property is sold, leased, conveyed or transferred, 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.
3. The following requirements shall be met prior to receiving solid waste at the site:
  - a. Site preparation shall be in accordance with the construction plan.
  - b. Site inspection shall be made by a representative of the Division of Health Services.
4. This solid waste disposal site is permitted to receive solid waste as defined in 10 NCAC 10G, .0101(5); stumps, limbs, leaves, concrete, brick, wood, uncontaminated earth, or other solid wastes as approved by the Branch.
5. This permit is for construction according to attached plans and with the following revisions:
  - a. The floodway area will be delineated and not utilized for disposal.
  - b. The remaining area will be operated in such a manner that no wash-out of solid waste occurs and that final elevations including landfilling and final cover will not exceed floodway elevations.

Any modification or deviation from the approved plans shall be approved by the North Carolina Solid and Hazardous Waste Management Branch.
6. This facility shall conform to operating procedures in Rule .0507 of the Solid Waste Management Rules.
7. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.
8. All earth-disturbing activities will be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4)



North Carolina Department of Human Resources  
Division of Health Services  
P.O. Box 2091 • Raleigh, North Carolina 27602-2091

James G. Martin, Governor  
David T. Flaherty, Secretary

Ronald H. Levine, M.D., M.P.H.  
State Health Director

CERTIFIED COPY OF SOLID WASTE PERMIT

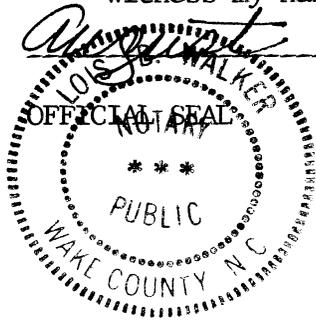
I do hereby certify that the attached PERMIT is an exact and true copy of Permit No. 33-C.

Jerry Rhodes  
Jerry Rhodes, Assistant Branch Head  
Solid and Hazardous Waste Management Branch  
Environmental Health Section

North Carolina  
Edgecombe County

I, Lois B. Walker, a Notary Public for said County and State, do hereby certify that Jerry Rhodes, Assistant Branch Head, Solid and Hazardous Waste Management Branch, Environmental Health Section personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 28<sup>th</sup> day of August, 1987.



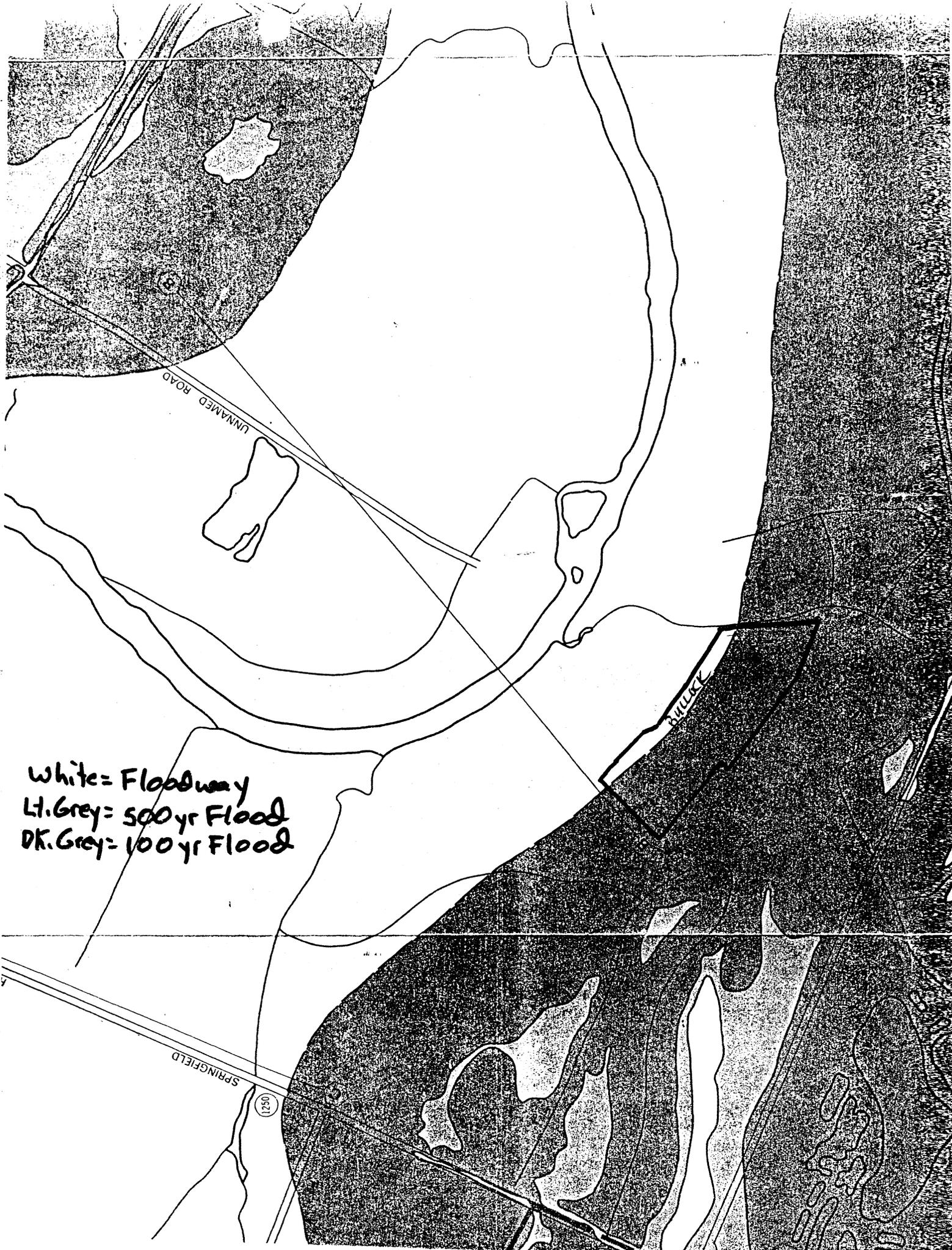
Lois B. Walker  
NOTARY PUBLIC

My commission expires 1-29, 90, 1987.

NORTH CAROLINA, EDGECOMBE COUNTY

The foregoing certificate(s) of Lois B. Walker, a Notary Public (is) (are) certified to be correct. This instrument was presented for registration and recorded in Book 1076 Page 281 this the 13<sup>th</sup> day of February 19 92 at 10:50 o'clock 12 M.  
Gladys Shelton Pitt, Register of Deeds By Bette L. Godfrey  
OWEN G. DUNN CO. 46362 Asst./Computer

BOOK 1076 PAGE 286



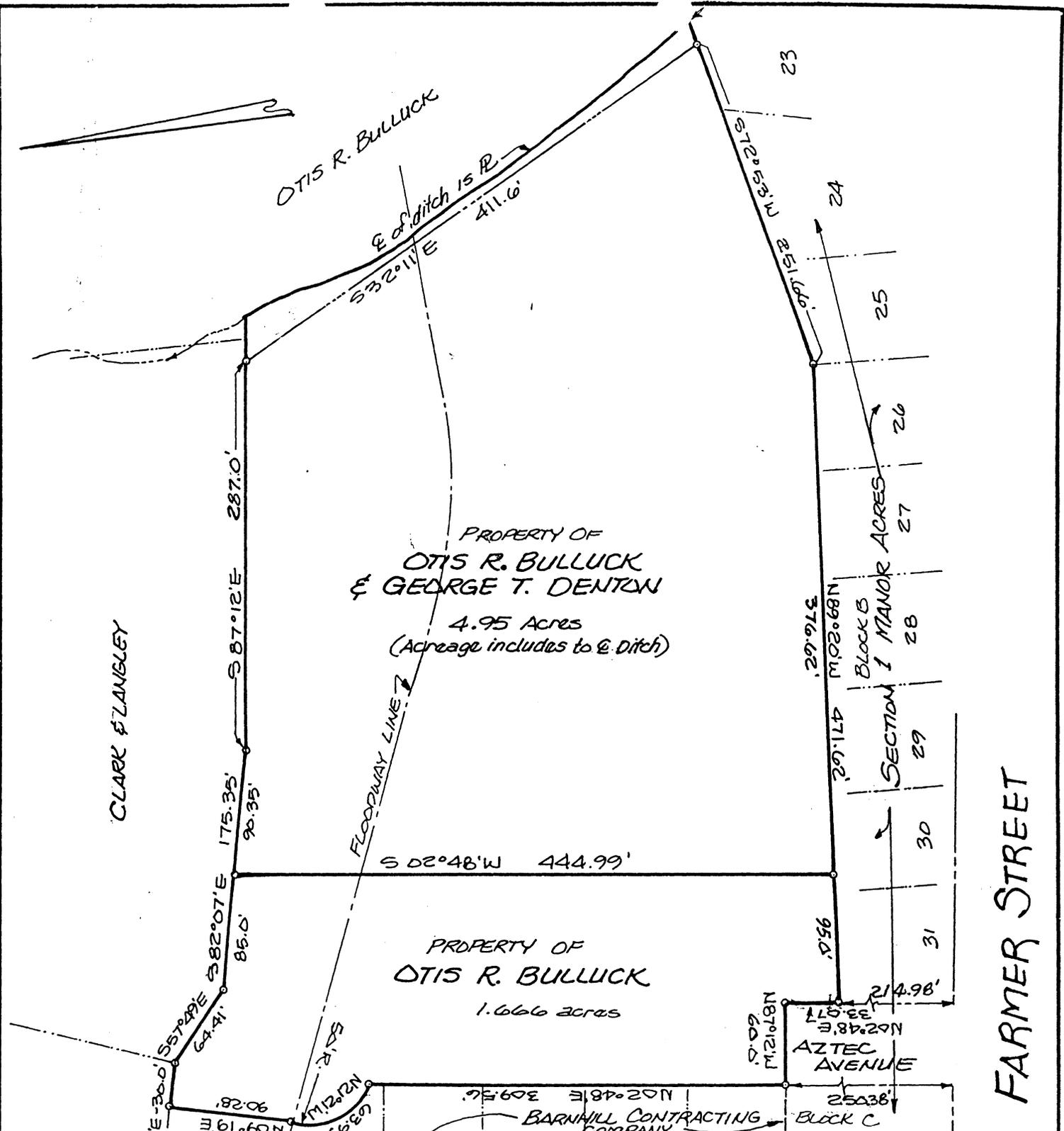
White = Floodway  
Lt. Grey = 500 yr Flood  
DK. Grey = 100 yr Flood

UNNAMED ROAD

BRUCK

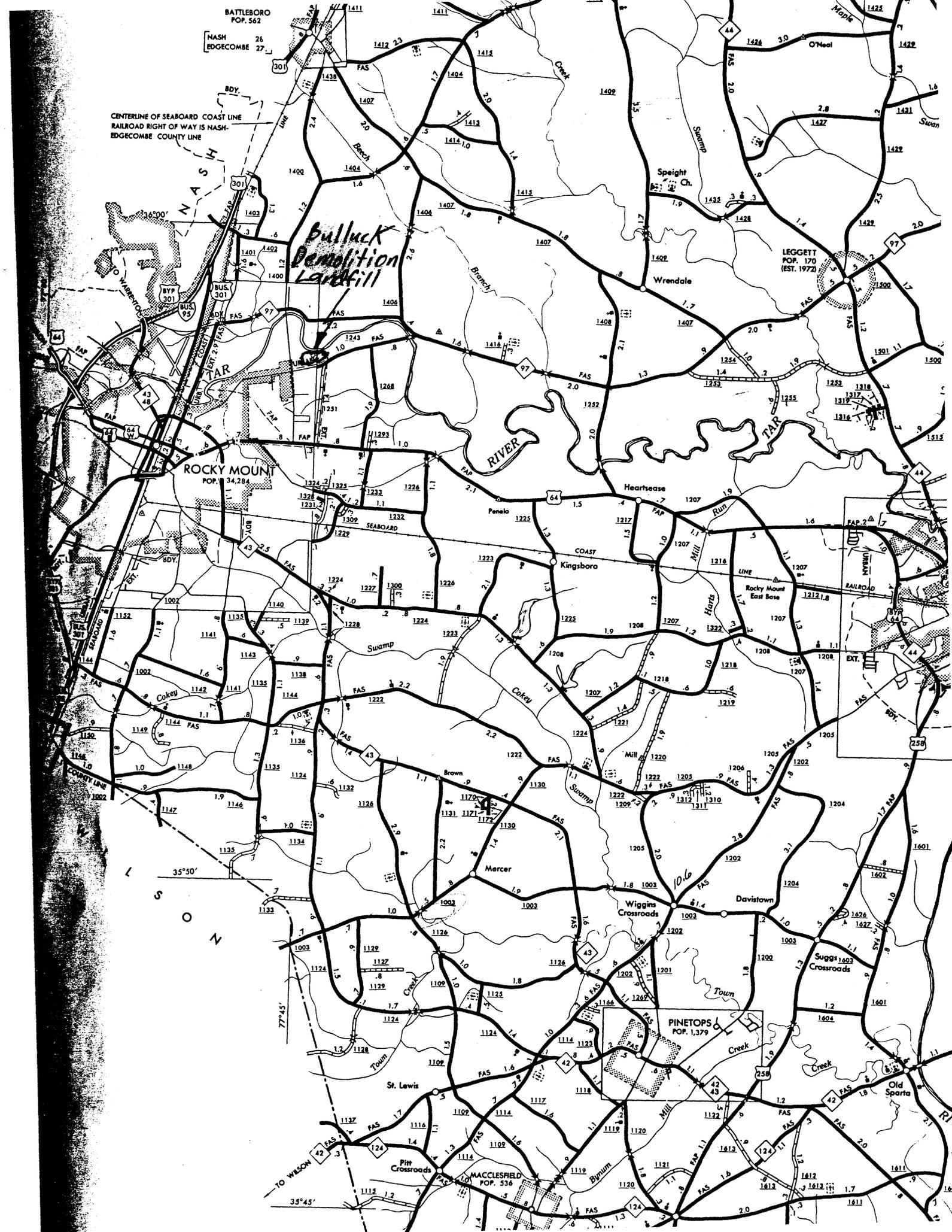
SPRINGFIELD

(1250)



**NOTE:**  
 This map compiled and computed from other maps and surveys prepared by this office.

<b>MAP OF PROPERTY OF          OTIS R. BULLUCK &amp; GEORGE T. DENTON LAND          TO BE CONVEYED TO          BARNHILL CONTRACTING COMPANY</b>	
No. 12 TWP. EDGECOMBE COUNTY NORTH CAROLINA	
Scale: 1" = 100'	Date: November 23, 1982
<b>GAY-JARVIS ASSOCIATES, INC.</b> ENGINEERS - PLANNERS - SURVEYORS ROCKY MOUNT, N. C.	



BATTLEBORO  
POP. 562

NASH  
EDGECOMBE 27

CENTERLINE OF SEABOARD COAST LINE  
RAILROAD RIGHT OF WAY IS NASH-  
EDGECOMBE COUNTY LINE

*Bulluck  
Demolition  
Landfill*

ROCKY MOUNT  
POP. 34,284

LEGGETT  
POP. 170  
(EST. 1972)

Heartsease

Kingsboro

Wiggins  
Crossroads

PINETOPS  
POP. 1,379

MACCLESFIELD  
POP. 536

35°50'

S  
O  
N

77°45'

35°45'

TO WILSON

Old Sparta

RIV.





North Carolina Department of Human Resources  
Division of Health Services  
P.O. Box 2091 • Raleigh, North Carolina 27602-2091

James G. Martin, Governor  
David T. Flaherty, Secretary

Ronald H. Levine, M.D., M.P.H.  
State Health Director

August 26, 1987

Barnhill Contracting  
P.O. Box 1529  
Tarboro,, N.C. 27886  
Attn: Mr. Chris Stroud

RE: Demolition Landfill, Permit #33-C, Edgecombe County

Dear Mr. Stroud:

Please find enclosed a Solid Waste Permit, a certified copy, and Conditions of the Permit for the referenced site.

Please note that a portion of the site is in the floodway, and in accordance with Section .0503(1)(a) of the Solid Waste Rules, can not be landfilled. However, the remaining portion can be landfilled in accordance with condition No. 5 of the permit.

Also, please note the types of waste approved for demolition landfills, specified in the permit conditions.

However, the Bailey Site is not approved for disposal, since it is almost entirely in the floodway. Also, the Rocky Mount Asphalt Pit is not approved for disposal due to its large areal extent. An extensive construction plan would be required if this site is pursued.

If there are any questions, please call at (919) 733-2178.

Sincerely,

A handwritten signature in cursive script that reads "James C. Coffey".

James C. Coffey, Environmental Engineer  
Solid & Hazardous Waste Management Branch  
Environmental Health Section

JCC/mj

CC: Terry Dover  
Fred Wood

PERMIT NO. 33-C

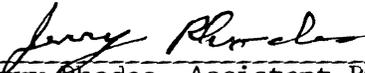
DATE ISSUED 8/28/87

STATE OF NORTH CAROLINA  
DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH SERVICES  
P. O. Box 2091                      Raleigh, NC 27602

S O L I D   W A S T E   P E R M I T

BARNHILL CONTRACTING COMPANY  
is hereby issued a permit to operate a  
Demolition Landfill  
located  
on SR 1243, Edgecombe County,

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 of the site on the attached sheet.

  
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Jerry Rhodes, Assistant Branch Head  
Solid and Hazardous Waste Management Branch  
Environmental Health Section

NORTH CAROLINA, EDGECOMBE County.

THIS DEED, made this 30th day of November, 1982, by \_\_\_\_\_

OTIS R. BULLUCK and wife, PATSY E. BULLUCK Grantors,

To BARNHILL CONTRACTING COMPANY, A North Carolina Corporation  
Post Office Box 1529, Tarboro, N. C. 27886, Grantees, all of

Edgecombe County, North Carolina; Witnesseth: That the Grantors, in consideration of Ten Dollars and other valuable considerations to them paid by the Grantees, the receipt of which is hereby acknowledged, have Bargained and sold, and by these presents do grant, bargain, sell and convey unto the Grantees, their heirs, or successors, and assigns, the parcel(s) of Land in Edgecombe County, North Carolina, in Number 12 Township, adjoining the lands of \_\_\_\_\_

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The above described property is made subject to 1982 Edgecombe County taxes and to easements of record.

The above description was made from map of property of Otis R. Bulluck and George T. Denton to be conveyed to Barnhill Contracting Company, Number 12 Township, Edgecombe County, N. C. dated November 23, 1982 by Gay Jarvis Associates, Inc., a copy being hereto and incorporated herein.



NORTH CAROLINA  
EDGECOMBE COUNTY

THIS INSTRUMENT PREPARED BY  
GEORGE G. WHITAKER  
MOORE, DIEDRICK, WHITAKER & CARLISLE  
ROCKY MOUNT, NORTH CAROLINA

THIS DEED, made and entered into this 3rd day of December, 1982, by and between Sidney M. Denton and wife, Lenora B. Denton, Lucy D. Harper and husband, Jimmie Harper, Lela D. Thompson, widow, Lena D. King and husband, George K. King, Nora D. Moore, widow, and George G. Whitaker, Administrator of the Estate of George T. Denton, Grantors, to Barnhill Contracting Company, a corporation, Highway 97 East, Rocky Mount, North Carolina, 27801, Grantee;

WITNESSETH:

That the Grantors in consideration of Ten Dollars (\$10.00) and other valuable consideration to them paid by the Grantee, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell, grant and convey, unto the Grantee, its successors and assigns, the following described real estate located in Number 12 Township, Edgecombe County, North Carolina:

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The above described property is subject to a 20 feet drainage and utility easement along the eastern property line of the above described property.

SOLID WASTE PERMIT  
(Demolition Landfill)

Conditions of Permit:

1. This permit shall not be effective unless the certified copy is filed in the register of deeds' office, in the grantor index under the name of the owner of the land in the county or counties in which the land is located. After recordation, the certified copy shall be returned to the Solid & Hazardous Waste Management Branch and shall have indicated on it the page and book number, date of recordation and registrar's seal.
2. When this property is sold, leased, conveyed or transferred, 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.
3. The following requirements shall be met prior to receiving solid waste at the site:
  - a. Site preparation shall be in accordance with the construction plan.
  - b. Site inspection shall be made by a representative of the Division of Health Services.
4. This solid waste disposal site is permitted to receive solid waste as defined in 10 NCAC 10G, .0101(5); stumps, limbs, leaves, concrete, brick, wood, uncontaminated earth, or other solid wastes as approved by the Branch.
5. This permit is for construction according to attached plans and with the following revisions:
  - a. The floodway area will be delineated and not utilized for disposal.
  - b. The remaining area will be operated in such a manner that no wash-out of solid waste occurs and that final elevations including landfilling and final cover will not exceed floodway elevations.

Any modification or deviation from the approved plans shall be approved by the North Carolina Solid and Hazardous Waste Management Branch.
6. This facility shall conform to operating procedures in Rule .0507 of the Solid Waste Management Rules.
7. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.
8. All earth-disturbing activities will be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4)



North Carolina Department of Human Resources  
Division of Health Services  
P.O. Box 2091 • Raleigh, North Carolina 27602-2091

James G. Martin, Governor  
David T. Flaherty, Secretary

Ronald H. Levine, M.D., M.P.H.  
State Health Director

CERTIFIED COPY OF SOLID WASTE PERMIT

I do hereby certify that the attached PERMIT is an exact and true copy of Permit No. 33-C.

*Jerry Rhodes*

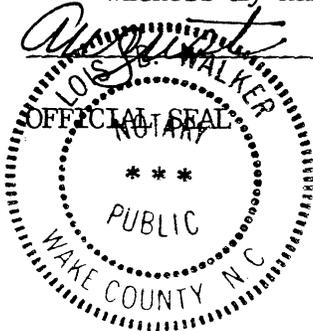
Jerry Rhodes, Assistant Branch Head  
Solid and Hazardous Waste Management Branch  
Environmental Health Section

North Carolina

Edgecombe County

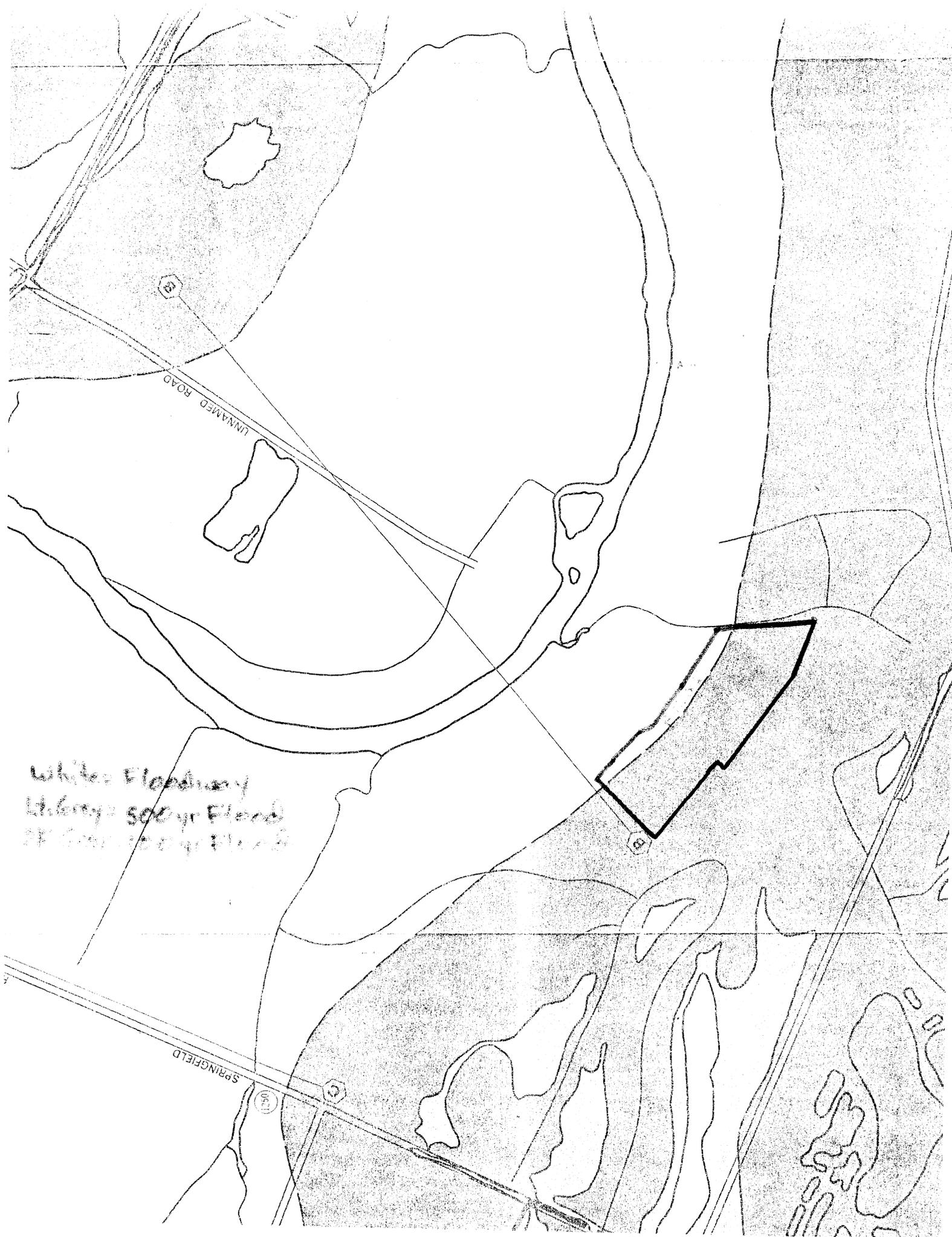
I, *Louis Walker*, a Notary Public for said County and State, do hereby certify that *Jerry Rhodes*, Solid and Hazardous Waste Management Branch, Environmental Health Section personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 28<sup>th</sup> day of \_\_\_\_\_, 1987.



*Louis Walker*  
NOTARY PUBLIC

My commission expires 1-29, 1987.



White Floodway  
1/4 mi x 500 yr Flood  
2 1/2 mi x 100 yr Flood

UNNAMED ROAD

SPRINGFIELD

S B





The above description was made from map of property of Otis R. Bulluck and George T. Denton to be conveyed to Barnhill Contracting Company, No. 12 Twsp., Edgecombe County, North Carolina dated November 23, 1982 by Gay-Jarvis Associates, Inc. a copy being attached hereto and incorporated herein.

TO HAVE AND TO HOLD the aforesaid real estate and all privileges and appurtenances thereunto belonging to the Grantee, its successors and assigns, in fee simple absolute forever.

And the said Sidney M. Denton, Lucy D. Harper, Lela D. Thompson, Lena D. King, and Nora D. Moore, each for himself or herself, his or her heirs, executors, and administrators, but not jointly and severally, covenant with the Grantee, its successors and assigns, that he or she is seized of an undivided one-fifth (1/5) interest in said premises in fee and has the right to convey the same in fee simple; that the same are free from encumbrances and that he or she will warrant and defend the title to his or her one-fifth (1/5) interest therein conveyed against the lawful claims of all persons whomsoever.

George G. Whitaker, in his capacity as Administrator of the Estate of George T. Denton, joins in the execution of this instrument pursuant to the terms of North Carolina G.S. 28A-17-12(a)(2) for the purpose of approving this conveyance.

IN TESTIMONY WHEREOF, the Grantors have hereunto set their hands and seals the day and year first above written.

Sidney M. Denton (SEAL)  
Sidney M. Denton

Lenora B. Denton (SEAL)  
Lenora B. Denton

Lucy D. Harper (SEAL)  
Lucy D. Harper

Jimmie Harper (SEAL)  
Jimmie Harper

Lela D. Thompson (SEAL)  
Lela D. Thompson, widow

Lena D. King (SEAL)  
Lena D. King

George K. King (SEAL)  
George K. King

Nora D. Moore (SEAL)  
Nora D. Moore, widow

George G. Whitaker (SEAL)  
George G. Whitaker, Administrator of the Estate of George T. Denton

NORTH CAROLINA

Nash COUNTY

I, Anita Hawkins, Notary Public, do hereby certify that Sidney M. Denton and wife, Lenora B. Denton, Grantors each personally appeared before me this day and acknowledged the due execution of the foregoing Deed.

Witness my hand and notarial seal, this the 8 day of December, 1982.

Anita Hawkins  
Notary Public

My Commission expires: 6-2-83

ANITA HAWKINS  
Notary Public  
Nash County, N. C.  
June 2, 1983

NORTH CAROLINA

Nash COUNTY

I, Anita Hawkins, Notary Public, do hereby certify that Lucy D. Harper and Jimmie D. Harper, Grantors, each personally appeared before me this day and acknowledged the due execution of the foregoing Deed.

Witness my hand and notarial seal, this the 8 day of December, 1982.

Anita Hawkins  
Notary Public

My Commission expires: 6-2-83

ANITA HAWKINS  
Notary Public  
Nash County, N. C.  
June 2, 1983

NORTH CAROLINA

Nash COUNTY

I, Anita Hawkins, Notary Public, do hereby certify that Lela D. Thompson, Widow, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing Deed.

Witness my hand and notarial seal, this the 8 day of December, 1982.

Anita Hawkins  
Notary Public

My Commission expires: 6-2-83

ANITA HAWKINS  
Notary Public  
Nash County, N. C.  
June 2, 1983

NORTH CAROLINA

Nash COUNTY

I, Anita Hawkins, Notary Public, do hereby certify that Lena D. King and husband, George K. King, Grantors, each personally appeared before me this day and acknowledged the due execution of the foregoing Deed.

Witness my hand and notarial seal, this the 8 day of December, 1982.

Anita Hawkins  
Notary Public

My Commission expires: 6-2-83

ANITA HAWKINS  
Notary Public  
Nash County, N. C.  
June 2, 1983

NORTH CAROLINA

Nash COUNTY

I, Anita Hawkins, Notary Public, do hereby certify that Nora D. Moore, Widow, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing Deed.

Witness my hand and notarial seal, this the 8 day of December, 1982.

Anita Hawkins  
Notary Public

My Commission expires: 6-2-83

ANITA HAWKINS  
Notary Public  
Nash County, N. C.  
June 2, 1983

NORTH CAROLINA

Nash COUNTY

I, Anita Hawkins, Notary Public, do hereby certify that George G. Whitaker, Administrator of the Estate of George T. Denton, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing Deed.

Witness my hand and notarial seal, this the 8 day of December, 1982.

Anita Hawkins  
Notary Public

My Commission expires: 6-2-83

ANITA HAWKINS  
Notary Public  
Nash County, N. C.  
June 2, 1983



K15 9.00

EDGECOMBE COUNTY 0 3 6 5 3 6

STATE OF NORTH CAROLINA AUG-5'81 P.B. 10744



Real Estate Excise Tax 09.00

NORTH CAROLINA, Edgemcombe County

Filed for registration this 5 day of August 1981 at 4:00 o'clock P. M., and duly registered in book 918 Page 587

Bladys Shelton Pitt  
REGISTER OF DEEDS

By: Erma W. Webb, Deputy

Excise Tax

Recording Time, Book and Page

Tax Lot No. .... Parcel Identifier No. ....

Verified by ..... County on the ..... day of ....., 19.....

by .....

Mail after recording to Michael P. Flanagan, Attorney, P. O. Box 867, New Bern, North Carolina, 28560

This instrument was prepared by Walter J. Early, Attorney, Rocky Mount, North Carolina 27801

Brief description for the Index Lots 24 & 25, Blk B, Manor Acres

### NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 9th day of June, 1981, by and between

GRANTOR

GRANTEE

Otis R. Bulluck and wife, Patricia E. Bulluck

Barnhill Contracting Company, a North Carolina Corporation

Tarboro, North Carolina 27886

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.q. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated <sup>near</sup> in the City of Rocky Mount, #12 Township, Edgemcombe County, North Carolina and more particularly described as follows:

BEING all of Lots 24 & 25, Block B, as shown on map of Manor Acres - Section 1 - recorded in Map Book 15, Page 69 Edgemcombe County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 723, Page 620  
Edgecombe County Registry

A map showing the above described property is recorded in Plat Book 818 page 493

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

Subject to covenants recorded in Book 818, Page 493, Edgecombe County Registry, and to general utility service easements of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

-----  
(Corporate Name)

*Otis R. Bulluck* (SEAL)  
OTIS R. BULLUCK

By: -----  
-----  
President

*Patricia E. Bulluck* (SEAL)  
PATRICIA E. BULLUCK

ATTEST: -----  
-----  
Secretary (Corporate Seal)

----- (SEAL)  
----- (SEAL)

USE BLACK INK ONLY

SEAL-STAMP

Linda A. Mull  
Notary Public  
Nash County, N. C.

NORTH CAROLINA, Nash County.

I, a Notary Public of the County and State aforesaid, certify that Otis R. Bulluck and wife, Patricia E. Bulluck Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 9<sup>th</sup> day of June, 1981.

My commission expires: 4-6-86 *Linda A. Mull* Notary Public

SEAL-STAMP

Linda A. Mull  
Notary Public  
Nash County, N. C.

NORTH CAROLINA, ----- County.

I, a Notary Public of the County and State aforesaid, certify that ----- personally came before me this day and acknowledged that ----- he is ----- Secretary of

----- a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its -----

President, sealed with its corporate seal and attested by ----- as its ----- Secretary. Witness my hand and official stamp or seal, this ----- day of -----, 19-----

My commission expires: ----- Notary Public

The foregoing Certificate(s) of Linda A. Mull, a Notary Public

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

*Gladys Shelton Pitt* REGISTER OF DEEDS FOR Edgecombe COUNTY  
By *Erma H. West* Deputy/Assistant - Register of Deeds

*Buch: 1/5 ATT: Will Davis*  
*200 Box 1529*  
*Talboro*  
N.C. Bar Assoc. Form No. 3 © 1976, Revised 1977.

NORTH CAROLINA - County of EDGECOMBE THIS DEED, made this 1st day of October, 19 82,  
by OTIS R. BULLUCK and wife, PATSY E. BULLUCK

Grantors  
to BARNHILL CONTRACTING COMPANY, A North Carolina Corporation  
Post Office Box 1529, Tarboro, North Carolina 27886 Grantees.

Witnesseth: That the Grantors in consideration of Ten Dollars and other valuable consideration to them paid by the Grantees, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto the Grantees, their heirs, or successors and assigns, the following described real estate in the City or Town of \_\_\_\_\_, Number 12 Township, EDGECOMBE County, North Carolina:

BEING all of Lots 4, 5, 6, 7 and 8, Block C, Section 2 of Manor Acres according to map recorded in Map Book \_\_\_\_\_, Page \_\_\_\_\_, Edgecombe County Registry and an unnumbered parcel of the Otis R. Bulluck land lying North of Lot 8 and adjoining the property of Armenous Dobson and being more particularly described as follows:

BEGINNING at a point in the western right of way line of Aztec Avenue NORTH 2° 48' EAST 250.38 feet as measured along the western right of way of Aztec Avenue from the point of intersection of the western right of way of Aztec Avenue and the northern right of way of Farmer Street, were the two extended to intersect, the northeast corner of Lot 3, Block C of Manor Acres, Section 1 according to map recorded in Map Book 15, Page 69, Edgecombe County Registry; thence along the western right of way of Aztec Avenue, NORTH 2° 48' EAST 309.56 feet to an iron stake in the front property line of Lot 8, Block C, Manor Acres, Section 2, at a point where Aztec Avenue begins to curve into a culdesac; thence with the curve of said culdesac as the same curves in a generally northerly direction a chord measurement of NORTH 21° 21' WEST 63.93 feet to an iron stake, northeast corner said Lot 8, Block C, Manor Acres, Section 2; thence a new line NORTH 09° 19' EAST 90.28 feet to an iron stake in the southern property line of the property of Armenous Dobson conveyed to him by deed dated August 11, 1977 and recorded in Book 869, Page 746, Edgecombe County Registry; thence with the southern property line of the said Armenous Dobson property, NORTH 81° 29' WEST 185 feet to an iron stake in the line of the property of the Brantley heirs; thence SOUTH 02° 48' WEST 476 feet to an iron stake, northwest corner Lot 3 of Block C of Manor Acres, Section 1, according to map recorded in Map Book 15, Page 69, Edgecombe County Registry; thence with the northern property line of said Lot 3, Block C, Manor Acres, Section 1, SOUTH 87° 12' EAST 200 feet to a point in the western right of way Aztec Avenue, the point and place of BEGINNING.

The foregoing description is in accordance with map of the property of Otis R. Bulluck to be conveyed to Barnhill Contracting Company, dated September 30, 1982 by Gay Jarvis Associates, Inc., a copy of which is attached hereto and incorporated herein by reference. The foregoing conveyance is made SUBJECT TO 1982 Edgecombe County taxes and to easements and covenants of record.

See Deed dated \_\_\_\_\_, recorded in Book 723, Page 620, Edgecombe County Registry.

TO HAVE AND TO HOLD the aforesaid real estate and all privileges and appurtenances thereunto belonging, to the said Grantees, their heirs, or successors and assigns forever.

And the said Grantors, for themselves, their heirs, executors and administrators, covenant with the Grantees, their heirs, or successors and assigns that they are seized of said premises in fee and have the right to convey the same in fee simple; that the same are free from encumbrances except as herein set forth; and that they will warrant and defend the said title to the same against the claims of all persons whomsoever.

The plural number as used herein shall equally include the singular. The masculine or feminine gender as used herein shall equally include the neuter. IN TESTIMONY WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

OTIS R. BULLUCK (SEAL)

PATSY E. BULLUCK (SEAL)

(SEAL)

(SEAL)

(Type name under signature)

NORTH CAROLINA - County of EDGECOMBE

I, WILLIAM F. DAVIS, Notary Public, do hereby certify that

Otis R. Bulluck and his wife, Patsy E. Bulluck

Grantors, each personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this 2nd day of October, 19 82

NOTARIAL STAMP OR SEAL HERE  
(Must be impressed sufficiently  
for Notary's name to be readable)

William F. Davis, Notary Public.

My commission expires:

(If acknowledgment not taken in North Carolina, show county and state where taken)

STATE OF \_\_\_\_\_, County of \_\_\_\_\_

I, \_\_\_\_\_, Notary Public, do hereby certify that

\_\_\_\_\_ and his wife, \_\_\_\_\_

Grantors, each personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

NOTARIAL STAMP OR SEAL HERE  
(Must be impressed sufficiently  
for Notary's name to be readable)

\_\_\_\_\_, Notary Public.

My commission expires:

NORTH CAROLINA - County of \_\_\_\_\_ The foregoing certificate(s) of \_\_\_\_\_

Notary(ies) Public is (are) certified to be correct. This instrument was presented for registration and recorded in this office in \_\_\_\_\_

Book \_\_\_\_\_, Page \_\_\_\_\_, This \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

BY: \_\_\_\_\_

NORTH CAROLINA  
EDGECOMBE COUNTY

THIS INSTRUMENT PREPARED BY  
GEORGE G. WHITAKER  
MOORE, DIEBICK, WHITAKER & CARLSLE  
ROCKY MOUNT, NORTH CAROLINA

THIS DEED, made and entered into this 3rd day of December, 1982, by and between Sidney M. Denton and wife, Lenora B. Denton, Lucy D. Harper and husband, Jimmie Harper, Lela D. Thompson, widow, Lena D. King and husband, George K. King, Nora D. Moore, widow, and George G. Whitaker, Administrator of the Estate of George T. Denton, Grantors, to Barnhill Contracting Company, a corporation, Highway 97 East, Rocky Mount, North Carolina, 27801, Grantee;

WITNESSETH:

That the Grantors in consideration of Ten Dollars (\$10.00) and other valuable consideration to them paid by the Grantee, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell, grant and convey, unto the Grantee, its successors and assigns, the following described real estate located in Number 12 Township, Edgecombe County, North Carolina:

BEING a parcel or tract of land containing 4.95 Ac. ± bounded on the north by property of Clark-Langley, Inc., on the east and west by property of Otis R. Bulluck and on the south by Section 1 of Manor Acres Subdivision which map is recorded in Map Book 15, Page 69, Edgecombe County Registry and being more particularly described as follows:

BEGINNING at a stake in the northern property line of Lot 30, Block B, Section 1, Manor Acres, said map being recorded in Map Book 15, Page 69, Edgecombe County Registry, said beginning point being SOUTH 89° 20' EAST 95.0 feet from the northwestern corner of Lot 31, Block B, Section 1, said Manor Acres; and the eastern property line of Aztec Avenue; thence NORTH 02° 48' EAST 444.99 feet to a stake in the line of the property of Clark-Langley, Inc., a corner for Otis R. Bulluck; thence along the southern property line of Clark-Langley, Inc. SOUTH 82° 07' EAST 90.35 feet to a stake; thence continuing along the line of Clark-Langley, Inc. SOUTH 87° 12' EAST 287 feet to a stake on the bank of a ditch; thence continuing SOUTH 87° 12' EAST to the center line of said ditch; thence down the center line of said ditch to a point where the northern line of Lot 23, Block B, Section 1, Manor Acres, if extended, would intersect the center line of said ditch, a tangent as measured along the bank of said ditch being measured from the last mentioned iron stake SOUTH 32° 11' EAST 411.6 feet to a stake, northeast corner for Lot 23, Block B, Section 1, Manor Acres; thence along the Manor Acres line SOUTH 72° 53' WEST 251.66 feet to a stake, common corner for Lots 25 and 26, Block B, Section 1, Manor Acres; thence continuing along the Manor Acres line NORTH 89° 20' WEST 376.62 feet to the point of BEGINNING.

The above described property is subject to a 20 feet drainage and utility easement along the eastern property line of the above described property.



**BARNHILL CONTRACTING COMPANY**

April 13, 1987



Mr. Gordon Layton  
Department of Human Resources  
Solid & Hazardous Waste Management Branch  
P.O.Box 2091 / Bath Building  
Raleigh, North Carolina 27602

Re: , Demolition Landfill Permits

Dear Mr. Layton:

Enclosed, please find what we feel is the necessary information to process our application for demolition landfill permits. At each of the three locations, we would be dumping a combination of stumps, broken asphalt, broken concrete and soil unsuitable for structural compaction. These materials would be filling in areas that are below natural grades as a result of our excavation operations. Also, excavated overburden that has been stockpiled near some of the fill areas would be used as cover for concrete and asphalt so as to facilitate a growth of cover grass once an area has been leveled.

Two of the three locations are not adjacent to any major thoroughfares and the third site has an earth berm along most of it's road frontage. These factors keep the sites from being public eyesores while the filling operations are in progress.

Concerning erosion control, we plan to use a combination of silt fence, silt check dams and whatever else is required to maintain erosion control in the areas that have already been excavated. Since most of the ares that we are filling in have an earthen boundary surrounding them, we do not feel that erosion will be as much of a problem as it could be on sites without earth berms.

We also plan to use one of our regular seeding subcontractors to seed and fertilize the areas once the filling of a given area has been completed. The seeding and fertilizing will be done per North Carolina Department of Transportation Standard Highway Specifications.

Mr. Robert Rose will be your contact concerning the operation and maintenance of the sites. He can be reached at our office by calling 823-1021 or by calling his car phone at 972-0317.

Mr. Gordon Layton  
April 13, 1987  
Page 2

Should you have any questions, or if we have omitted any required information concerning the application for permit, please give me a call as soon as possible.

Yours very truly,

BARNHILL CONTRACTING COMPANY

A handwritten signature in cursive script that reads "Chris Stroud".

Chris Stroud

CS/hws

ONE GOVERNMENT PLAZA  
POST OFFICE BOX 1180



ROCKY MOUNT  
NORTH CAROLINA 27801

## CITY OF ROCKY MOUNT



February 25, 1987

Mr. Chris Stroud  
Barnhill Contracting Company  
P.O. Box 1529  
Tarboro, NC 27886

Dear Mr. Stroud:

Doug Roberson provided to me your letter of February 17, 1987. The City of Rocky Mount Codes and Ordinances do not prevent you from operating a demolition landfill at the following locations:

1. Rocky Mount Asphalt Plant - 2430 Coolsprings Road
2. Bailey Pit - 1402 Leggett Road
3. Bullock Pit - 2140 Leggett Road

The Bailey Pit and Bullock Pit are located next to the Floodway of Tar River as listed within the City of Rocky Mount Zoning Ordinance. Our ordinance does not allow fill material to reduce the area of a Floodway. Should you desire to fill within the Floodway, it will be necessary to remove as much fill material as is replaced with demolition material so that the flood carrying capacity of the Floodway remains "as is".

For your convenience, I have enclosed a copy of the Floodway map for this location. Should you have any questions or need additional information, please do not hesitate to call me. My telephone number is 972-1102.

Sincerely,

Dexter G. Moore  
Director of Community Development

bhp

Enclosures

cc Doug Roberson, Director of Public Works

NORTH CAROLINA

R.M. Plant

EDGECOMBE COUNTY

DEED, made this 30th day of November, 1978, by Hugh H. Battle, Jr., and wife, Evelyn J. Battle, of Nash County, North Carolina, and Maud B. Johnson and husband, L. P. Johnson, Jr., of Richmond, Virginia, Grantors, to Barnhill Contracting Company, a North Carolina corporation having its principal office in Edgecombe County, North Carolina, Grantee,

WITNESSETH:

In consideration of Ten Dollars and other valuable considerations paid by the Grantee to the Grantors, the receipt of which is hereby acknowledged, the Grantors have bargained and sold and by these presents do bargain, sell and convey unto the Grantee, its successors and assigns, the following described real estate situated in No. 7 Township, Edgecombe County, North Carolina:

Beginning at a point in the center of N. C. Highway 97, a corner with J. L. Brown as shown on the map of "Hugh H. Battle Estate" dated August 1, 1978, by R. Lowell Harris, Reg. Land surveyor, and recorded in the Edgecombe County Registry in Plat Book 18, Page 41; thence with the line of J. L. Brown N8-22E, and passing through an iron in the northern right-of-way line of said highway, 710.53 feet to an iron; thence continuing with the line of J. L. Brown N8-22E 471.47 feet to an iron, a corner with J. L. Brown and Wiley W. Clay; thence with the line of Wiley W. Clay to and with the lines of W. L. Marshall, et al N20-03E 2693.9 feet to an iron, a corner with property of Avalon Baptist Church in the line of Tract 2 of the Hugh H. Battle Estate as shown on the map heretofore referred to; thence with the line of Tract 2 S77-16E 803.96 feet to an iron in the line of Sarah M. Cade; thence with the line of Sarah M. Cade to and with the line of Welford Lee Winstead S8-50W 2056.94 feet to an iron; thence continuing with the line of Welford Lee Winstead S8-50W 971 feet to an iron; thence continuing with the line of Welford Lee Winstead, and passing through an iron in the northern right-of-way line of N. C. Highway 97, S8-50W 1406.93 feet to a point in the center of said N. C. Highway 97, a corner with Welford Lee Winstead; thence along the center of said highway N70-54W 186 feet, N62-51W 200 feet, N52-58W 200 feet and N49-31W 900 feet to the point of beginning, containing 111.54 acres, more or less, and being Tract 1 as shown on the map heretofore referred to, and being composed of that tract conveyed to Hugh H. Battle by Sallie Haywood B. King by deed recorded in Book 503, Page 141, Edgecombe County Registry, part of that tract

Real Estate Excise Tax 166.00

STATE OF NORTH CAROLINA

DEC 29 1978

EDGECOMBE COUNTY

RB. 10744

9 9 1 8 8 0

of 130 acres conveyed to H. H. Battle by Mary B. Spruill and husband, W. E. Spruill, by deed recorded in Book 354, Page 300, Edgecombe County Registry, and part of that tract of 424.5 acres, more or less, in which Sallie Haywood B. King et al conveyed their interest to Hugh H. Battle by deed to perfect partition recorded in Book 350, Page 581, Edgecombe County Registry. Said Tract 1 of 111.54 acres, more or less, is part of the real estate devised to Hugh H. Battle, Jr. and Maud B. Johnson by the will of Hugh Horn Battle recorded in the office of the Edgecombe County Clerk of Superior Court in Estate Jacket 72E105.

TO HAVE AND TO HOLD the above described real estate unto the Grantee, its successors and assigns, in fee simple forever.

And the Grantors do hereby warrant that they are seized of the above described property in fee simple and have the right to convey the same in fee simple; that the same are free and clear of all encumbrances except as herein set out and that they will warrant and defend the title to the same against the claims of all persons.

The conveyance of the above described property is expressly made subject to those easements or rights of way conveyed by Hugh H. Battle, Jr., and others to the City of Rocky Mount by deed recorded in Book 876, Page 639, Edgecombe County Registry, and all other existing rights of way or easements for public highways, roads, utility lines and other valid easements, whether recorded or not.

This conveyance is also made subject to the right of the current farm renter on the above described land to complete the 1978 farming season.

Property taxes for the year 1978 will be paid by the Grantors and the Grantee accepts this conveyance subject to all real estate taxes for subsequent years.

IN WITNESS WHEREOF, Grantors have hereunto set their hands

and seals this the day and year first above written.

Hugh H. Battle, Jr. (SEAL)  
Hugh H. Battle, Jr.

Evelyn J. Battle (SEAL)  
Evelyn J. Battle

Maud B. Johnson (SEAL)  
Maud B. Johnson

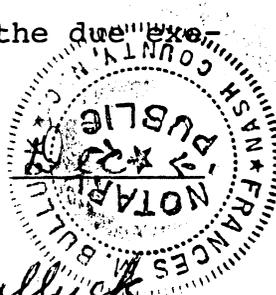
L. P. Johnson, Jr. (SEAL)  
L. P. Johnson, Jr.

NORTH CAROLINA

COUNTY OF Nash

I, Francis M. Bulluck, Notary Public, certify that Hugh H. Battle, Jr., and wife, Evelyn J. Battle, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 4<sup>th</sup> day of October 1978.



Francis M. Bulluck  
Notary Public

My commission expires: 3/26/80

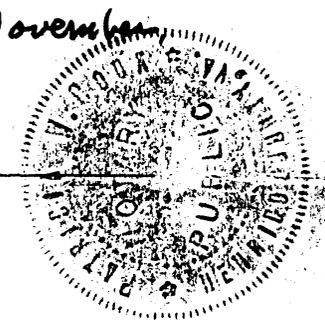
STATE OF VIRGINIA

COUNTY OF HENRICO

I, Tabernal Cook, Notary Public, certify that Maud B. Johnson ~~and husband, L. P. Johnson, Jr.~~, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 30<sup>th</sup> day of November 1978.

Tabernal Cook  
Notary Public



My commission expires: My Commission Expires August 10, 1982

STATE OF VIRGINIA

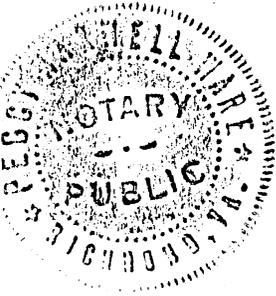
CITY OF RICHMOND

I, Peggy Maxwell Ware Notary Public, certify that L. P. Johnson, Jr., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 15<sup>th</sup> day of December, 1978.

Peggy Maxwell Ware  
Notary Public

My commission expires: August 20, 1982



**NORTH CAROLINA, EDGECOMBE COUNTY**

The foregoing certificate (s) of Frances M. Bulluck  
Patrick W. Cook and Peggy Maxwell Ware, each  
a Notary Public, is (are) certified to be correct.

This instrument was presented for registration  
and recorded in this office in Book 889 Page 272

This 29 day of December 1978  
at 11:45 o'clock A. M.

Mace Edmondson  
Register of Deeds

BY Bettie L. Godfrey  
Deputy

BOOK 889 PAGE 275

275

NORTH CAROLINA

EDGECOMBE COUNTY

THIS DEED, made and entered into this 17<sup>th</sup> day of December, 1979, by and between THE PLANTERS NATIONAL BANK AND TRUST COMPANY, TRUSTEE under an Agreement with Wyatt W. Bailey, Nan W. Price and Mary W. Covington dated March 17, 1975, a national banking corporation exercising trust powers with its principal office in Rocky Mount, Nash County, North Carolina, party of the first part, and BARNHILL CONTRACTING COMPANY, a North Carolina corporation, P. O. Drawer 1579, Tarboro, North Carolina, 27886, party of the second part;

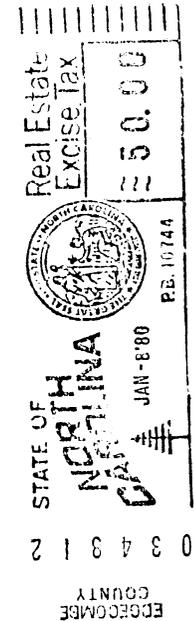
W I T N E S S E T H:

THAT the party of the first part, in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations in hand paid to it by the party of the second part, the receipt of which is hereby acknowledged, has bargained sold and by these presents does bargain, sell and convey to the party of the second part, its successors and assigns, the following described tract of land:

Situated north of Leggett Road (SR 1243) and on the southeast side of Tar River, No. 12 Township, Edgecombe County, North Carolina.

BEGINNING at a stake in the dividing line between The Planters National Bank and Trust Company, Trustee for Wyatt W. Bailey et al and the Carver Estates Subdivision 505.62 feet northerly of the northern property line of Leggett Road (SR 1243), a new corner for The Planters National Bank and Trust Company, Trustee; thence along the Carver Estates Subdivision line, N. 0° 24' W. 231.35 feet to a stake, corner for S. T. Wooten Construction Co., Inc.; thence along the Wooten Construction Company line, S. 87° 07' W. 1885.81 feet to a stake in the eastern line of a 75-foot drainage easement; thence along the eastern line of said drainage easement, S. 1° 01' E. 231.27 feet to a stake, a new corner for The Planters National Bank and Trust Company, Trustee; thence along a new line for The Planters National Bank and Trust Company, Trustee, N. 87° 07' E. 1883.32 feet to a stake in the Carver Estates Subdivision line, the point of beginning, containing 10.0 acres according to survey by Gay-Jarvis Associates dated April 3, 1979, and revised December 3, 1979, and being a portion of that property conveyed by Wyatt W. Bailey and husband, Millard T. Bailey, Nan W. Price and husband, Newell S. Price and Mary W. Covington and husband, Newton James Covington to The Planters National Bank and Trust Company, Trustee Under an Agreement with Wyatt W. Bailey, Nan W. Price and Mary W. Covington dated March 17, 1975, recorded in Book 844, page 51, Edgecombe County Registry.

TO HAVE AND TO HOLD the aforesaid real estate and all privileges



Law Offices of  
Battle, Winslow  
Scott & Wiley, P.A.  
Rocky Mount, N. C.

and appurtenances thereunto belonging to the said party of the second part, its successors and assigns, forever.

And The Planters National Bank and Trust Company, Trustee Under an Agreement with Wyatt W. Bailey, Nan W. Price and Mary W. Covington dated March 17, 1975, only in its fiduciary capacity on behalf of the beneficiaries of the trust, and without personal, individual or corporate liability, covenants with the party of the second part, its successors and assigns, that it is seized in trust of said property and has the right to convey the same in fee simple; that the same is free and clear of all encumbrances; and that it does as Trustee for the beneficial owners warrant and will forever defend the title to the same against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the party of the first part has caused this instrument to be executed and attested by its duly authorized officers and its corporate seal to be hereunto affixed, all by order of its Board of Directors duly given, this the day and year first above written.

THE PLANTERS NATIONAL BANK AND TRUST COMPANY, TRUSTEE UNDER AN AGREEMENT WITH WYATT W. BAILEY, NAN W. PRICE AND MARY W. COVINGTON DATED MARCH 17, 1975

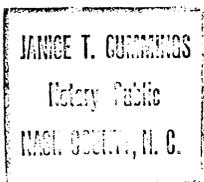
BY: B. Clinton Jobe  
Vice President and Trust Officer

ATTEST:  
Cheryl G. Ayers  
Secretary  
(CORPORATE SEAL)

NORTH CAROLINA  
COUNTY OF Nash

I, Janice T. Cummings, Notary Public, do hereby certify that Cheryl G. Ayers personally appeared before me this day and acknowledged that (s)he is Secretary of The Planters National Bank and Trust Company, Trustee Under An Agreement with Wyatt W. Bailey, Nan W. Price and Mary W. Covington dated March 17, 1975, a banking corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice-President and Trust Officer, B. Clinton Jobe sealed with its corporate seal and attested by her/himself as its Secretary.

Witness my hand and notarial stamp, this 11 day of December, 1979.



Janice T. Cummings  
Notary Public

My Commission Expires: May 4, 1983

Law Offices of  
Batlle, Winslow  
Scott & Wiley, P.A.  
Rocky Mount, N. C.

NORTH CAROLINA, EDGECOMBE COUNTY

The foregoing certificate of Janice T. Cummings, a Notary Public, is certified to be correct. This instrument was presented for registration and recorded in Book 201 Page 277. This the 8th day of January, 1980 at 1:15 P. M.

Mace Edmondson, Register of Deeds

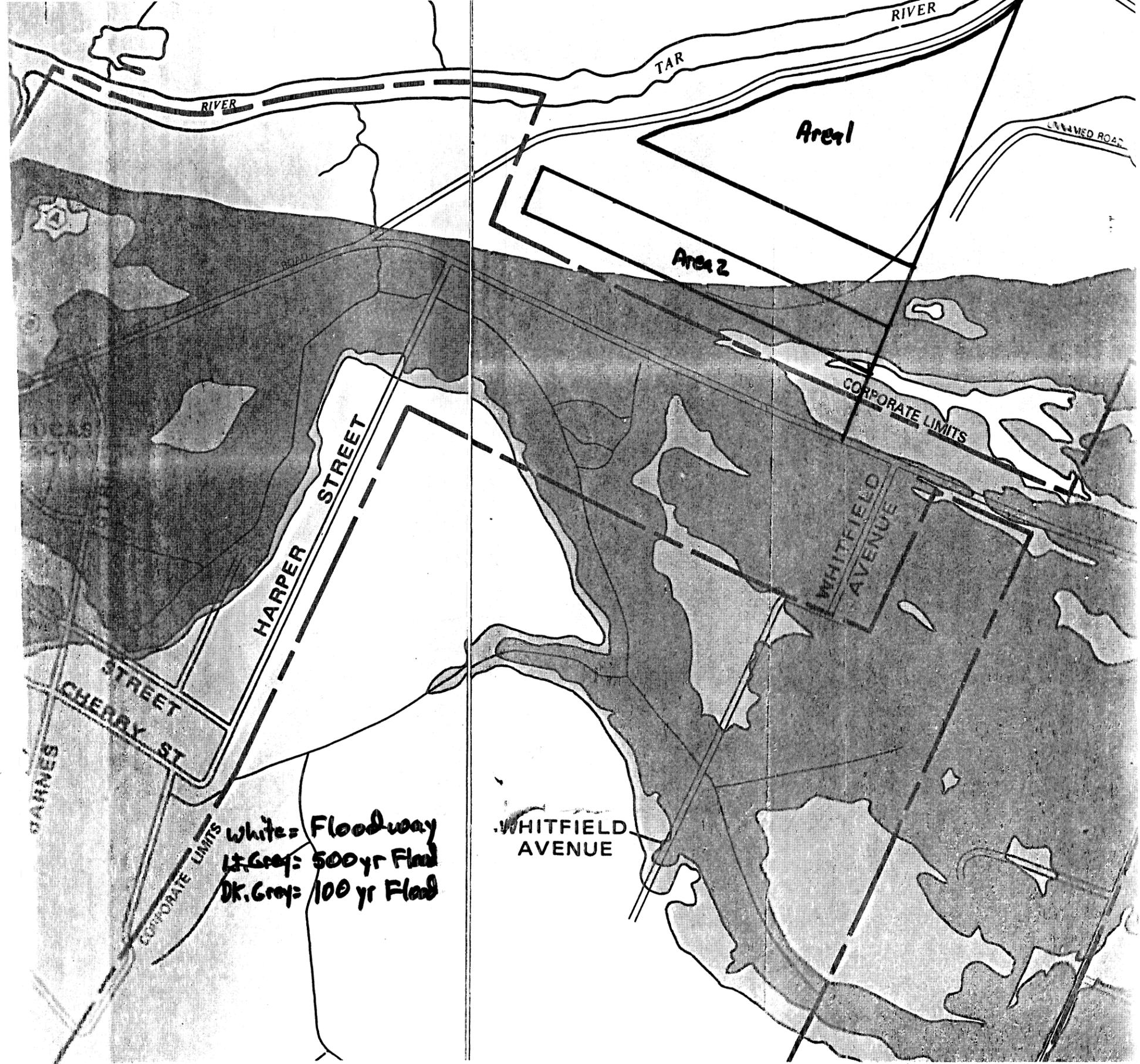
By: *Erma A. Webb* Deputy

24 84

2016 146

FOLKY MOUNT





white = Floodway  
Lt. Gray = 500 yr Flood  
Dk. Gray = 100 yr Flood

Area 1

Area 2

CORPORATE LIMITS

HARPER STREET

CHERRY ST

WHITFIELD AVENUE

WHITFIELD AVENUE

CORPORATE LIMITS

STANNES STREET

LEWIS ROAD

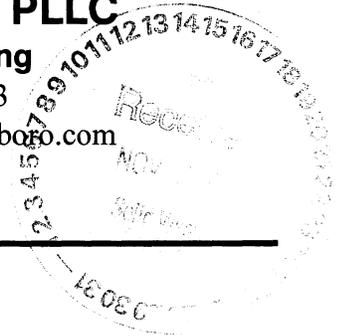


# Summey Engineering Associates, PLLC

Engineering • Land Planning • Consulting

1019-B S. Cox Street – Asheboro, NC 27203

(336) 328-0902 / Fax: (336) 328-0922 / Mack@asheboro.com



## TRANSMITTAL

Date: **November 14, 2005**

To: **Division of Solid Waste  
Solid Waste Section  
401 Oberlin Road  
Raleigh, NC 27605  
Att.: Mr. Geoff Little  
Ph. 919-508-8504**

Re: **Larry McDowell LCID Landfill  
Recorded LCID Notification**

**SEA Job NO. E-409**

We are sending you attached the following items:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Shop Drawings    | <input type="checkbox"/> Samples        | <input type="checkbox"/> Copy of Letter |
| <input type="checkbox"/> Prints           | <input type="checkbox"/> Specifications | <input type="checkbox"/> Other          |
| <input checked="" type="checkbox"/> Plans | <input type="checkbox"/> Disk           |   |

# Copies	Drawing #	Description	Disposition
1 set		Original Documents – LCID Notification	

Remarks:

Geoff, enclosed is the original LCID Notification documents for your use. Please send me the letter at your earliest convenience, please email as we discussed if possible. If you need anything else please do not hesitate to call. Thanks!

By:

H. Mack Summey, PE

c: File

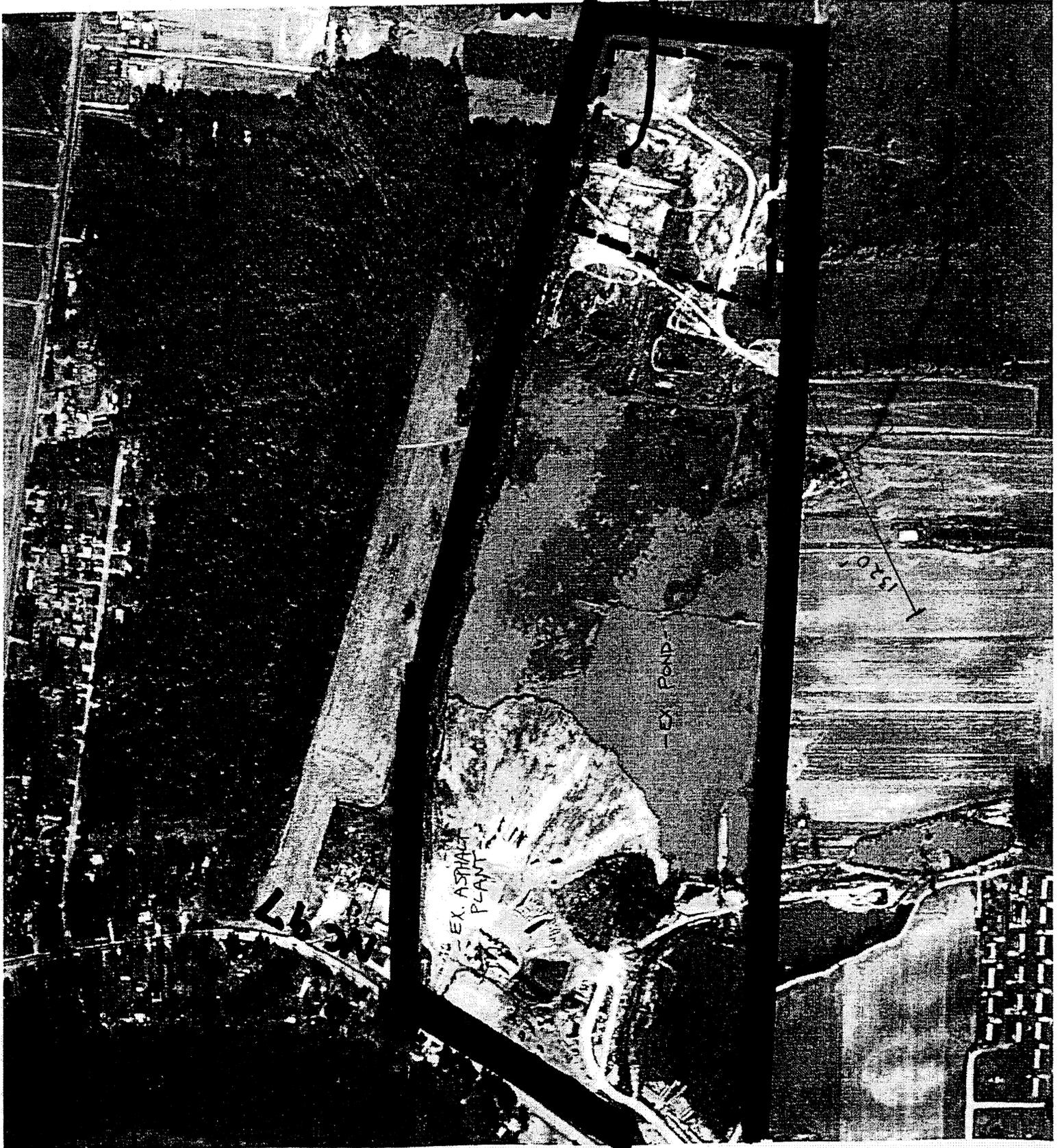


PRO-LOGIP AREA

11077116  
STATION  
1320  
11077116

1/4 MILE = 1320'

1" = 500'  
11077116





CITY OF ROCKY MOUNT

DEPARTMENT OF  
PLANNING AND DEVELOPMENT

August 10, 1998

NCDENR  
Division of Solid Waste Management  
Solid Waste Section  
Post Office Box 27687  
Raleigh, NC 27611

RE: Barnhill-Rocky Mount Asphalt Plant Pit  
Land Clearing and Inert Debris (LCID) Landfill  
Edgecombe County

Dear Sir or Madam:

The subject property on the north side of N. C. Highway 97, approximately 0.5 mile east of S.R. 1400, is currently zoned I-2 (Heavy Industrial). Use of the property as a land clearing and inert debris (LCID) landfill is permitted in this zone and meets all of the requirements of the City of Rocky Mount Zoning Ordinance.

Per City of Rocky Mount, N.C., Floodway Boundary and Floodway Map (Community Panel Number 370092-0006, revised), approximately 20 acres on the north side of the subject property are not with the 100-Year Floodplain.

Please contact me at (252) 972-1100 if additional information is needed.

Sincerely,

Mary Grace Fariello, AICP  
Director of Planning and Development

attachment

c: J. Michael Stocks, PE, Appian Consulting Engineers, PA



## CITY OF ROCKY MOUNT

DEPARTMENT OF  
ENGINEERING

August 14, 1998

### LETTER OF APPROVAL FOR SEDIMENTATION & EROSION CONTROL

Allen Barnhill  
Barnhill Contracting Co., Inc.  
P.O. Box 1529  
Tarboro, NC 27886

Re: Project Name: Rocky Mount Asphalt Plant Pit  
Location: Airport Rd. (NC 97)  
Submitted By: Appian Consulting Engineers, P.A.  
Received: August 11, 1998  
New Submittal (X) Revision ( )

Dear Mr. Barnhill:

This office has reviewed the subject erosion and sedimentation control plan. We find the plan to be acceptable and hereby issue this letter of approval.

Please be advised that Section 17-17b of the Code of the City of Rocky Mount requires that a copy of the approved erosion control plan be on file at the job site. Also, you should consider this letter to give the Notice required by Section 17-19a of the Code of the City of Rocky Mount of our right of periodic inspection to insure compliance with the approved plan.

The City of Rocky Mount'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 Soil Erosion and Sedimentation Control Ordinance of the City of Rocky Mount (Chapter 17 of City Codes, also NCGS 113A-51 through 66), this office may require revisions to the plan and implementation of the revisions to insure compliance with the Ordinance.

**U.S. ARMY CORPS OF ENGINEERS**  
**Wilmington District**

Action ID: 199820742

County: Nash

**Notification of Jurisdictional Determination**

Property owner: Barnhill Contracting Company	Agent: Appian Consulting Engineers, P.A.
Attn: Mr. Allen Barnhill	Attn: Mr. Steve Stokes
2311 Main Street	Post Office 7966
Tarboro, North Carolina 27886	Rocky Mount, North Carolina 27804
Telephone Number: (252)	Telephone: (252) 972-7703

Size and Location of Property (waterbody, Highway name/number, town, etc.): 94 acres located on the north side of NC Highway 97, approximately 0.5 miles east of SR 1400, approximately 2-3 miles northeast of Rocky Mount, North Carolina. Nearest drainage feature is an unnamed tributary to the Tar River.

Indicate Which of the following apply:

- \* There are wetlands on the above described property which we strongly suggest should be surveyed. The surveyed wetland lines must be verified by our staff before the Corps will make a final jurisdictional determination on your property.
- \* Because of the size of your property and our present workload, our identification and delineation of your wetlands cannot be accomplished in a timely manner. You may wish to employ a consultant to obtain a more timely delineation of the wetlands. Once your consultant has flagged a wetland line on the property, Corps staff will review it, and, if it is accurate, we strongly recommend that you have the line surveyed for final approval by the Corps. The Corps will not make a final jurisdictional determination on your property without an approved survey.
- XX \* The wetlands on your lot have been delineated, and the limits of Corps jurisdiction have been explained to you. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification. Jurisdictional area consists of the intermittent stream channel draining into the Tar River.
- XX \* There are no wetlands present which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344) within the area of the existing asphalt processing plant and active borrow pit bordered on its east, west and north sides by a canal that denotes the property boundary. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

Placement of dredged or fill material in wetlands 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

Jean B. Manuele at (919) 876-8441, Extension 24

Project Manager Signature: *Jean B. Manuele*

Date: 7 July 1998

Expiration Date: 7 July 2003

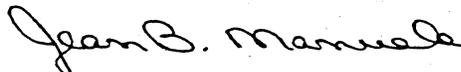
excavation is abandoned and the resulting body of water meets the definition of waters of the United States (see 33 CFR 328.3(a)).

4. A canal was excavated along the property borders on the east, north and west sides of the pit. It was highly recommended to Mr. Stokes to eliminate the surface water connection from the pit to the intermittent stream by placing earthen plugs on the north side of where the intermittent tributary drains into the canal on the east and west sides of the canal.

5. 4 June 1998-I met with Mr. Stokes on the subject property and noted that earthen plugs had been placed in the canal on the east side. Mr. Stokes also provided photos showing that the canal had been dammed off on the west side as well to prevent any connection to other waters of the United States. Accordingly, it was determined that there are no areas subject to our regulatory authority within the existing borrow pit and plant site.

6. A Jurisdictional Tearsheet was issued stating that there are no jurisdictional waters of the United States, including wetlands, located within the existing borrow pit which is proposed for filling since the surface water connection has been removed.

Jean B. Manuele



Regulatory Specialist  
Raleigh Field Office



## North Carolina Department of Cultural Resources

James B. Hunt Jr., Governor  
Betty Ray McCain, Secretary

Division of Archives and History  
Jeffrey J. Crow, Director

June 18, 1998

Matthew Cagle  
Engineer/Estimator  
Barnhill Contracting Company  
P.O. Box 1529  
Tarboro NC 27886

Re: Asphalt Plant land clearing and inert debris  
(LCID) Landfill, Edgecombe County, ER 98-9238

Dear Mr. Cagle:

Thank you for your letter of May 29, 1998, concerning the above project.

We have conducted a review of the project and are aware of no properties of architectural, historic, or archaeological significance which would be affected by the project. Therefore, we have no comment on the project as currently proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, please contact Renee Gledhill-Earley, environmental review coordinator, at 919/733-4763.

Sincerely,

A handwritten signature in black ink, appearing to read "David Brook".

David Brook  
Deputy State Historic Preservation Officer

DB:slw

cc: Jim Coffey, Division of Waste Management



NORTH CAROLINA

R.M. Plant

EDGECOMBE COUNTY

DEED, made this 30th day of November, 1978, by Hugh H. Battle, Jr., and wife, Evelyn J. Battle, of Nash County, North Carolina, and Maud B. Johnson and husband, L. P. Johnson, Jr., of Richmond, Virginia, Grantors, to Barnhill Contracting Company, a North Carolina corporation having its principal office in Edgecombe County, North Carolina, Grantee,

WITNESSETH:

In consideration of Ten Dollars and other valuable considerations paid by the Grantee to the Grantors, the receipt of which is hereby acknowledged, the Grantors have bargained and sold and by these presents do bargain, sell and convey unto the Grantee, its successors and assigns, the following described real estate situated in No. 7 Township, Edgecombe County, North Carolina:

Beginning at a point in the center of N. C. Highway 97, a corner with J. L. Brown as shown on the map of "Hugh H. Battle Estate" dated August 1, 1978, by R. Lowell Harris, Reg. Land surveyor, and recorded in the Edgecombe County Registry in Plat Book 18, Page 41; thence with the line of J. L. Brown N8-22E, and passing through an iron in the northern right-of-way line of said highway, 710.53 feet to an iron; thence continuing with the line of J. L. Brown N8-22E 471.47 feet to an iron, a corner with J. L. Brown and Wiley W. Clay; thence with the line of Wiley W. Clay to and with the lines of W. L. Marshall, et al N20-03E 2693.9 feet to an iron, a corner with property of Avalon Baptist Church in the line of Tract 2 of the Hugh H. Battle Estate as shown on the map heretofore referred to; thence with the line of Tract 2 S77-16E 803.96 feet to an iron in the line of Sarah M. Cade; thence with the line of Sarah M. Cade to and with the line of Welford Lee Winstead S8-50W 2056.94 feet to an iron; thence continuing with the line of Welford Lee Winstead S8-50W 971 feet to an iron; thence continuing with the line of Welford Lee Winstead, and passing through an iron in the northern right-of-way line of N. C. Highway 97, S8-50W 1406.93 feet to a point in the center of said N. C. Highway 97, a corner with Welford Lee Winstead; thence along the center of said highway N70-54W 186 feet, N62-51W 200 feet, N52-58W 200 feet and N49-31W 900 feet to the point of beginning, containing 111.54 acres, more or less, and being Tract 1 as shown on the map heretofore referred to, and being composed of that tract conveyed to Hugh H. Battle by Sallie Haywood B. King by deed recorded in Book 503, Page 141, Edgecombe County Registry, part of that tract

Legal Estate Excise Tax 166.00  
DEC 29 1978  
PER 12744  
STATE OF NORTH CAROLINA  
COUNTY OF EDGECOMBE

of 130 acres conveyed to H. H. Battle by Mary B. Spruill and husband, W. E. Spruill, by deed recorded in Book 354, Page 300, Edgecombe County Registry, and part of that tract of 424.5 acres, more or less, in which Sallie Haywood B. King et al conveyed their interest to Hugh H. Battle by deed to perfect partition recorded in Book 350, Page 581, Edgecombe County Registry. Said Tract 1 of 111.54 acres, more or less, is part of the real estate devised to Hugh H. Battle, Jr. and Maud B. Johnson by the will of Hugh Horn Battle recorded in the office of the Edgecombe County Clerk of Superior Court in Estate Jacket 72E105.

TO HAVE AND TO HOLD the above described real estate unto the Grantee, its successors and assigns, in fee simple forever.

And the Grantors do hereby warrant that they are seized of the above described property in fee simple and have the right to convey the same in fee simple; that the same are free and clear of all encumbrances except as herein set out and that they will warrant and defend the title to the same against the claims of all persons.

The conveyance of the above described property is expressly made subject to those easements or rights of way conveyed by Hugh H. Battle, Jr., and others to the City of Rocky Mount by deed recorded in Book 876, Page 639, Edgecombe County Registry, and all other existing rights of way or easements for public highways, roads, utility lines and other valid easements, whether recorded or not.

This conveyance is also made subject to the right of the current farm renter on the above described land to complete the 1978 farming season.

Property taxes for the year 1978 will be paid by the Grantors and the Grantee accepts this conveyance subject to all real estate taxes for subsequent years.

IN WITNESS WHEREOF, Grantors have hereunto set their hands

and seals this the day and year first above written.

Hugh H. Battle, Jr. (SEAL)  
Hugh H. Battle, Jr.

Evelyn J. Battle (SEAL)  
Evelyn J. Battle

Maud B. Johnson (SEAL)  
Maud B. Johnson

L. P. Johnson, Jr. (SEAL)  
L. P. Johnson, Jr.

NORTH CAROLINA

COUNTY OF Nash

I, Francis M. Bulluck, Notary Public, certify that Hugh H. Battle, Jr., and wife, Evelyn J. Battle, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 4<sup>th</sup> day of Dec 1978.



Francis M. Bulluck  
Notary Public

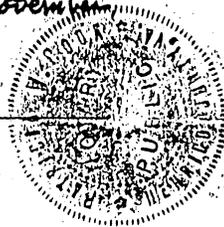
My commission expires: 3/26/80

STATE OF VIRGINIA

COUNTY OF HENRICO

I, Richard Cook, Notary Public, certify that Maud B. Johnson ~~and Evelyn J. Battle, Jr.~~, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 30<sup>th</sup> day of November 1978.



Richard Cook  
Notary Public

My commission expires: My Commission Expires August 10, 1982

STATE OF VIRGINIA  
CITY OF RICHMOND

I, Peggy Maxwell Ware Notary Public, certify that  
L. P. Johnson, Jr., personally appeared before me this day  
and acknowledged the due execution of the foregoing instru-  
ment.

Witness my hand and Notarial Seal this 15<sup>th</sup> day of Decem-  
ber, 1978.

Peggy Maxwell Ware  
Notary Public

My commission expires: August 20, 1982



NORTH CAROLINA, EDGECOMBE COUNTY

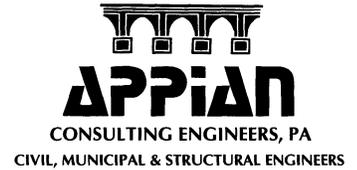
foregoing certificate (s) of Francis M. Bulluck  
Wick W. Cook and Peggy Maxwell Ware, each  
Notary Public, is (are) certified to be correct.

Instrument was presented for registration  
recorded in this office in Book 889 Page 272  
29 day of December 1978  
1:45 o'clock A. M.

Mace Edmondson  
Register of Deeds

BY Bettie L. Godfrey  
Deputy





BOBBY L. JOYNER, P.E.  
J. MICHAEL STOCKS, P.E.

August 18, 1998

**Mr. Jim Barber**  
**NCDENR**  
**Division of Solid Waste Management**  
**Solid Waste Section**  
**Post Office Box 27687**  
**Raleigh, NC 27611**

**RE: Barnhill – Rocky Mount Asphalt Plant**  
**Land Clearing Inert Debris (LCID) Landfill**  
**City of Rocky Mount**  
**Edgecombe County**

Dear **Mr. Barber**:

We are submitting for your approval the plans for the **Rocky Mount Asphalt Plant – Land Clearing Inert Debris (LCID) Landfill**. The site contains approximately 111.54 acres and is located off NC 97 in Rocky Mount. The facility consists of an existing asphalt plant and a 33 ± acre pond. The proposed 16.8 acre landfill will contain approximately 300,000 CY of fill material.. Barnhill Contracting Company is capable of providing 50,000 to 60,000 CY of land clearing and inert debris material a year, so the landfill may be filled in the next five years.

Please review the enclosed materials and contact us if you have any questions or comments. Thank you for your prompt attention to this matter.

Sincerely,  
**Appian Consulting Engineers, PA**

  
David C. Revoir, EIT

cc: J. Michael Stocks, PE

attachments

DCR/90076/barber.doc

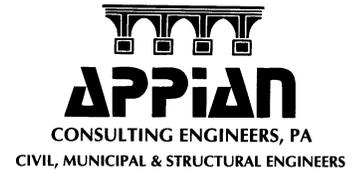
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841 South Wesleyan Blvd.  
Rocky Mount, NC 27803  
P.O. Box 7966  
Rocky Mount, NC 27804  
Phone: (252) 972-7703  
Fax: (252) 972-7638  
e-mail: Appian@cocentral.com  
Web Home Page: <http://www.appianconsulting.com>

RECEIVED

OCT 19 1998

DIVISION OF WASTE MANAGEMENT  
FAYETTEVILLE REGIONAL OFFICE



BOBBY L. JOYNER, P.E.  
J. MICHAEL STOCKS, P.E.

October 12, 1998

**Mr. Jim Barber**  
**NCDENR**  
**Division of Solid Waste Management**  
**Solid Waste Section**  
**Post Office Box 27687**  
**Raleigh, NC 27611**

**RE: Barnhill – Rocky Mount Asphalt Plant**  
**Land Clearing Inert Debris (LCID) Landfill**  
**City of Rocky Mount**  
**Edgecombe County**

**Dear Mr. Barber:**

As you requested in our phone conversation on Friday, September 18, 1998, we have enclosed the following information for your review of the **Barnhill – Rocky Mount Asphalt Plant Land Clearing Inert Debris (LCID) Landfill**:

1. In regards to the deed that we included with the original submittal, we have enclosed a property boundary map taken from the deed information. This property boundary map had been attached to the original deed in the file. The legal description on the deed appears to correspond with the numerical information on the boundary map.
2. We have enclosed for you review a letter from the US Fisheries and Wildlife Service stating that there are not endangered species in this area.
3. The proposed LCID landfill will not cause an adverse impact on a state park, recreation or scenic area. We have previously submitted a letter from the Deputy State Historic Preservation Officer stating that no property of architectural, historic, or archaeological significance would be affected by the project.
4. To clarify the statement "Surface Waters @ Elevation 64.0 +/- (5-20-98)," there had been several "pits" in the LCID landfill area that were storing water. These pits were not site test borings or excavated test pits, but natural low lying areas in the LCID area, and they have not been located on the site plan. On May 20, 1998, the surveyor determined the approximate groundwater table by averaging the water elevations in these "pits."

---

841 South Wesleyan Blvd.  
Rocky Mount, NC 27803  
P.O. Box 7966  
Rocky Mount, NC 27804  
Phone: (252) 972-7703  
Fax: (252) 972-7638  
e-mail: Appian@cocentral.com  
Web Home Page: <http://www.appianconsulting.com>

5. As you requested, we have included an additional aerial photograph showing the area within approximately ¼ mile from the property line. The area is mostly wooded.
6. As you can see from the property map depicting the deed information and construction and sewer easements along NC 97, there is no easement for the existing dirt road along the eastern property line. The property to the north does not use this road to access its site. A security gate, however, has been added to prevent unauthorized dumping from this dirt road. All construction traffic is to access the site through the western entrance.
7. In case of emergency, Barnhill has adequate equipment readily available to fight fires at the site by smothering or by pumping water from the existing pond. It is also within the Harrison Fire District.

Please contact us if you have any additional questions or comments.

Sincerely,  
**Appian Consulting Engineers, PA**



David C. Revoir, EIT

attachments

DCR/90076/barber.doc



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Raleigh Field Office  
Post Office Box 33726  
Raleigh, North Carolina 27636-3726

**FILE COPY**

TO: Mr. David C. Revor, EIT  
Appian Consulting Engineers  
P.O. Box 7966  
Rocky Mount, NC 27804

Thank you for your letter requesting information or recommendations from the U.S. Fish and Wildlife Service. This form provides the Service's response pursuant to Section 7 of the Endangered Species Act, as amended (16 U.S.C. 1531-1543), and the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-667d).

Edgecombe, Co.

Re: LCID Landfill - Barnhill - Rocky Mt. Asphalt Plant Pit  
Project Name/Location/County

9/23  
Date of Incoming Letter

1186  
Log Number

\_\_\_\_\_ The attached page(s) list(s) the Federally-listed species which may occur within the project area.

\_\_\_\_\_ Based on the information provided, it appears that your project site does not contain suitable habitat for any Federally-listed endangered or threatened species known to occur in the area. We believe that the requirements of Section 7 of the Act have been satisfied. We remind you that obligations under Section 7 consultation must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner that was not considered in this review; (3) a new species is listed or critical habitat determined that may be affected by the identified action.

\_\_\_\_\_ If the proposed project will be removing pines 9" DBH or greater, or 30 years of age in pine or pine/hardwood habitat, surveys should be conducted for active red-cockaded woodpecker cavity trees in appropriate habitat within a 1/2 mile radius of project boundaries. If red-cockaded woodpeckers are observed within the project area or active cavity trees found, the project has the potential to affect the red-cockaded woodpecker, and you should contact this office for further information.

Candace Martine 9/28/98  
Biologist Date

**.0510 CLOSURE CONDITIONS**

(a) When the disposal site has been closed in accordance with Rule .0505 of this Subchapter, the operator shall:

- (1) Notify the Division in writing in order that a site inspection may be made by the Division to determine compliance with closure procedures; and
- (2) Provide test holes, as specified by the Division, to determine compliance for final cover.

(b) An inspection shall be made by a representative of the Division and a written statement will be supplied to the operator concerning the closure of the site.

(c) When a solid waste disposal site has been closed in accordance with the requirements of the Division, future necessary maintenance and water quality monitoring shall be the responsibility of the owner and the operator and shall be specified in the closure letter.

(d) When a solid waste disposal site has been closed in accordance with the requirements of the Division, the permit is terminated. Any future disposal at the site shall require a new permit.

*History Note: Statutory Authority G.S. 130A-294; Eff. April 1, 1982; Amended Eff. Sep. 1, 1990; February 1, 1988.*

**.0511 THRU .0559 RESERVED FOR FUTURE CODIFICATION****.0560 LAND CLEARING AND INERT DEBRIS (LCID) LANDFILLS**

Rules .0560 - .0566 of Title 15A Subchapter 13B of the North Carolina Administrative Code (T15A.13B .0560 - .0566); have been adopted covering the siting, design, and permitting of land clearing and inert debris landfills, effective January 4, 1993.

*History Note: Statutory Authority G.S. 130A-293; Eff. January 4, 1993.*

**.0561 RESERVED FOR FUTURE CODIFICATION****.0562 BENEFICIAL FILL**

A permit is not required for beneficial fill activity that meets all of the following conditions:

- (1) The fill material consists only of inert debris strictly limited to concrete, brick, concrete block, uncontaminated soil, rock, and gravel.
- (2) The fill activity involves no excavation.
- (3) The purpose of the fill activity is to improve land use potential or other approved beneficial reuses.
- (4) The fill activity is not exempt from, and must comply with, all other applicable Federal, State, and Local laws, ordinances, rules, and regulations, including but not limited to zoning restrictions, flood plain restrictions, wetland restrictions, mining regulations, sedimentation and erosion control regulations. Fill activity shall not contravene groundwater standards.

*History Note: Statutory Authority G.S. 130A-294; Eff. January 4, 1993.*

**.0563 APPLICABILITY REQ. FOR LAND CLEARING/INERT DEBRIS (LCID) LANDFILLS**

Management of land clearing and inert debris shall be in accordance with the State hierarchy for managing solid waste as provided for under G.S. 130A-309.04(a). Disposal in a landfill is considered to be the least desirable method of managing land clearing and inert debris. Where landfilling is necessary, the requirements of this Rule apply.

N/A. ~~(1)~~ An individual permit from the Division of Solid Waste Management is not required for Land Clearing and Inert Debris (LCID) landfills that meet all of the following conditions:

- ~~(a)~~ The facility is to be operated for the disposal of land clearing waste, inert debris, untreated wood, and yard trash. Operations must be consistent and in compliance with the local government solid waste management plan as approved by the Division of Solid Waste Management.
- ~~(b)~~ The total disposal area is under two acres in size.
- ~~(c)~~ The facility and practices comply with the siting criteria under Rule .0564, and operational requirements under Rule .0566.
- ~~(d)~~ The fill activity is not exempt from, and must comply with all other Federal, State, or Local laws, ordinances, Rules, regulations, or orders, including but not limited to zoning restrictions, flood plain restrictions, wetland restrictions, sedimentation and erosion control requirements, and mining regulations.

N/A. ~~(2)~~ Where an individual permit is not required, the following applies:

- ~~(a)~~ The owner of the land where the landfill is located must notify the Division on a prescribed form, duly signed, notarized, and recorded as per Sub-item (2)(b) of this Rule. The operator of the landfill, if different from the land owner, shall also sign the notification form.
- ~~(b)~~ The owner must file the prescribed notification form for recordation in the Register of Deeds' Office. The Register of Deeds shall index the notification in the grantor index under the name of the owner of the land in the county or counties in which the land is located. A copy of the recorded notification, affixed with the Register's seal and the date, book and page number of recording shall be sent to the Division of Solid Waste Management.
- ~~(c)~~ When the land on which the Land Clearing and Inert Debris Landfill 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 Land Clearing and Inert Debris Landfill and a reference by book and page to the recordation of the notification.

(3) An individual permit is required, except for landfills subject to Item (5) of this Rule, for the construction and operation of a Land Clearing and Inert Debris (LCID) landfill when:

- (a) The facility is to be operated for the disposal of land clearing waste, inert debris, untreated wood, and yard trash. Operations must be consistent and in compliance with the local government solid waste management plan as approved by the Division of Solid Waste Management, and
- (b) The total disposal area is greater than two acres in size.

(4) Individual permits for land clearing and inert debris landfills shall be issued for not

more than five years.

NA (5)

Landfilling of land clearing and inert debris generated solely from, and within the right of way of, North Carolina Department of Transportation projects shall be subject to the following:

- (a) Only waste types as described in Sub-item (1)(a) of this Rule may be disposed of within the Department of Transportation right of way.
- (b) Waste is landfilled within the project right of way from which it was generated.
- (c) The disposal area shall not exceed two contiguous acres in size.
- (d) Disposal sites shall comply with the siting requirements of Rule .0564 of this Section except for Item (10).
- (e) Disposal sites are not subject to the requirements of Item (2) of this Rule and Rule .0204 of this Subchapter.

N/A (6)

Landfills that are currently permitted as demolition landfills are required to comply with the following:

- (a) Only waste types as described in Sub-item (3)(a) of this Rule may be accepted for disposal, as of the effective date of this Rule unless otherwise specified in the existing permit.
- (b) Operations must be in compliance with Rule .0566 of this Section as of the effective date of this Rule.
- (c) Existing demolition landfills must comply with the siting criteria requirements of these Rules as of January 1, 1998 or cease operations and close in accordance with these Rules.

History Note: Statutory Authority G.S. 130A-294; 130A-301; Eff. January 4, 1993.

**.0564 SITING CRITERIA FOR LAND CLEARING AND INERT DEBRIS (LCID) LANDFILLS**

The following siting criteria shall apply for Land Clearing and Inert Debris (LCID) landfills:

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- (1) Facilities or practices, shall not be located in the 100-year floodplain. (LTR DATED 8/10/98)
- (2) Facilities or practices shall not cause or contribute to the taking of any endangered or threatened species of plants, fish, or wildlife.
- (3) Facilities or practices shall not result in the destruction or adverse modification of the critical habitat of endangered or threatened species as identified in 50 CFR Part 17 which is hereby incorporated by reference including any subsequent amendments and editions. This material is available for inspection at the Department of Environment, Health, and Natural Resources, Division of Solid Waste Management, 401 Oberlin Road, Raleigh, North Carolina 27605 where copies can be obtained at no cost.
- (4) Facilities or practices shall not damage or destroy an archaeological or historical site. LTR, DATE 6/18/98.
- (5) Facilities or practices shall not cause an adverse impact on a state park, recreation or scenic area, or any other lands included in the state nature and historic preserve.
- (6) Facilities shall not be located in any wetland as defined in the Clean Water Act, Section 404(b). (LTR DATED 7 JULY 1998 C.O.E.)
- (7) It must be shown that adequate suitable soils are available for cover, either from on or off site. (EXISTING BORROW SITE IN OPERATION - MINING OF SOIL)
- (8) Land Clearing and Inert Debris landfills shall meet the following surface and ground water requirements:

- (a) Facilities or practices shall not cause a discharge of pollutants into waters of the state

that is in violation of the requirements of the National Pollutant Discharge Elimination System (NPDES), under Section 402 of the Clean Water Act, as amended. (6 JULY 1998 LTR).

- (b) Facilities or practices shall not cause a discharge of dredged materials or fill material into waters of the state that is in violation of the requirements under Section 404 of the Clean Water Act, as amended. (7 JULY 1998 LTR. ADDRESSING EARTH PLUGS IN CU-S DITCHES)
- (c) Facilities or practices shall not cause non-point source pollution of waters of the state that violates assigned water quality standards.
- ?  (d) Waste in landfills with a disposal area greater than two acres shall be placed a minimum of four feet above the seasonal high water table, except where an alternative separation is approved by the Division.
- N/A.  (e) Waste in landfills with a disposal area less than two acres shall be placed above the seasonal high water table.
- (9) The facility shall meet the following minimum buffer requirements:
  - (a) 50 feet from the waste boundary to all surface waters of the state as defined in G.S. 143-212. (SHEET CE-1)
  - (b) 100 feet from the disposal area to property lines, residential dwellings, commercial or public buildings, and wells. (SHEET CE-1)
  - (c) Buffer requirements may be adjusted as necessary to insure adequate protection of public health and the environment. (NOT APPLICABLE FOR THIS SITE)
- (10) The facility shall meet all requirements of any applicable zoning ordinance. LTR DATED 10 AUGUST 1998

History Note: Statutory Authority G.S. 130A-294; Eff. January 4, 1993.

**.0565 APPLICATION REQUIREMENTS FOR LAND CLEARING/INERT DEBRIS (LCID) LANDFILLS**

Five sets of plans, maps, and reports shall be required with each application. The seal of a professional engineer is required when submitting plans for a Land Clearing and Inert Debris (LCID) landfill.

- (1) The following information is required in order to review and approve the siting of a Land Clearing and Inert Debris (LCID) landfill:
  - (a) An approval letter from the unit of local government having zoning authority over the area where the facility is to be located stating that the site meets all of the requirements of the local zoning ordinance, or that the site is not zoned. (LTR DATED 8/10/98)
  - (b) Location on a county road map. (2ND PAGE IN PERMIT DOC.)
  - ?  (c) Information showing that the bottom elevation of the waste shall be four feet above the seasonal high water table. Seasonal high water table elevations shall be obtained from on site test borings, test pits, or from other geological or water table investigations, studies, or reports from the immediate area of the proposed facility.
  - (d) A written report indicating that the facility shall comply with all the requirements set forth under Rule .0564 of this Section. (SHEET CE-1 : GENERAL NOTES)
  - ?  (e) A copy of the deed or other legal description of the site that would be sufficient as a description in an instrument of conveyance, showing property owner's name.
  - (f) Any other information pertinent to the suitability of the proposed facility.
- (2) The following shall be provided on a map or aerial photograph with a scale of at least one inch equals four hundred feet showing the area within one-fourth mile of the site:
  - (a) Entire property or portion thereof owned or leased by the person providing the

disposal site.

- ?  (b) Location of all homes, buildings, public or private utilities, roads, wells, watercourses, water or other impoundments, and any other applicable features or details. (PROVIDE AERIAL PHOTO 1320' TO NORTH ALSO. WITH 1/4" = 1320' )
- (c) 100-year flood plain boundaries, if any. (LTR. DATED 8/10/98 NO FLOODPLAIN IN/ON LCID AREA.)
- (d) Wetland boundaries, if any. (LTR. DATED 7 JULY 1998)
- (e) Historical or archaeological sites, if any. (LTR. DATED - JUNE 18, 1998)
- ?  (f) Park, scenic, or recreation area boundaries, if any.
- (3) Development and design plans and details, at a scale of at least one inch equals one hundred feet with one inch equals forty feet preferred, and specifications containing the following information shall be submitted with the application for a proposed Land Clearing and Inert Debris (LCID) landfill:
  - (a) Property or site boundary, fully dimensioned with bearings and distances, tied to North Carolina grid coordinates where reasonably feasible.
  - ?  (b) Easements and right-of-ways. (ROAD APPEARS TO TRAVERSE PROPERTY FROM HWY 97 ON NORTH SIDE)
  - (c) Existing pertinent on site and adjacent structures such as houses, buildings, wells, roads and bridges, water and sewer utilities, septic fields, and storm drainage features. (NO BLD'GS STRUCTURE ON LCID SITE)
  - ?  (d) Proposed and existing roads, points of ingress and egress along with access control such as gates, fences, or berms. (NORTH BOUNDARY AND AT HWY 97)
  - (e) Buffer and set back lines along with the buffered boundary or feature.
  - (f) Springs, streams, creeks, rivers, ponds, and other waters and impoundments. (EXISTING BORROW PIT & SED. POUNDS)
  - (g) Wetlands, if any.
  - (h) Boundary of the proposed waste area.
  - (i) Existing topography with contours at a minimum of five foot intervals. Where necessary, a smaller interval shall be utilized to clarify existing topographic conditions. (RELATIVELY FLAT TERRAIN - 5' EL. DIFF. OVER 350' TR 1000+')
  - (j) Proposed excavation, grading, and final contours at a minimum of five foot intervals. Where necessary, a smaller interval shall be utilized to clarify proposed grading. Excavation, grading, and fill material side slopes shall not exceed three to one (3:1).
  - (k) Where on site borrow for operational and final cover is proposed, indicate the borrow excavation and grading plan with contours at a minimum of five foot intervals. Where necessary, a smaller interval shall be utilized to clarify proposed grading. (ON-SITE 33AC. BORROW PIT FOR COVER)
  - (l) Proposed surface water control features and devices such as slope drains, storm water pipes, inlets, culverts, and channels.
  - (m) Information showing that the project meets the requirements of 15A NCAC 4, Sedimentation Control Rules. (LTR. DATED 8/14/98)
  - ?  (n) Location of test borings or test pits, if used to determine the seasonal high water table elevation, shall be shown on the plans.
  - (o) A minimum of two cross-sections, one each along each major axis, per operational area showing:
    - (i) Original elevations.
    - (ii) Proposed excavation. (NO EXCAVATION SHOWN IN FOOT PRINT OF LCID)
    - (iii) Proposed final elevations.
- (4) An operational plan addressing the requirements under Rule .0566 of this Section and containing the following information shall be submitted with the application for a proposed Land Clearing and Inert Debris (LCID) landfill: (PLAN SHEET CE-1)

- (a) Name, address, and phone number of individual responsible for operation and maintenance of the facility. (SHEET CE-1
- (b) Projected use of the land after completion. (ITEM #16 ON SHT CE-1 - PASTURE)
- (c) Description of systematic usage of disposal area, operation, orderly development and closure of the landfill. (ONE SYR. PHASE. MAKE NOTE IN PERMIT ABOUT OPERATIONS AND PROVIDE WASTE VOL. TONNAGE FOR THE NEXT TWO/THREE YEARS TO
- (d) Type, source, and quantity of waste to be accepted.
- (e) An emergency contingency plan, including fire fighting procedures. WILL BE CITY OF ROCKY MT. RESERVE, VOL. FIRE DEPT, OR USE DETERMINING LIFE. OF ON-SITE PUMPS.

History Note: Statutory Authority G.S. 130A-294; Eff. January 4, 1993.

**.0566 OPERATIONAL REQ. FOR LAND CLEARING/INERT DEBRIS (LCID) LANDFILLS**

Land Clearing and Inert Debris (LCID) landfills shall meet the following operational requirements:

- (1) Operational plans shall be approved and followed as specified for the facility.
- (2) The facility shall only accept those solid wastes which it is permitted to receive.
- (3) Solid waste shall be restricted to the smallest area feasible and compacted as densely as practical into cells.
- (4) Adequate soil cover shall be applied monthly, or when the active area reaches one acre in size, whichever occurs first.
- (5) 120 calendar days after completion of any phase of disposal operations, or upon revocation of a permit, the disposal area shall be covered with a minimum of one foot of suitable soil cover sloped to allow surface water runoff in a controlled manner. The Division may require further action in order to correct any condition which is or may become injurious to the public health, or a nuisance to the community.
- (6) Adequate erosion control measures, structures, or devices shall be utilized to prevent silt from leaving the site and to prevent excessive on site erosion.
- (7) Provisions for a ground cover sufficient to restrain erosion must be accomplished within 30 working days or 120 calendar days upon completion of any phase of landfill development.
- (8) The facility shall be adequately secured by means of gates, chains, berms, fences, etc. to prevent unauthorized access except when an operator is on duty. An attendant shall be on duty at all times while the landfill is open for public use to assure compliance with operational requirements and to prevent acceptance of unauthorized wastes.
- (9) Access roads shall be of all-weather construction and properly maintained.
- (10) Surface water shall be diverted from the working face and shall not be impounded over waste.
- (11) Solid waste shall not be disposed of in water.
- (12) Open burning of solid waste is prohibited.
- (13) The concentration of explosive gases generated by the facility shall not exceed:
  - (a) Twenty-five percent of the lower explosive limit for the gases in facility structures.
  - (b) The lower explosive limit for the gases at the property boundary.
- (14) Leachate shall be properly managed on site through the use of current best management practices.
- (15) Should the Division deem it necessary, ground water or surface water monitoring, or both, may be required as provided for under Rules .0601 and .0602 of this Subchapter.

SMT CE-1  
 ITEMS UNDER  
 GENERAL NOTE  
 BZ AND  
 OP'S REG.  
 #4. LTR  
 DATED 8/18/78  
 BY DAVID REVOR ON  
 VOL.

- (16) A sign shall be posted at the facility entrance showing the contact name and number in case of an emergency and the permit number. The permit number requirement is not applicable for facilities not requiring an individual permit.

*History Note: Statutory Authority G.S. 130A-294; Eff. January 4, 1993.*

### **SECTION .0600 - MONITORING REQUIREMENTS**

Rules .0601 - .0602 of Title 15A Subchapter 13B of the North Carolina Administrative Code (T15A.13B .0601 - .0602); have been transferred and recodified from Rules .0601 - .0602 of Title 10 Subchapter 10G of the North Carolina Administrative Code (T10.10G .0601 - .0602), effective April 4, 1990.

#### **.0601 GROUND-WATER MONITORING**

(a) The Division shall require a solid waste management facility to provide such ground-water monitoring capability as the Division determines to be necessary to detect the effects of the facility on ground-water in the area. In making such a determination, the Division shall consider the following factors:

- (1) the design of the facility, the nature of the processes it will use, and the type of waste it will handle;
- (2) soil and other geological conditions in the area;
- (3) nearness of ground-water to the facility;
- (4) uses that are being or may be made of any ground-water that may be affected by the facility; and
- (5) any other factors that reasonably relate to the potential for ground-water effects from the facility.

(b) Responsibility for sample collection and analysis will be defined as a part of the permit condition.

(c) Any other information that the Division deems pertinent to the development of a ground-water monitoring system will be required.

(d) All monitoring wells required pursuant to this Rule shall comply with monitoring well construction standards of 15A NCAC 2C .0105. Copies of 15A NCAC 2C may be obtained from and inspected at the Division.

(e) A record of well installation shall be filed with the Division upon completion of the monitoring wells.

(f) Groundwater quality monitoring wells shall be constructed of materials, and by procedures, approved by the Division.

*History Note: Statutory Authority G.S. 130A-294; Eff. April 1, 1982; Amended Eff. September 1, 1990; August 1, 1988; January 1, 1985.*

#### **.0602 SURFACE WATER MONITORING**

(a) The Division shall require a solid waste management facility to provide such surface water monitoring capability as the Division determines to be necessary to detect the effects of the facility on surface water in the area. In making such a determination, the Division shall consider the following factors:

- (1) the design of the facility, the nature of the process it will use, and the type of waste it will handle;