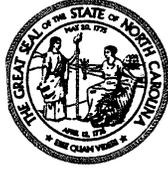


LCIDN33-D Permit Barnhill
Contracting Gay Road Site



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 dark ink, appearing to read "DB".

David Brook
Deputy State Historic Preservation Officer

DB:slw

cc: Jim Coffey, Division of Waste Management



Edge Co
33-D



February 14, 1992



State of North Carolina
Department of Environment, Health and Natural Resources
P. O. Box 27686
Raleigh, NC 27611-7687

Attention: Sherri C. Hoyt

Dear Ms. Hoyt:

Attached is the certified copy of Permit No. 33-D, issued 1/30/92, for Barnhill Contracting Company, Gay Pit Demolition Landfill Edgecombe County. The certified copy has been recorded with the Edgecombe County Register of Deeds and is returned to you per General Condition No. 1 of the permit.

This should take care of the Condition No. 1 requirement. If not, please contact me.

Yours very truly,

BARNHILL CONTRACTING COMPANY

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

William F. Davis
Vice President

/s

Attachment



PERMIT NO. 33-D
DATE ISSUED 1/30/92

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

P.O. BOX 27687

RALEIGH, NC 27611

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 construct and operate a

DEMOLITION LANDFILL

located

2.5 miles East of Rocky Mount on SR 1268

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.



James C. Coffey, Supervisor
Permitting Branch
Solid Waste Section

Barnhill Contracting Company - Gay Pit Demolition Landfill

S O L I D W A S T E P E R M I T
(DEMOLITION LANDFILL)

CONDITIONS OF PERMIT:

GENERAL

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 Waste Section and shall have indicated on it the page and book number, date of recordation, and the Register'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. This permit shall not be effective unless and until an Amendment to Mining Permit, allowing demolition fill in this area, is obtained from the Division of Land Resources.
4. This solid waste disposal site is permitted to receive stumps, limbs, leaves, concrete, brick, wood, and uncontaminated earth.

CONSTRUCTION

1. This permit is for construction of a demolition landfill in accordance with the approved plan and as specified herein:
 - a. The first phase of development shall be confined to the 15 acres as illustrated on plan drawings. Development of subsequent phases shall require the permittee to submit an application for an amendment to permit to the Division of Solid Waste Management (DSWM).
 - b. Final contours shall promote adequate drainage in order to prevent ponding of water over the disposal area.
 - c. A minimum buffer of fifty feet shall be maintained between the waste disposal area and adjoining property. A minimum buffer of fifty feet shall be maintained between the waste disposal area and all surface water bodies.

2. The following conditions 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 Solid Waste Management.
 - c. The permit number and the words "NO UNAUTHORIZED DUMPING ALLOWED" shall be posted on an entrance sign.
 - d. An Amendment to Mining Permit for the site, allowing demolition fill in the planned disposal area, must be obtained from The Division of Land Resources.

OPERATION

1. This facility shall conform to the operating procedures in Rule .0507 of the Solid Waste Management Rules and the following specific conditions:
 - a. Solid Waste shall be restricted to the smallest area possible and compacted as densely as practical. The active area shall not exceed one (1) acre in size.
 - b. Adequate soil cover, a minimum of 6-inch layer, shall be applied monthly, or when the active area reaches one (1) acre in size.
 - c. Solid waste shall not be disposed of in water.
 - d. A minimum separation distance of four feet shall be maintained between the bottom elevation of waste and the seasonal high water table.
2. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.
3. All earth-disturbing activities will be conducted in accordance with the Sedimentation Control Rules, codified at 15 NCAC 4.

CERTIFIED COPY OF SOLID WASTE PERMIT

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

James C Coffey
James C. Coffey, Supervisor
Permitting Branch
Solid Waste Section

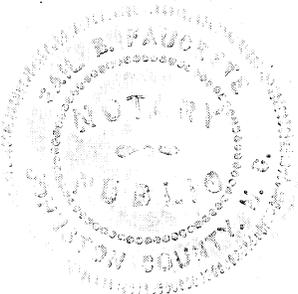
North Carolina

Wake County

I, Mail B. Faucette, a Notary Public for said County and State, do hereby certify that James C. Coffey, Supervisor, Permitting Branch, Solid Waste Section, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 30th day of January, 1992.

OFFICIAL SEAL



Mail B. Faucette
NOTARY PUBLIC

My commission expires Oct 13, 1993.

NORTH CAROLINA, EDGEcombe COUNTY

The foregoing certificate(s) of Mail B. Faucette, a Notary Public (is) (are) certified to be correct. This instrument was presented for registration and recorded in Book 1076 Page 46 this the 7th day of February 1992 at 3:40 o'clock P. M.
Gladys Shelton Pitt, Register of Deeds By Bette L. Godfrey Asst./Deputy

OWEN G. DUNN CO. 46362

AFFIDAVIT

Affiant, REB PROPERTIES INC, deposes and says that he is the fee simple owner of real property located at #12 (TWELVE) Township, in EDGELOMBE County, North Carolina. BENHILL CONTRACTING CO. INC. is applying for a permit to operate a ~~sanitary~~, (demolition) landfill on my property. I certify that I have read and understand N.C.G.S. § 130A-309.27 and 15A North Carolina Administrative Code 13B Rule .0201, which statute and rule assign joint and several liability to me as owner of the landfill and to the operator of the landfill for the improper operation and closure of the landfill, as provided by law. I understand that I am financially responsible to the state for fulfilling all regulatory requirements related to the operation of the landfill, for closure and post-closure care of the landfill, for any violations of regulatory requirements, and for any environmental damage resulting from the landfill, including but not limited to environmental clean-up costs. I understand that I am legally liable to third parties for any damages to persons or property caused by the landfill. I also understand that I must file a copy of the landfill permit with the Register of Deeds in EDGELOMBE County for recordation and indexing in the Grantor Index under my name as property owner. When the land on which the landfill is located is sold, leased, conveyed or transferred in any manner, the deed or other instrument of transfer shall contain a statement in the description section in no smaller type than that used in the body of the instrument that the property has been used as a ~~sanitary~~ landfill and a reference by book and page number to the recordation of the permit.

This, the 7th day of January, 1992.

Robert E. Benhill Jr.
(Seal)



Subscribed and sworn before me, the 7th day of Jan, 1992.

Norman J. Hally

My commission expires 9-27-93

APPIAN CONSULTING ENGINEERS, P.A.
CIVIL AND MUNICIPAL ENGINEERS
POST OFFICE BOX 7966
ROCKY MOUNT, NORTH CAROLINA 27804-0966

BOBBY L. JOYNER, P.E.

February 14, 1992

Mr. Tracy Davis, EIT
State of NC Land Quality Section
P.O. Box 27687
Raleigh, NC 27611



841 S. WESLEYAN BLVD.
TELEPHONE (919) 972-7703
FAX # (919) 972-7638

RE: Mining Permit No. 33-20
Gay Pit - 401 Ac Site

Dear Mr. Davis:

If you recall in mid 1991 we modified the above captioned Mining Permit and at the same time we were in the process of obtaining a Solid Waste Permit to reclaim the front portion of the existing Gay Pit as a demolition landfill. As you are aware two State permits are required, one Mining Permit and one Solid Waste Permit. The Mining Permit was originally modified on August 13, 1991 to reclaim the area of concern one of two ways. (Please see Mining Plans you have on file if you have any questions). While in the process of getting the Mining Permit modified we were also in the process of obtaining a Solid Waste Permit. We received our Solid Waste Permit January 30, 1992.

In order for the Solid Waste Permit to become effective we must amend the Mining Permit once again. We are requesting that you amend the existing Mining Permit #33-20 in order that we may use the front 15 Ac of the old Gay Pit as a demolition landfill that meets the requirements outlined by the Division of Solid Waste Management. (Please see enclosed Permit & Plan).

Also enclosed is a \$100.00 check to cover the major modification non-refundable Permit application fee.

If you have any questions, please contact this office at (919) 972-7703.

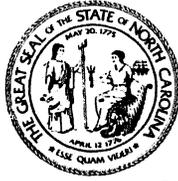
Sincerely,


J. Michael Stocks, EIT

JMS/sd

cc: Sherri Hoyt w/out attachments
file

attachments



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

James G. Martin, Governor
William W. Cobey, Jr., Secretary

William L. Meyer
Director

January 30, 1992

Mr. J. Michael Stocks
Appian Consulting Engineers
P. O. Box 7966
Rocky Mount, North Carolina 27804-0966

RE: Barnhill Contracting Company
Gay Pit Demolition Landfill
Permit No. 33-D
Edgecombe County

Dear Mr. Stocks:

Enclosed please find a Solid Waste Permit, a certified copy, and the Conditions of Permit for the referenced facility.

Condition #3 requires the permittee to obtain an Amendment to Mining Permit for the facility before this Solid Waste Permit can become effective. Also, Condition #1 describes the recordation procedures which must be completed for this permit to be effective. This facility must comply with the Conditions of Permit and the N.C. Solid Waste Management Rules.

If you have any questions, please contact this office at (919) 733-0692.

Sincerely,

A handwritten signature in cursive script that reads "Sherri C. Hoyt".

Sherri C. Hoyt
Environmental Engineer
Solid Waste Section

Enclosures

cc: Jim Coffey
Terry Dover
Fred Wood

PERMIT NO. 33-D
DATE ISSUED 1/30/92

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

P.O. BOX 27687

RALEIGH, NC 27611

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 construct and operate a

DEMOLITION LANDFILL

located

2.5 miles East of Rocky Mount on SR 1268

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.



James C. Coffey, Supervisor
Permitting Branch
Solid Waste Section

PERMIT NUMBER 33-D
DATE ISSUED 1/30/92

Barnhill Contracting Company - Gay Pit Demolition Landfill

S O L I D W A S T E P E R M I T
(DEMOLITION LANDFILL)

CONDITIONS OF PERMIT:

GENERAL

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 Waste Section and shall have indicated on it the page and book number, date of recordation, and the Register'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. This permit shall not be effective unless and until an Amendment to Mining Permit, allowing demolition fill in this area, is obtained from the Division of Land Resources.
4. This solid waste disposal site is permitted to receive stumps, limbs, leaves, concrete, brick, wood, and uncontaminated earth.

CONSTRUCTION

1. This permit is for construction of a demolition landfill in accordance with the approved plan and as specified herein:
 - a. The first phase of development shall be confined to the 15 acres as illustrated on plan drawings. Development of subsequent phases shall require the permittee to submit an application for an amendment to permit to the Division of Solid Waste Management (DSWM).
 - b. Final contours shall promote adequate drainage in order to prevent ponding of water over the disposal area.
 - c. A minimum buffer of fifty feet shall be maintained between the waste disposal area and adjoining property. A minimum buffer of fifty feet shall be maintained between the waste disposal area and all surface water bodies.

Conditions of Permit

Page 2

2. The following conditions 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 Solid Waste Management.
 - c. The permit number and the words "NO UNAUTHORIZED DUMPING ALLOWED" shall be posted on an entrance sign.
 - d. An Amendment to Mining Permit for the site, allowing demolition fill in the planned disposal area, must be obtained from The Division of Land Resources.

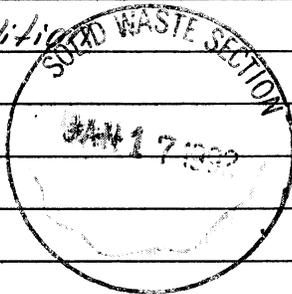
OPERATION

1. This facility shall conform to the operating procedures in Rule .0507 of the Solid Waste Management Rules and the following specific conditions:
 - a. Solid Waste shall be restricted to the smallest area possible and compacted as densely as practical. The active area shall not exceed one (1) acre in size.
 - b. Adequate soil cover, a minimum of 6-inch layer, shall be applied monthly, or when the active area reaches one (1) acre in size.
 - c. Solid waste shall not be disposed of in water.
 - d. A minimum separation distance of four feet shall be maintained between the bottom elevation of waste and the seasonal high water table.
2. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.
3. All earth-disturbing activities will be conducted in accordance with the Sedimentation Control Rules, codified at 15 NCAC 4.

Fax #: (919) 972-7638
Telephone: (919) 972-7703

LETTER OF TRANSMITTAL

APIAN CONSULTING ENGINEERS

DATE	1-9-92	JOB NO.	90-76c	
ATTENTION	Ms. Sherri Hoyt			
RE:	GAY Pst Demolition			
				

841 S. Wesleyan Blvd.
P.O. Box 7966
Rocky Mount, North Carolina 27804-0966

Sherri Hoyt

NCDEHNR

Division of solid Waste Management

P.O. Box 27687

Raleigh, NC 27611-7687

GENTLEMEN:

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

Shop drawings Prints Plans Samples Specifications

Copy of letter Change order _____

COPIES	DATE	NO.	DESCRIPTION
1	1-7-92		Sign Affidavit You Requested

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____
- For your use Approved as noted Submit _____
- As requested Returned for corrections Return _____
- For review and comment _____
- FOR BIDS DUE _____ 19 _____ PRINTS RETURNED AFTER LOAN TO US
- Deposit for Plans and Specifications requested in the amount of \$ _____
- Deposit for Plans and Specifications is acknowledged in the amount of \$ _____
- Plan Deposit in amount of \$ _____ is returned herewith.
- Refund of \$ _____ on your plan deposit is attached herewith.

REMARKS

Sherri, This is the original of the faxed copy you received Thursday. Pls continue the approval process.

Marks

COPY TO _____

SIGNED: *J. Mohd Yocky*

AFFIDAVIT

Affiant, REB PROPERTIES INC, deposes and says that he is the fee simple owner of real property located at #12 (TWELVE) Township, in EDGELOWME County, North Carolina. BENHILL CONTRACTING CO. INC. is applying for a permit to operate a ~~landfill~~, (demolition) landfill on my property. I certify that I have read and understand N.C.G.S. § 150A-309.27 and 15A North Carolina Administrative Code 130 Rule .0201, which statute and rule assign joint and several liability to me as owner of the landfill and to the operator of the landfill for the improper operation and closure of the landfill, as provided by law. I understand that I am financially responsible to the State for fulfilling all regulatory requirements related to the operation of the landfill, for closure and post-closure care of the landfill, for any violations of regulatory requirements, and for any environmental damage resulting from the landfill, including but not limited to environmental clean-up costs. I understand that I am legally liable to third parties for any damages to persons or property caused by the landfill. I also understand that I must file a copy of the landfill permit with the Register of Deeds in EDGELOWME County for recordation and indexing in the Grantor Index under my name as property owner. When the land on which the landfill is located is sold, leased, conveyed or transferred in any manner, the deed or other instrument of transfer shall contain a statement in the description section in no smaller type than that used in the body of the instrument that the property has been used as a ~~landfill~~ landfill and a reference by book and page number to the ^{DEMOLITION} recordation of the permit.

This, the 7th day of January, 1992.

Robert E. Bankell Jr.
(Seal)



Subscribed and sworn before me,
the 7th day of Jan, 1992.

Edwin J. Hall

My commission expires 9-27-93



Gay Pit



Zoning letter -

Buffer 50'

1st page of deed description ✓

REB Properties

Does



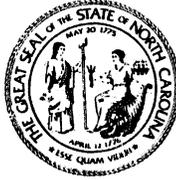
Robert E. Barnhill Properties



Barnhill Contracting

~~REB~~ REB Properties

same address;
same president;



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

James G. Martin, Governor
William W. Cobey, Jr., Secretary

William L. Meyer
Director

September 16, 1991

J. Michael Stocks
Appian Consulting Engineers
P. O. Box 7996
Rocky Mount, NC 27804-0966

RE: Proposed Demolition Fill
Apco and Gay Sites

Dear Mr. Stocks:

The Solid Waste Section has conducted a preliminary review of the proposed construction plan applications for completeness. The following comments shall be addressed in order to continue the review process:

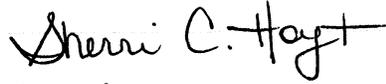
1. Plans shall delineate the first operational area and provide a progression of operation. The first area of operation shall be no greater than 15 acres in size.
2. The first area of operation shall be located only in areas where mining activities have been completed and excavation has been discontinued. A minimum separation of four feet shall be maintained between the bottom elevation of solid waste and the seasonal high groundwater table.
3. Topographical maps (scale at least 200 feet to the inch with 5 foot contours) for the first area of operation shall be provided. Plans should show buffers to property lines and surface waters, controlled access, and excavation limits, as well as delineate pertinent geographical features and sedimentation and erosion control measures.
4. At least two cross sections per operational area which illustrate excavation limits and proposed final contours shall be provided using established topographical data. No typical cross-sections will be accepted.

These comments are intended to expedite the review of the application, and in no way do they restrict the Section's right to request additional information following the technical review process.

Mr. Stocks
September 16, 1991
Page 2

If you have any questions, please contact me at (919)
733-0692.

Sincerely,



Sherri C. Hoyt
Environmental Engineer
Solid Waste Section

cc: Jim Coffey
Terry Dover
Fred Wood



709. office
copy

State of North Carolina
Department of Environment, Health, and Natural Resources
Division of Solid Waste Management

South Central Regional Office • 225 Green Street, Suite 601 • Fayetteville, North Carolina 28301
Telephone: (919) 486-1191 FAX:(919) 486-1791

James C. Martin, Governor
William W. Cobey, Jr., Secretary

William L. Meyer
Director

February 13, 1991



J. Michael Stocks
Appian Consulting Engineers
841 S. Wesleyan Blvd.
Rocky Mount, NC 27804-0966

RE: Rocky Mount, Tarboro, and Gay Sites
Barnhill Contracting Co., Inc.

Dear Mr. Stocks:

The referenced sites were considered for demolition landfill based on the information you submitted and site visits by the Solid Waste Section staff. The following comments address the site:

Rocky Mount

This pit has considerable amounts of water and violates the four-foot separation from the ground water requirement.

Tarboro and Gay

The information is sufficient to proceed with the construction plan information. This should include two cross-sections showing existing and final elevations. Erosion control measures addressing 15 NCAC 4 should also be included.

You are also requested to submit two additional copies of the site information and four copies of the construction plan when you submit paperwork for a permit.

If you have questions concerning this matter, please call me at (919) 486-1191.

Sincerely,


J. Gordon Layton
Environmental Engineer

Enclosure

cc: Fred Wood
Gary Ahlberg



State of North Carolina
Department of Environment, Health, and Natural Resources
Division of Adult Health
P.O. Box 27687 • Raleigh, North Carolina 27611-7687 • 919-733-7081

James G. Martin, Governor
William W. Cobey, Jr., Secretary

February 8, 1991

Georjean Stoodt, M.D., M.P.H.
Director

J. Michael Stocks
Appian Consulting Engineers
841 S Wesleyan Blvd.
Rocky Mount, NC 27804-0966

RE: Rocky Mount, Tarboro, and Gay Sites
Barnhill Contracting Co., Inc.

Dear Mr. Stocks:

The referenced sites were considered for demolition landfill based on the information you submitted and site visits by Solid Waste Section Staff. The following comments address the site.

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This pit is has considerable amounts of water and violates the four-foot separation from ground water requirement.

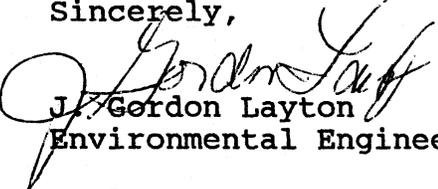
Tarboro and Gay

The information is sufficient to proceed with construction plan information. This should include two cross-sections showing existing and final elevations. Erosion control measures addressing 15NCAC4 should also be included.

You are also requested to submit two additional copies of the site information and four copies of the construction plan when you submit for a permit.

If you have questions concerning this matter, please call me at 919-486-1191.

Sincerely,


J. Gordon Layton
Environmental Engineer

Encl:

cc: Fred Wood
Gary Alhberg

**DEMOLITION LANDFILL SITE PLAN REVIEW
FOR THE GAY PIT**

- Name and Phone Number of Individual responsible for operation and maintenance of Site:

OWNER
Allen Barnhill
Barnhill Contracting Co., Inc.
P.O. Box 1529
Tarboro, NC 27886
(919) 823-1021

APPLICANT
J. Michael Stocks, EIT
Appian Consulting Engineers, P.A.
P.O. Box 7966
Rocky Mount, NC 27804
(919) 972-7703

- A map or aerial photograph accurately showing the area within one-fourth mile of the site and identifying the following:

(a). Property Lines

(b). Existing Homes, Buildings, Utilities, Roads, Wells, etc.

(c). 100 Year Flood Information if applicable

Not in Mapped FEMA Area.

- An approval letter from the unit of local government having zoning authority over the area where the site is to be located.

We are currently in the process of getting this parcel of land rezoned to allow a demolition landfill. We will forward the letter when we receive it.

- Location of Site on County Roadmap

See Attached

- Types of Waste for Disposal:

- Miscellaneous debris from clearing and grubbing operations, such as stumps, roots, limbs, etc.
- Miscellaneous construction debris from demolition operations, such as concrete, blocks, bricks, asphalt, etc.

- Other Information Pertinent:

- Mr. Fred J. Wood, Waste Management Specialist, Solid Waste Section, has met with us on-site and is willing to discuss his findings with you. He can be reached at (919) 355-9000.
- Barnhill Contracting Co. is currently operating a sand pit entitled the GAY Pit under Permit No. 33-20.

SITE LOCATION
GAY BORROW PIT

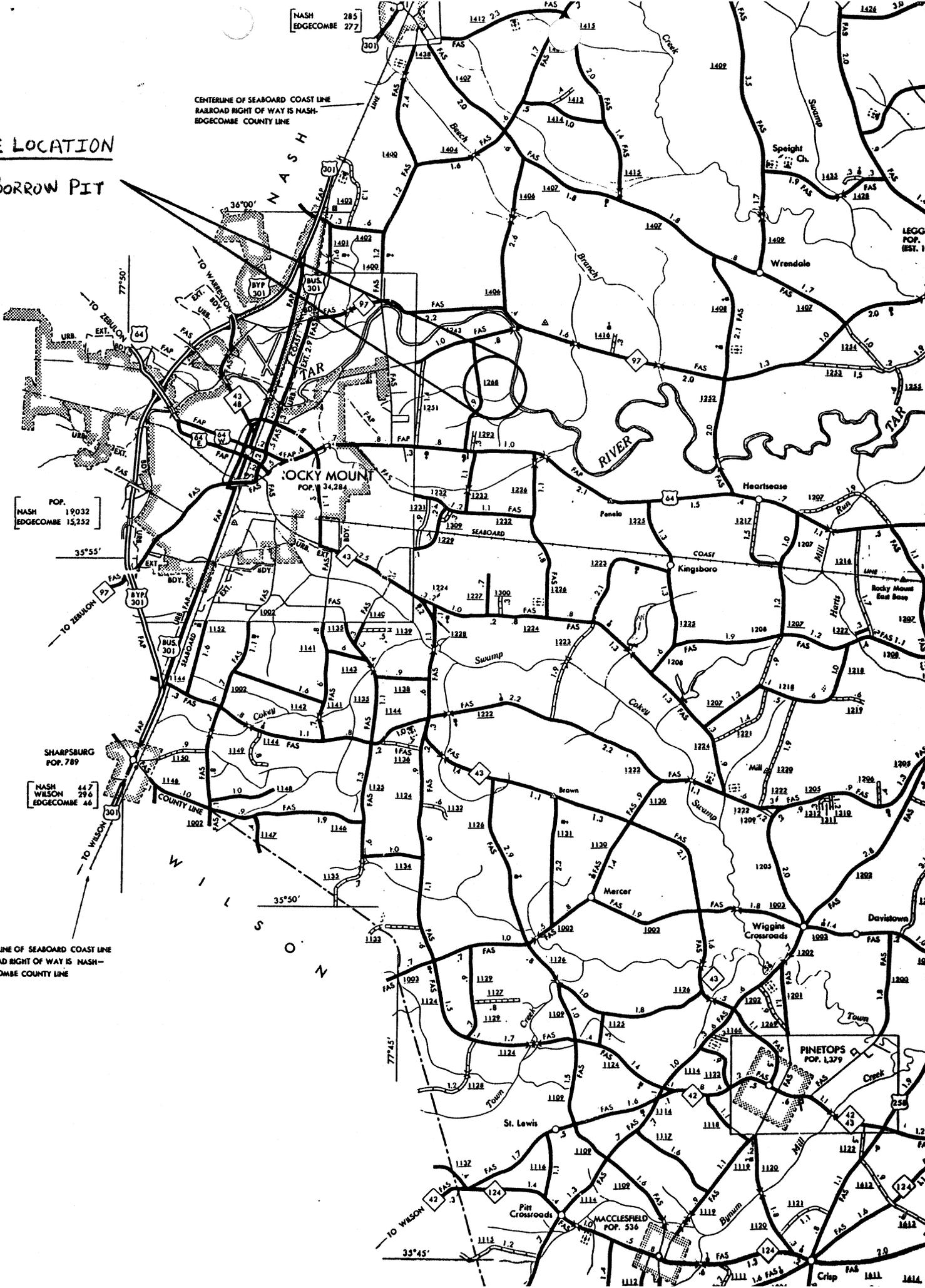
NASH 285
EDGECOMBE 277

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

POP.
NASH 19032
EDGECOMBE 15,252

SHARPSBURG
POP. 789
NASH 447
WILSON 296
EDGECOMBE 46

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





SANDPIT

ROCKY MOUNT

57°30'

ROCKY MOUNT 4.3 KM

5485 IV NE (ROCKY MOUNT)

55'

EDGECOMBE COUNTY

GENERAL APPLICATION FORM

APPEAL__ VARIANCE__ CONDITIONAL USE (GENERAL HOME OCCUPATION__)

APPLICATION NO. _____

Applicant Appian Consulting Engineers, P.A.
J. Michael Stocks Owner Barnshill Contracting Co., Inc.

Address P.O. Box 7966 Address P.O. Box 1529
Rocky Mount, NC 27804 Tarboro, NC 27886

Phone: (919) 972-7703 Phone: (919) 823-1021

Legal relationship of applicant to property owner Client

Purpose of permit To reclaim existing borrow pit

Property location ± 2.5 miles east of Rocky Mount or SR 1268, Gay Road
Street address

Tax Parcel No. 12-246-0000-00-008

Lot Size 2,299,968 square feet 52.8 Ac Zoning district AR-30

No. of building(s) N/A Gross floor area N/A

No. of building(s) to remain N/A Gross floor area to remain N/A

No. of building(s) proposed N/A Gross floor area of proposed
building(s) N/A

Other Improvements:
Addition(__) square feet _____ Renovation(__) square feet _____

Estimated cost of project \$ N/A

If needed to illustrate appeal or request, attach plot plan.

Date January 18, 1991 J. Michael Stocks
Signature of Applicant

Received by: _____ Date _____

Comprehensive Development Department

EDGECOMBE COUNTY APPLICATION FOR CONDITIONAL USE
(GENERAL)

APPLICATION NO. _____

Name of Applicant Appian Consulting Engineers, P.A., J. Michael Stocks

Present Address: P.O. Box 7966 Phone No. (919) 972-7703

Location 2.5 miles east of Rocky Mount on ^{SR 1268} Twp. Zone AR-30

Map Sheet No. 246 Parcel 00P (Scale 1"=400') Lot Size 52.8

Water Facilities: Public Private

Sewer Facilities: Public Private N/A

Property Owner(s) Barnhill Contracting Company, Inc.

Adjoining Property Owner(s) M.L. Gay, Jr. & N.C. State Highway Comm.

Square footage of existing structure(s) N/A sq. ft.; removed structure(s) N/A sq. ft.; proposed structure(s) N/A sq. ft.
No. employed at site N/A No. of additional employees proposed N/A
Describe activities incidental to development N/A

Describe the amount and type of traffic to be generated. N/A

Explain the proposed activities.* Use Site as a Demolition Landfill that will meet all State and Local requirements

(Attach Sketch Plan to include the location and square footage of all structures located on the premises, parking spaces, fencing, sign and etc.)

Describe type of equipment to be used. Dump truck, Loader, Back-hoe, Excavator

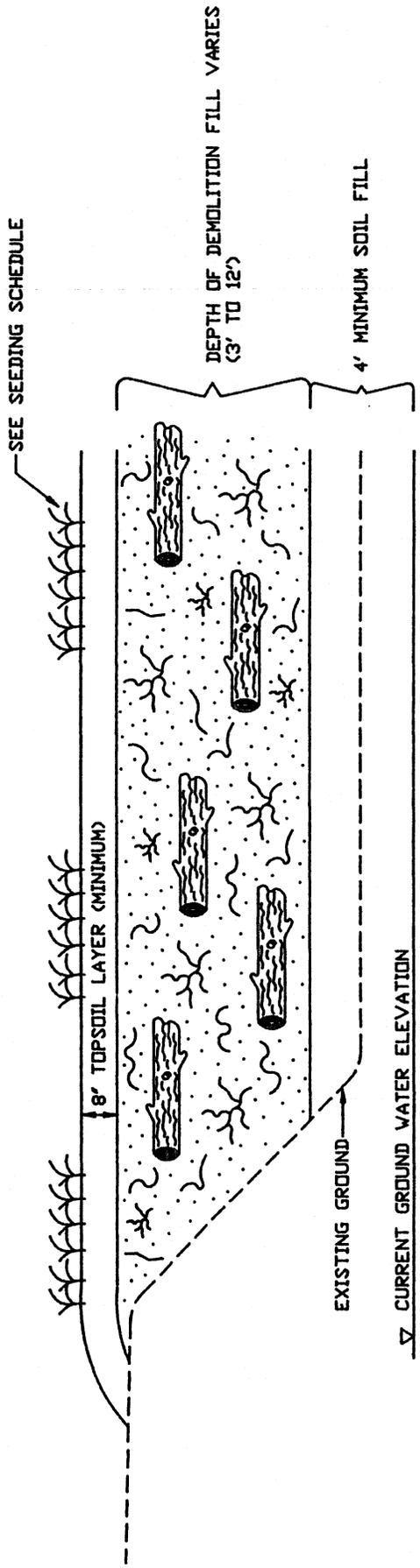
Date: January 18, 1991

J. Michael Stocks
Signature

Comments: Site currently an approved mining operation

*Any building used for a business must meet handicapped regulations.

Received by _____ Date _____
Comprehensive Development Department



TYPICAL SECTION OF RECLAMATION FILL

NOT TO SCALE

APPLICATION FOR A MINING PERMIT

All reclamation activity is subject to approval from N.C. Dept. of Solid & Hazardous Waste Management, contact person - Mr. Gordon Layton, (919) 486-1191.

D. RECLAMATION PLAN

We are currently in the process of obtaining a demolition landfill permit.

1. Describe your intended plan for the reclamation and subsequent use of all affected lands and indicate the general methods to be used in reclaiming this land. This information must be illustrated on a reclamation map.

Areas which have been excavated to a depth greater than 4' above the ground water table will be relaimed by dumping unuseable soil (soil not suitable for structural fill), stumps and concrete. Once ground elevation is grater than 4' above ground water table a mixture of demolition material and soil will be backed into the pit. Once these areas have been refilled, they will be dressed and vegetation will be established.

2. a. Is an excavated or impounded body of water to be left as a part of the reclamation? Yes ___ No X. If yes, illustrate the location of the body(s) of water on the reclamation map and provide a scaled cross-section(s) through the proposed body(s) of water. Will the body(s) of water be stocked with fish? Yes ___ No X. If yes, specify species.
- b. Describe provisions for prevention of noxious, odious or foul water collecting or remaining in mined areas. Provide details on any permanent water outlets.

The pit will adjoin existing drainage ditches and outlets from the pit to the existing drainage ditch will be protected by check dams and rip rap/ gravel sediment basin. Existing drainage patterns will not change.

APPLICATION FOR A MINING PERMIT
RECLAMATION PLAN

3. Describe provisions for safety to persons and to adjoining property in all completed excavations in rock including what kind of permanent barricade will be left. The location of the barricade must be shown on the reclamation map.

No excavations will be made in rock.

4. a. Indicate the method(s) of reclamation of overburden, refuse, spoil banks or other such on-site mine waste areas, including specifications for benching and sloping.

Stockpiles will be dressed and seeded. All areas disturbed will be seeded.

- b. Are any processing waste, overburden or other such mine wastes to be disposed of off-site? Yes _____ No No. If yes, describe in detail what these wastes are and how they will be disposed. Attach a separate site map(s) showing the location(s) of the disposal area(s). Include all specifications for erosion and sediment control.

N/A

**APPLICATION FOR A MINING PERMIT
RECLAMATION PLAN**

5. a. Describe reclamation of processing facilities, stockpile areas, and onsite roadways.

Stockpiles which are to remain will be dressed and seeded. Roads will be mined and included in the mine area. There are no processing facilities.

- b. Will any onsite roadways be left as part of the reclamation? Yes X No .
If yes, identify these on the reclamation map and provide details on permanent ditch line stabilization.

The existing farm path along the north property line will remain in place. There will not be a ditchline along this roadway.

6. State the method of reclamation of settling ponds and/or sediment control basins.

There will be no settling ponds. Silt will be controlled and held within the mined area.

**APPLICATION FOR A MINING PERMIT
RECLAMATION PLAN**

7. State the method of control of contaminants and disposal of scrap metal, junk machinery, cables, or other such waste products of mining. (Note definition of refuse in The Mining Act of 1971). No off-site generated waste shall be disposed of on the mine site without prior written approval from the N.C. Department of Natural Resources and Community Development, Land Quality Section and either the N.C. Department of Human Resources or local governing body.

Contaminants, scrap metal or junk machinery will not be brought on-site.

8. Indicate the method of restoration or establishment of any permanent drainage channels to a condition minimizing erosion, siltation and other pollution. Give design details including typical cross-sections of any permanent channels to be constructed as part of the reclamation plan. Show the location(s) of all permanent channels on the reclamation map.

The existing drainage ditch will not be disturbed.

APPLICATION FOR A MINING PERMIT
RECLAMATION PLAN

9. Describe your plan for revegetation or other surface treatment of the affected areas. This plan must include recommendations for time of seeding and the amount and type of seed, fertilizer, lime and mulch per acre and general seeding instructions for permanent revegetation and, if necessary, temporary revegetation. Revegetation utilizing pine seedlings only is not acceptable. NOTE: Revegetation Plan must be approved and signed by one of the following:

- (a) Authorized representatives of the local Soil and Water Conservation District having jurisdiction over lands in questions;
- (b) Authorized representatives of the Office of Forest Resources, Department of Natural Resources and Community Development;
- (c) County Agricultural Extension chairmen or Research and Extension personnel headquartered at North Carolina State University in the School of Agriculture and Life Sciences;
- (d) North Carolina licensed architects;
- (e) Private consulting foresters referred by the Office of Forest Resources, Department of Natural Resources and Community Development;
- (f) Others as may be approved by the Department.

LIME - RATE OF APPLICATION:

3 Tons Per Acre

FERTILIZER - ANALYSIS AND RATE OF APPLICATION:

10-10-10 1000 pounds per acre

SEED - TYPES AND RATE OF APPLICATION INCLUDING SEEDING SCHEDULE:

March 1 - Sept. 1 - Bahia grass at the rate of 50 pounds per acre
Va-70 Lespedeza at the rate of 20 pounds per acre
Wheat - 15 pounds per acre
Sept. 1 - Dec. 1 - Fescue at a rate of 100 pounds per acre
Va - 70 Lespedeza at a rate of 20 pounds per acre
Wheat - 15 pounds per acre

MULCH - TYPE AND RATE OF APPLICATION :

Small grain straw 1.5 tons per acre

OTHER VEGETATIVE COVERS: Temporary seeding:

25 pounds of annual rye grass
1 bushel of small grain (wheat or rye)

Revegetation and/or reforestation plan approved by:

Signature A. B. Whitley Date 1/18/90

Title District Conservationist

Agency USDA - Soil Conservation Service
Representing Edgecombe Soil and Water
Conservation District

APPLICATION FOR A MINING PERMIT
RECLAMATION PLAN

10. Provide a schedule of reclamation that indicates the sequence of reclamation and approximate time frame. If reclamation is to be accomplished concurrently with mining, then show on the site map segments that are to be mined and reclaimed during each year of the permit. Add drawings showing typical sections or cross-sections and layout of proposed reclamation.

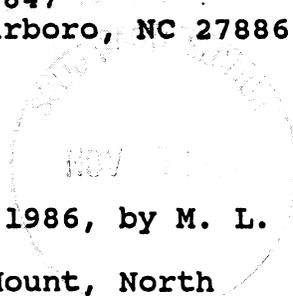
Excavation will be adjusted according to quality of excavated material. Slopes will be sloped and seeded as mining is completed. Actual disturbed area per year will be determined by needs for fill sand.

E. NOTIFICATION OF ADJOINING LANDOWNERS

1. The "NOTICE" form or a facsimile thereof attached to this application must be sent certified or registered mail to all adjoining (contiguous) landowners indicated on mine map unless another means of notice is approved in advance by the Director, Division of Land Resources.

The completed "Affidavit of Notification" attached to this application must be submitted before the application is considered complete.

Prepared by and mail to: Jeff. D. Batts, P. O. Drawer 4847,
Rocky Mount, NC 27803-4847
Permanent address of Grantee: P. O. Box 1529, Tarboro, NC 27886
NORTH CAROLINA
EDGECOMBE COUNTY



THIS DEED, made this 31 day of DECEMBER 1986, by M. L. GAY, JR. and wife, FRANCES RIDDLE GAY, of Rocky Mount, North Carolina to REB PROPERTIES, INC., a North Carolina corporation with its principal office in Tarboro, Edgecombe County, North Carolina.

WITNESSETH;

That M. L. GAY, JR. and wife, FRANCES RIDDLE GAY, for a valuable consideration paid by REB PROPERTIES, INC., the receipt of which is hereby acknowledged, have and by these presents do grant, bargain, sell and convey unto REB PROPERTIES, INC., its successors and assigns, in fee simple, all that certain lot or parcel of land situated in No. 12 Township, Edgecombe County, North Carolina and more particularly described as follows:

Bounded on the north and east by lands of Mack Lee Gay, Jr. and Frances Gay Cuno, on the west by SR 1268 (Gay Road) and on the south by lands belonging to N. C. State Highway Commission.

Beginning at a nail set in the centerline of SR 1268, corner of Mack Lee Gay, Jr. and Frances Gay Cuno, S. 01° 27' E. 2212.81 feet from the existing nail set in the centerline of SR 1243 at the point the centerline of SR 1268 would intersect if extended; thence over an iron pipe set in the property line 30 feet from the centerline of SR 1268 along the centerline of old "Farm Road" and the line of Mack Lee Gay, Jr. and Frances Gay Cuno, N. 87° 47' E. 1549.50 feet to an iron pipe set, a reference line from said iron pipe set, S. 79° 26' W. 68.83 feet to an existing iron pipe near the north side of old "Farm Road" and the west side of old "Flagmarsh Road"; thence S. 42° 22' E. 101.24 feet to an iron pipe set in the centerline of old "Flagmarsh Road"; thence along the centerline of old "Flagmarsh Road" and the property of Mack Lee Gay, Jr. and Frances Gay Cuno S. 07° 28' W. 1684.18 feet to an existing concrete monument; thence with the northern boundary line of N. C. State Highway Commission, the following courses and distances: S. 75° 49' W. 784.63 feet to an existing concrete monument, N. 08° 23' W. 339.80 feet to an existing concrete monument, and S. 87° 52' W. 543.85 feet over an existing concrete monument on the property line 29.05 feet from the centerline of SR 1268 to the centerline of SR 1268, as marked by a nail set in said centerline; thence along the centerline of SR

Real Estate Excise Tax 120.00
STATE OF NORTH CAROLINA
EDGECOMBE COUNTY
DEC 31 1986
RB 10746
042774

1268, N. 01° 36' W. 1561.75 feet to the point of beginning, containing 58.55 acres total and including 1.08 acres in the road right-of-way, resulting in 57.47 acres net according to a survey for Barnhill Contracting Company by Kenneth D. Talbot, Registered Land Surveyor, Tarboro, N. C., dated December 8, 1986, and being a portion of the property conveyed to M. L. Gay, Jr. and wife, Frances Riddle Gay by deed recorded in Book 745, Page 569, Edgecombe County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereunto belonging, to REB PROPERTIES, INC., its successors and assigns, in fee simple.

And M. L. GAY, JR. and wife, FRANCES RIDDLE GAY covenant with REB PROPERTIES, INC., its successors and assigns, that M. L. GAY, JR. and wife, FRANCES RIDDLE GAY are seized of the premises in fee simple, that title is marketable and free and clear of all encumbrances, and that M. L. GAY, JR. and wife, FRANCES RIDDLE GAY will warrant and defend the title against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, M. L. GAY, JR. and wife, FRANCES RIDDLE GAY have hereunto set their hands and seals, the day and year first above written.

M. L. Gay, Jr. (SEAL)
M. L. GAY, JR.

Frances Riddle Gay (SEAL)
FRANCES RIDDLE GAY

NORTH CAROLINA

COUNTY OF Nash

I, Donna W. Barnes, Notary Public, do hereby certify that M. L. GAY, JR. and FRANCES RIDDLE GAY personally came before me and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial stamp, this 31 day of December, 1986.

Donna W. Barnes
Notary Public
Nash County, NC

Donna W. Barnes
Notary Public

My commission expires: 1-28-90

NORTH CAROLINA, EDGECOMBE COUNTY
The foregoing certificate (s) of Donna W. Barnes

A Notary Public, is (a) certified to be correct.
This instrument was presented for registration and recorded in this office in Book 989 Page 89
This 31 day of December 1986
at 3:20 o'clock P M.

Gladys Shelton Pitt
Register of Deeds
By Gladys Shelton Pitt Deputy

AFFIDAVIT

Affiant, REB PROPERTIES INC deposes and says that he is the fee simple owner of real property located at #12 (TWELVE) Township, in EDGELOWME County, North Carolina. ROSNELL CONTRACTING CO. INC. is applying for a permit to operate a ~~sanitary~~, (demolition) landfill on my property. I certify that I have read and understand N.C.G.S. § 130A-309.27 and 15A North Carolina Administrative Code 130 Rule .0201, which statute and rule assign joint and several liability to me as owner of the landfill and to the operator of the landfill for the improper operation and closure of the landfill, as provided by law. I understand that I am financially responsible to the State for fulfilling all regulatory requirements related to the operation of the landfill, for closure and post-closure care of the landfill, for any violations of regulatory requirements, and for any environmental damage resulting from the landfill, including but not limited to environmental clean-up costs. I understand that I am legally liable to third parties for any damages to persons or property caused by the landfill. I also understand that I must file a copy of the landfill permit with the Register of Deeds in EDGELOWME County for recordation and indexing in the Grantor Index under my name as property owner. When the land on which the landfill is located is sold, leased, conveyed or transferred in any manner, the deed or other instrument of transfer shall contain a statement in the description section in no smaller type than that used in the body of the instrument that the property has been used as a ~~sanitary~~ landfill and a reference by book and page number to the ^{DEMOLITION} recordation of the permit.

This, the 7th day of January 1992.

Robert E. Rosnell Jr.
(Seal)



Subscribed and sworn before me,
the 7th day of Jan, 1992.

Joseph B. Idury

My commission expires 9.27.93

① SEDIMENT BASIN ①

Total AREA DRAINED = 49.7 AC
 Volume of Sediment = 49.7 x 900 = 44730 cf sed / 6 months
 AREA of BASIN = $\sqrt{\frac{44730}{4}} = 106' \times 106' \times 4'$

NOTE: As CAN BE SEEN ON the site plan the existing Sediment BASIN EXCEEDS MINIMUM BASIN SIZE.

Q_{10} for 15 MIN $T_c = Q = CIA$
 $= (0.7)(5.5)(49.7)$
 $= 191 \text{ cfs}$

SPILLWAY Design: $H = \left[\frac{Q}{CL} \right]^{2/3}$
 $= \left[\frac{191}{(2.68)(50)} \right]^{2/3}$
 $= 1.27'$

Velocity = $Q/HL = 191 / (1.27)(50) = 3.01 \text{ fps}$

∴ EXISTING SEDIMENT BASIN WITH Rock DAM per sd-13 at 2.0' x 50' IS Adequate.

SEDIMENT BASIN IS THE SAME SEDIMENT BASIN APPROVED FOR THE MINING OPERATION, PERMIT NUMBER 33-20.



State of North Carolina
Department of Environment, Health, and Natural Resources
Division of Land Resources

Copy: Buddy
AB
Gay Pit File

James G. Martin, Governor
William W. Cobey, Jr., Secretary

August 13, 1991

Charles H. Gardner
Director

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

RE: Permit No. 33-20
Gay Pit
Edgecombe County



Dear Mr. Barnhill:

Your recent request to have Mining Permit No. 33-20 for Gay Pit in Edgecombe County modified to include and allow mining on approximately 348 acres (bringing the total amount of permitted area at this site to 401 acres) as indicated in the Gay Pit Expansion Plan dated March 6, 1991 prepared by Appian Consulting Engineers, P.A. has been approved. The Reclamation Conditions within this permit have also been modified to provide two alternate methods of reclamation of the mined area. A copy of the modified permit is enclosed.

The conditions in the modified permit were based primarily upon the initial application. Modifications were made as indicated by the modification request and as required to insure compliance with The Mining Act of 1971. The expiration date, mine name and permit number shall remain the same as before the modification.

The issuance of a mining permit and/or any modification to it does not supercede local zoning regulations. The responsibility of compliance with any applicable zoning regulations lies with you.

Please review the modified permit and advise this office at (919) 733-4574 should you have any question concerning this matter.

Sincerely,


Tracy E. Davis, E.I.T.
Mining Specialist
Land Quality Section

TED/BUS/se

Enclosure

cc: John Holley

DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES

DIVISION OF LAND RESOURCES

LAND QUALITY SECTION

P E R M I T

for the operation of a mining activity

In accordance with the provisions of G.S. 74-46 through 68,
"The Mining Act of 1971," Mining Permit Rule 15A NCAC
5 B, and other applicable laws, rules and regulations

Permission is hereby granted to:

Barnhill Contracting Company

Gay Pit

Edgecombe County - Permit No. 33-20

for the operation of a

Sand Pit

which shall provide that the usefulness, productivity and scenic
values of all lands and waters affected by this mining operation
will receive the greatest practical degree of protection and
restoration.

In accordance with the application for this mining permit, which is hereby approved by the Department of Environment, Health and Natural Resources, hereinafter referred to as the Department, and in conformity with the approved Reclamation Plan attached to and incorporated as part of this permit, provisions must be made for the protection of the surrounding environment and for reclamation of the land and water affected by the permitted mining operation. This permit is expressly conditioned upon compliance with all the requirements of the approved Reclamation Plan. However, completed performance of the approved Reclamation Plan is a separable obligation, secured by the bond or other security on file with the Department, and may survive the expiration, revocation or suspension of this permit.

This permit is not transferable by the permittee with the following exception: If another operator succeeds to the interest of the permittee in the permitted mining operation, by virtue of a sale, lease, assignment or otherwise, the Department may release the permittee from the duties imposed upon him by the conditions of his permit and by the Mining Act with reference to the permitted operation, and transfer the permit to the successor operator, provided that both operators have complied with the requirements of the Mining Act and that the successor operator agrees to assume the duties of the permittee with reference to reclamation of the affected land and posts a suitable bond or other security.

In the event that the Department determines that the permittee or permittee's successor is not complying with the Reclamation Plan or other terms and conditions of this permit, or is failing to achieve the purposes and requirements of the Mining Act, the Department may give the operator written notice of its intent to modify, revoke or suspend the permit, or its intent to modify the Reclamation Plan as incorporated in the permit. The operator shall have right to a hearing at a designated time and place on any proposed modification, revocation or suspension by the Department. Alternatively and in addition to the above, the Department may institute other enforcement procedures authorized by law.

Definitions

Wherever used or referred to in this permit, unless the context clearly indicates otherwise, terms shall have the same meaning as supplied by the Mining Act, N.C.G.S. 74-49.

Modification

August 13, 1991: This permit has been modified to include and allow mining on approximately 348 acres contiguous to the original 53 acres as detailed in the Gay Pit Expansion Plan dated March 6, 1991 prepared by Appian Consulting Engineers, P.A. The Reclamation Conditions within this permit have also been modified to provide two alternate Reclamation Plans which allow reclamation of mined areas as either bodies of water or as revegetated areas with positive drainage or a combination of both.

Expiration Date

This permit shall be effective from the date of its issuance until March 6, 2000.

Conditions

This permit shall be subject to the provisions of the Mining Act, N.C.G.S. 74-46, et. seq., and to the following conditions and limitations:

OPERATING CONDITIONS:

1. Any wastewater processing or mine dewatering shall be in accordance with the permitting requirements and rules promulgated by the Environmental Management Commission.
2. Any mining process producing air contamination emissions shall be subject to the permitting requirements and rules promulgated by the Environmental Management Commission.
3. A. Sufficient buffer shall be maintained between any affected land and any adjoining waterway to prevent sedimentation of that waterway from erosion of the affected land and to preserve the integrity of the natural watercourse.
B. A minimum 100 foot wide undisturbed buffer shall be maintained along the Tar River.
4. A. Adequate mechanical barriers including but not limited to diversions, earthen dikes, brush barriers, silt check dams, silt retarding structures, rip rap pits, or ditches shall be provided in the initial stages of any land disturbance and maintained to prevent sediment from discharging onto adjacent surface areas or into any lake or natural watercourse in proximity to the affected land.
B. The Gay Pit Expansion Plan dated March 6, 1991 prepared by Appian Consulting Engineers, P.A. shall be followed.
5. The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control measure, structure, or device. In any event, exposed slopes or any excavated channels, the erosion of which may cause offsite damage because of siltation, shall be planted or otherwise provided with ground cover, devices or structures sufficient to restrain such erosion.
6. The affected land shall be graded so as to prevent collection of pools of water that are, or likely to become, noxious or foul. Necessary structures such as drainage ditches or conduits shall be constructed or installed when required to prevent such conditions.
7. A. Existing vegetation or vegetated earthen berms shall be maintained between the mine and public thoroughfares whenever practical to screen the operation from the public.
B. Vegetated earthen berms shall be installed and maintained as indicated in the Gay Pit Expansion Plan dated March 6, 1991 prepared by Appian Consulting Engineers, P.A.

8. A. Sufficient buffer (minimum of 20 feet undisturbed) shall be maintained between any excavation and any adjoining property line to prevent caving of that property and to allow grading of the sideslopes to the required angle.
B. All buffers shall be maintained as indicated on the Gay Pit Expansion Plan dated March 6, 1991 prepared by Appian Consulting Engineers, P.A.
9. A physical barrier consisting of a fence or earthen berm, etc., shall be maintained around the perimeter of any highwall.
10. No contaminants shall be dumped or disposed of at the mine site. Scrap metal, trash and offsite demolition material shall be properly disposed of at permitted offsite landfills.
11. An Annual Reclamation Report shall be submitted on a form supplied by the Department by February 1 of each year until reclamation is completed and approved.
12. A. The operator shall notify the Department in writing of the desire to delete, modify or otherwise change any part of the mining, reclamation, or erosion/sediment control plan contained in the approved application for a mining permit. Approval to implement such changes must be obtained from the Department prior to on-site implementation of the revisions.
B. A modification request shall be submitted to and approved by the Land Quality Section within this Department prior to landfilling any waste material within the mine permit boundaries.
13. The security which was posted pursuant to N.C.G.S. 74-54 in the form of a \$25,000.00 blanket bond is sufficient to cover the operation as indicated on the approved application. This security must remain in force for this permit to be valid. The total affected land shall not exceed the bonded acreage.
14. A. Authorized representatives of the Division of Archives and History shall be granted access to the site to determine the presence of significant archaeological resources.
B. Pursuant to N. C. G. S. 70 Article 3, "The Unmarked Human Burial and Human Skeletal Remains Protection Act," should the operator or any person in his employ encounter human skeletal remains, immediate notification shall be provided to the county medical examiner and the chief archaeologist, North Carolina Division of Archives and History.

APPROVED RECLAMATION PLAN

The Mining Permit incorporates this Reclamation Plan, the performance of which is a condition on the continuing validity of that Mining Permit. Additionally, the Reclamation Plan is a separable obligation of the permittee, which continues beyond the terms of the Mining Permit.

The approved plan provides:

Minimum Standards As Provided By G.S. 74-53

1. The final slopes in all excavations in soil, sand, gravel and other unconsolidated materials shall be at such an angle as to minimize the possibility of slides and be consistent with the future use of the land.
2. Provisions for safety to persons and to adjoining property must be provided in all excavations in rock.
3. All overburden and spoil shall be left in a configuration which is in accordance with accepted conservation practices and which is suitable for the proposed subsequent use of the land.
4. No small pools of water shall be allowed to collect or remain on the mined area that are, likely to become noxious, odious or foul.
5. The revegetation plan shall conform to accepted and recommended agronomic and reforestation practices as established by the North Carolina Agricultural Experiment Station and the North Carolina Forest Service.
6. Permittee shall conduct reclamation activities pursuant to the Reclamation Plan herein incorporated. These activities shall be conducted according to the time schedule included in the plan, which shall to the extent feasible provide reclamation simultaneous with mining operations and in any event, provide reclamation at the earliest practicable time after completion or termination of mining on any segment of the permit area and shall be completed within two years after completion or termination of mining.

RECLAMATION CONDITIONS:

1. Provided further, and subject to the Reclamation Schedule, the planned reclamation shall be to satisfactorily stabilize any disturbed areas.
2. The specifications for regrading and satisfactorily revegetating the mined area are as follows:
 - A. All sideslopes shall be graded to a 2 horizontal to 1 vertical or flatter slope.
 - B. Any sediment basins shall be backfilled and stabilized.
3. The specifications for restoring the mined area to a lake area are as follows:

- A. The lake area shall be excavated to maintain a minimum average water depth of four feet.
- B. The sideslopes to the lake excavation shall be graded to 2 horizontal to 1 vertical or flatter from natural ground to the bottom of the excavation.
4. The processing, stockpile, and other disturbed areas neighboring the mine excavation shall be leveled and smoothed.
5. Compacted surfaces shall be disced; subsoiled or otherwise prepared before revegetation.
6. No contaminants shall be dumped at the mine site. Scrap metal, trash or other such waste shall be removed from the site and properly disposed.
7. The affected land shall be graded to prevent the collection of noxious or foul water.

3. Revegetation Plan

After site preparation, all disturbed land areas shall be revegetated as recommended by Bobby L. Joyner, President of Appian Consulting Engineers, in the Reclamation Plan dated March 6, 1991 within the application.

4. Reclamation Schedule

Reclamation shall be conducted simultaneously with mining to the extent feasible. In any event, reclamation shall be initiated as soon as feasible after completion or termination of mining of any mine segment under permit. Final reclamation, including revegetation, shall be completed within one year of completion or termination of mining.

This permit, issued March 6, 1990, is hereby modified this 13th day of August, 1991 pursuant to G.S. 74-52.

By: Charles H. Gardner

Charles H. Gardner, Director
Division of Land Resources
By Authority of the Secretary
Of the Department of Environment, Health and Natural Resources

Fax #: (919) 972-7638
Telephone: (919) 972-7703

LETTER OF TRANSMITTAL

APPIAN CONSULTING ENGINEERS

841 S. Wesleyan Blvd.
P.O. Box 7966
Rocky Mount, North Carolina 27804-0966

DATE	1-18-91	JOB NO.	90-76
ATTENTION	MR. GORDON LAYTON		
RE:	DEMOLITION LANDFILL PERMITS		

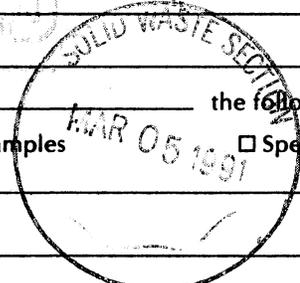
MR. GORDON LAYTON

GENTLEMEN:

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

Shop drawings Prints Plans Samples Specifications

Copy of letter Change order _____



COPIES	DATE	NO.	DESCRIPTION
2	-		SITE PLAN Review For the Gay Pit <input type="checkbox"/> PROPERTY MAP <input type="checkbox"/> SECTION of Demolition fill <input type="checkbox"/> LOCATION MAP <input type="checkbox"/> Topo MAP <input type="checkbox"/> Copy of Rezoning Request
2	-		SITE PLAN Review For the TARBORO AYO PIT <input type="checkbox"/> PROPERTY MAP <input type="checkbox"/> SECTION of Demolition fill <input type="checkbox"/> LOCATION MAP <input type="checkbox"/> Topo MAP <input type="checkbox"/> letter from TOWN <input type="checkbox"/> Flood Plain INFORMATION. <input type="checkbox"/> Mining Reclamation Plan

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____
- For your use Approved as noted Submit _____
- As requested Returned for corrections Return _____
- For review and comment _____
- FOR BIDS DUE _____ 19 _____ PRINTS RETURNED AFTER LOAN TO US
- Deposit for Plans and Specifications requested in the amount of \$ _____
- Deposit for Plans and Specifications is acknowledged in the amount of \$ _____
- Plan Deposit in amount of \$ _____ is returned herewith.
- Refund of \$ _____ on your plan deposit is attached herewith.

REMARKS *MR LAYTON, ONCE YOU VIEW THE ENCLOSED DATA*
WE LOOK FORWARD TO MEETING w/ YOU FOR A SITE
VISIT. Thanks Mike

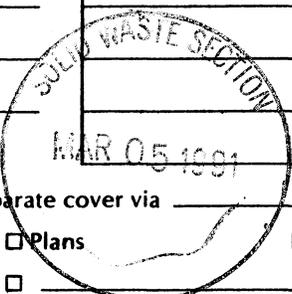
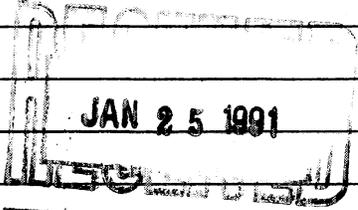
COPY TO _____ SIGNED: *J Michael Stork*

Fax #: (919) 972-7638
 Telephone: (919) 972-7703

LETTER OF TRANSMITTAL

APPIAN CONSULTING ENGINEERS

841 S. Wesleyan Blvd.
 P.O. Box 7966
 Rocky Mount, North Carolina 27804-0966

DATE	1-18-91	JOB NO.	90-70
ATTENTION	MR. GORDON LAYTON		
RE:	DEMOLITION LANDFILL PERMITS		
			
			

MR. GORDON LAYTON

CONTINUED

GENTLEMEN,

- WE ARE SENDING YOU Attached Under separate cover via _____ the following items:
- Shop drawings Prints Plans Samples Specifications
 - Copy of letter Change order _____

COPIES	DATE	NO.	DESCRIPTION
2	-		SITE PLAN Review For the Rocky Mount Asphalt Plant Pit • PROPERTY MAP • SECTION OF DEMOLITION FILL • LOCATION MAP • TOPO MAP • FLOOD PLAIN INFORMATION

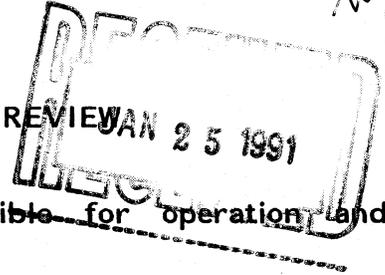
THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____
- For your use Approved as noted Submit _____
- As requested Returned for corrections Return _____
- For review and comment _____
- FOR BIDS DUE _____ 19 _____ PRINTS RETURNED AFTER LOAN TO US
- Deposit for Plans and Specifications requested in the amount of \$ _____
- Deposit for Plans and Specifications is acknowledged in the amount of \$ _____
- Plan Deposit in amount of \$ _____ is returned herewith.
- Refund of \$ _____ on your plan deposit is attached herewith.

REMARKS MR. LAYTON, PLS Call if you have any questions. Thanks Mike

COPY TO _____ SIGNED: J. Michael Stacy

DEMOLITION LANDFILL SITE PLAN REVIEW
FOR THE GAY PIT

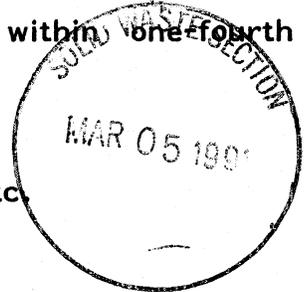


- Name and Phone Number of Individual responsible for operation and maintenance of Site:

OWNER
Allen Barnhill
Barnhill Contracting Co., Inc.
P.O. Box 1529
Tarboro, NC 27886
(919) 823-1021

APPLICANT
J. Michael Stocks, EIT
Appian Consulting Engineers, P.A.
P.O. Box 7966
Rocky Mount, NC 27804
(919) 972-7703

- A map or aerial photograph accurately showing the area within one-fourth mile of the site and identifying the following:
 - (a). Property Lines
 - (b). Existing Homes, Buildings, Utilities, Roads, Wells, etc.
 - (c). 100 Year Flood Information if applicable



Not in Mapped FEMA Area.

- An approval letter from the unit of local government having zoning authority over the area where the site is to be located.

We are currently in the process of getting this parcel of land rezoned to allow a demolition landfill. We will forward the letter when we receive it.

- Location of Site on County Roadmap

See Attached

- Types of Waste for Disposal:

- Miscellaneous debris from clearing and grubbing operations, such as stumps, roots, limbs, etc.
- Miscellaneous construction debris from demolition operations, such as concrete, blocks, bricks, asphalt, etc.

- Other Information Pertinent:

- Mr. Fred J. Wood, Waste Management Specialist, Solid Waste Section, has met with us on-site and is willing to discuss his findings with you. He can be reached at (919) 355-9000.
- Barnhill Contracting Co. is currently operating a sand pit entitled the GAY Pit under Permit No. 33-20.

SITE LOCATION
GAY BORROW PIT

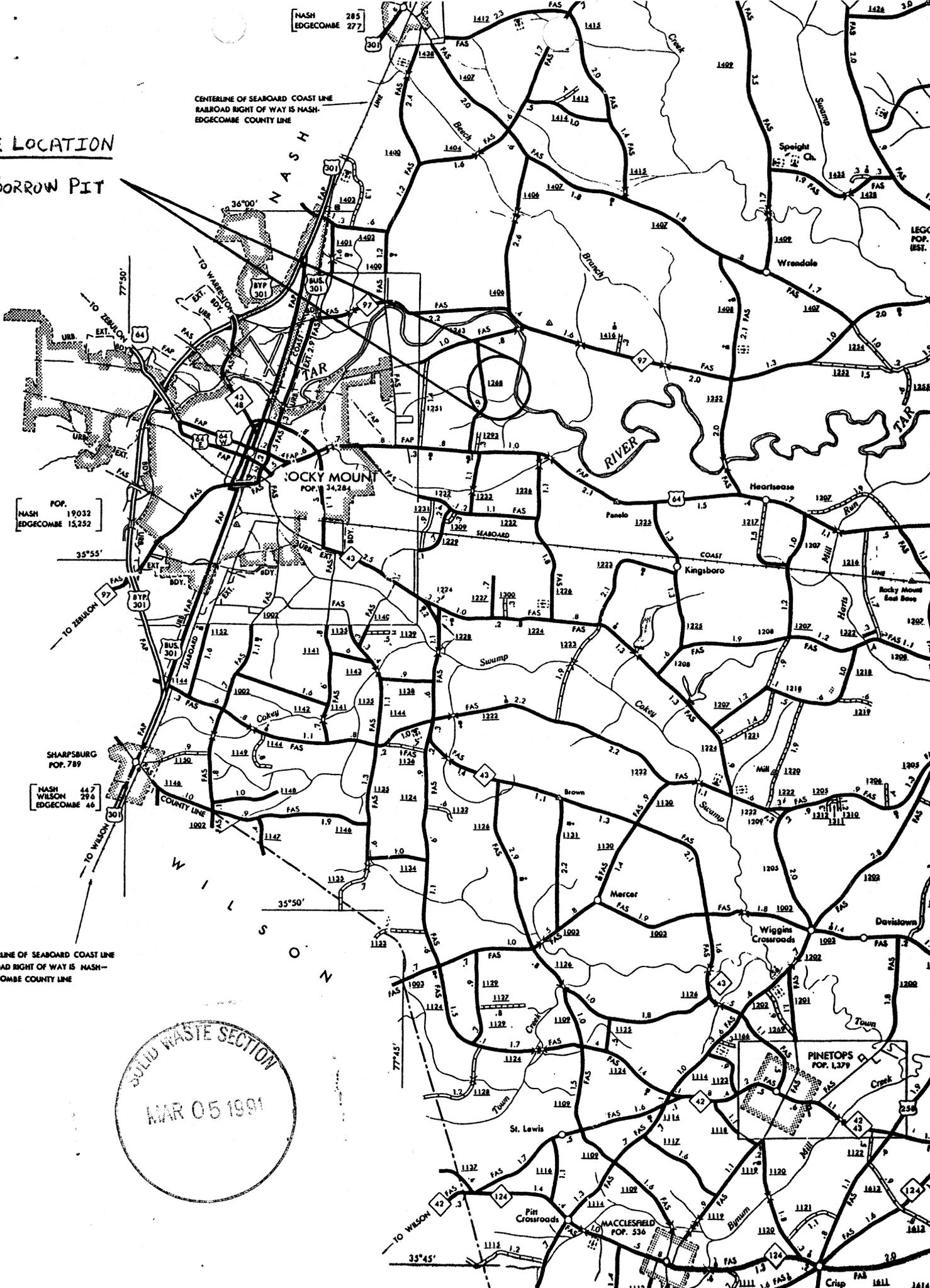
NASH 285
EDGECOMBE 277

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

POP.
NASH 19032
EDGECOMBE 15,252

NASH 447
WILSON 294
EDGECOMBE 46

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



LEGC
POP.
EST.

Rocky Mount
East Base

Pinetops
POP. 1,379

RIVER

ROCKY MOUNT
POP. 34,288

SHARPSBURG
POP. 789

St. Lewis

MACCLESFIELD
POP. 536

Pinetops

Wiggins Crossroads

Crisp

35°50'

35°45'

77°50'

77°45'

35°55'

35°50'

35°45'

NASH

WILSON

S

O

N

35°45'

35°45'

77°50'

77°50'

77°50'

77°50'

77°50'

77°50'

77°50'

77°50'

77°50'

77°50'



EDGECOMBE COUNTY

GENERAL APPLICATION FORM

APPEAL__ VARIANCE__ CONDITIONAL USE (GENERAL HOME OCCUPATION__)

APPLICATION NO. _____

Applicant Appian Consulting Engineers, P.A.
J. Michael Stocks Owner Barnshill Contracting Co., Inc.

Address P.O. Box 7966 Address P.O. Box 1529

Rocky Mount, NC 27804 Tarboro, NC 27886

Phone: (919) 972-7703 Phone: (919) 823-1021

Legal relationship of applicant to property owner Client

Purpose of permit To reclaim existing borrow pit

Property location ± 2.5 miles east of Rocky Mount on SR 1268, Gay Road
Street address

Tax Parcel No. 12-246-0000-00-008

Lot Size 2,299,968 square feet 52.8 Ac Zoning district AR-30

No. of building(s) N/A Gross floor area N/A

No. of building(s) to remain N/A Gross floor area to remain N/A

No. of building(s) proposed N/A Gross floor area of proposed
building(s) N/A

Other Improvements:
Addition() square feet _____ Renovation() square feet _____

Estimated cost of project \$ N/A

If needed to illustrate appeal or request, attach plot plan.

Date January 18, 1991

J. Michael Stocks
Signature of Applicant

Received by: _____ Date _____

Comprehensive Development Department

EDGECOMBE COUNTY APPLICATION FOR CONDITIONAL USE
(GENERAL)

APPLICATION NO. _____

Name of Applicant Appian Consulting Engineers, P.A., J. Michael Stocks

Present Address: P.O. Box 7966 Phone No. (919) 972-7703

Location 2.5 miles east of Rocky Mount on ^{SR 1268} Twp. Zone AR-30

Map Sheet No. 246 Parcel 00P (Scale 1"=400') Lot Size 52.8

Water Facilities: Public Private

Sewer Facilities: Public Private N/A

Property Owner(s) Barnhill Contracting Company, Inc.

Adjoining Property Owner(s) M.L. Gay, Jr. & N.C. State Highway Comm.

Square footage of existing structure(s) N/A sq. ft.; removed structure(s) N/A sq. ft.; proposed structure(s) N/A sq. ft.
No. employed at site N/A No. of additional employees proposed N/A
Describe activities incidental to development N/A

Describe the amount and type of traffic to be generated. N/A

Explain the proposed activities.* Use Site as a Demolition Landfill that will meet all State and Local requirements

(Attach Sketch Plan to include the location and square footage of all structures located on the premises, parking spaces, fencing, sign and etc.)

Describe type of equipment to be used. Dump truck, Loader, Back-hoe, Excavator

Date: January 18, 1991

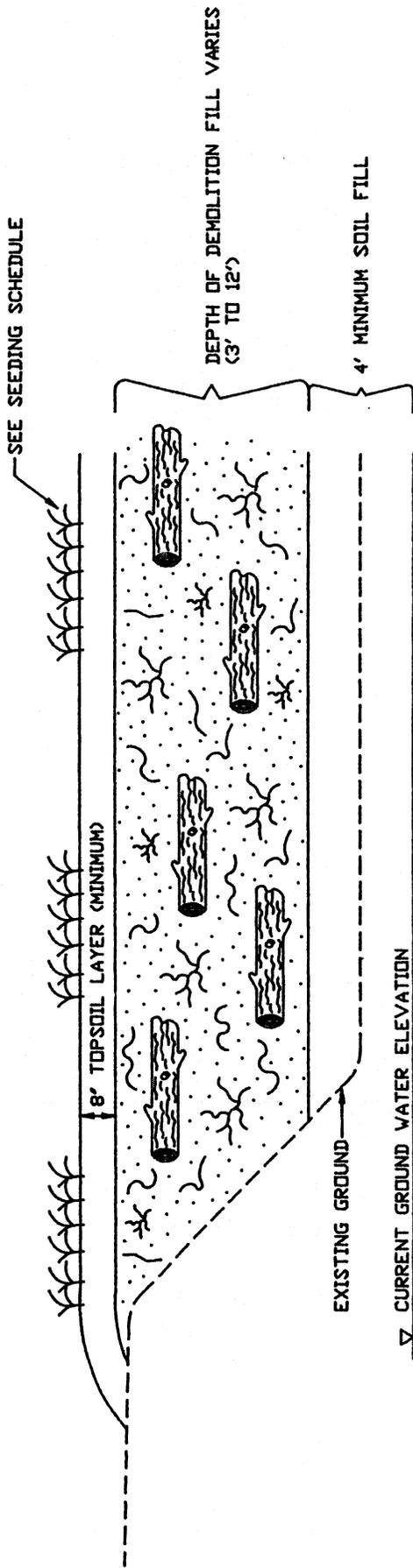
J. Michael Stocks
Signature

Comments: Site currently an approved mining operation

*Any building used for a business must meet handicapped regulations.

Received by _____
Comprehensive Development Department

Date _____



TYPICAL SECTION OF RECLAMATION FILL

NOT TO SCALE

12/13/90

90-1053



1"=500'

2-1



APPIAN CONSULTING ENGINEERS, P.A.
CIVIL AND MUNICIPAL ENGINEERS
POST OFFICE BOX 7966
ROCKY MOUNT, NORTH CAROLINA 27864-0966

BOBBY L. JOYNER, P.E.

261 E. WESLEYAN BLVD.
TELEPHONE (919) 972-7700
FAX (919) 972-7688

DATE: January 9th 1992
JOB #: 90-76c

TO: Sherri Hoyt

Fax No. (919) 733-4810
No. Sheets to Follow: 1

FROM: Michael Steeks

RE: Gay Demolition Affidavit

COMMENTS: Sherri, I am also sending you
the original in the mail. Pls continue
the process of approval based on
this fax. Thank you and pls call if
you have any questions.

J. Michael Steeks

EDGECOMBE COUNTY

GENERAL APPLICATION FORM

APPEAL__ VARIANCE__ CONDITIONAL USE (GENERAL HOME OCCUPATION__)

APPLICATION NO. _____

Applicant Appian Consulting Engineers, P.A.
J. Michael Stocks Owner Barnshill Contracting Co., Inc.

Address P.O. Box 7966 Address P.O. Box 1529

Rocky Mount, NC 27804 Tarboro, NC 27886

Phone: (919) 972-7703 Phone: (919) 823-1021

Legal relationship of applicant to property owner Client

Purpose of permit To reclaim existing borrow pit

Property location ± 2.5 miles east of Rocky Mount or SR 1268, Gay Road
Street address

Tax Parcel No. 12-246-0000-00-008

Lot Size 2,299,968 square feet 52.8 Ac Zoning district AR-30

No. of building(s) N/A Gross floor area N/A

No. of building(s) to remain N/A Gross floor area to remain N/A

No. of building(s) proposed N/A Gross floor area of proposed
building(s) N/A

Other Improvements:
Addition(__) square feet _____ Renovation(__) square feet _____

Estimated cost of project \$ N/A

If needed to illustrate appeal or request, attach plot plan.

Date January 18, 1991 J. Michael Stocks
Signature of Applicant

Received by: _____ Date _____

Comprehensive Development Department

EDGECOMBE COUNTY APPLICATION FOR CONDITIONAL USE
(GENERAL)

APPLICATION NO. _____

Name of Applicant Appian Consulting Engineers, P.A., J. Michael Stocks

Present Address: P.O. Box 7966 Phone No. (919) 972-7703

Location 2.5 miles east of Rocky Mount on SR 1268 Twp. _____ Zone AR-30

Map Sheet No. 246 Parcel GCP (Scale 1"=400') Lot Size 52.8

Water Facilities: _____ Public _____ Private

Sewer Facilities: _____ Public _____ Private N/A

Property Owner(s) Barnhill Contracting Company, Inc.

Adjoining Property Owner(s) M.L. Gay, Jr. & N.C. State Highway Comm.

Square footage of existing structure(s) N/A sq. ft.; removed structure(s) N/A sq. ft.; proposed structure(s) N/A sq. ft.

No. employed at site N/A No. of additional employees proposed N/A

Describe activities incidental to development N/A

Describe the amount and type of traffic to be generated. N/A

Explain the proposed activities.* Use Site as a Demolition Landfill that will meet all State and Local requirements

(Attach Sketch Plan to include the location and square footage of all structures located on the premises, parking spaces, fencing, sign and etc.)

Describe type of equipment to be used. Dump truck, Loader, Back-hoe, Excavator

Date: January 18, 1991

J. Michael Stocks
Signature

Comments: Site currently an approved mining operation

*Any building used for a business must meet handicapped regulations.

Received by _____
Comprehensive Development Department

Date _____

IN WITNESS WHEREOF, the County has caused this permit to be issued in its name, and the undersigned, being all of the property owners of the property above described, do hereby accept this Conditional Use Permit, together with all its conditions, as binding on them and their successors in interest.

Jack Cochran
Secretary

By Bobby R. Edmondson by Jack Cochran
Chairman, Board of Adjustment

Appian Consulting Enginners
Barnhill Contracting Company by Shaun Joyner, owner(s) of the above identified property, do hereby acknowledge receipt of this Conditional Use Permit. The undersigned owners do further acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

Owner

Shaun Joyner
Owner

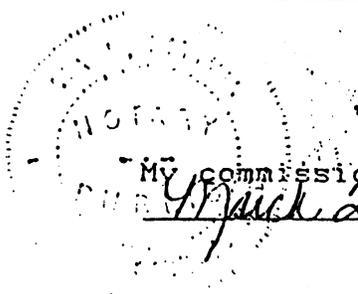
NORTH CAROLINA

EDGECOMBE COUNTY

I, Ola L. Pittman, a Notary Public in and for said State and County, do hereby certify that B. Shaun Joyner for Barnhill Contracting Co. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 12th day of April, 1991.

Ola L. Pittman
Notary Public



My commission expires:
March 28, 1994

November 1, 1991

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

Dear Allen:

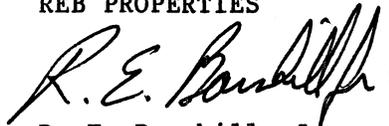
REB Properties accepts Barnhill Contracting Company's proposal to dump material back in the Gay Pit property you excavated.

As with the borrow operation, it is understood that Barnhill Contracting Company will hold REB Properties harmless from any and all liability resulting from your activities on our property. It is also understood that this dumping operation will be done within the constraints of all State regulations covering such activities.

I have enclosed a copy of the original Deed on this property as you requested. If you need additional information, please let me know.

Sincerely,

REB PROPERTIES



R. E. Barnhill, Jr.
President

Enclosure

1268, N. 01' 36' 1561.75 feet to the point beginning, containing 58.55 acres total and including 1.08 acres in the road right-of-way, resulting in 57.47 acres net according to a survey for Barnhill Contracting Company by Kenneth D. Talbot, Registered Land Surveyor, Tarboro, N. C., dated December 8, 1986, and being a portion of the property conveyed to M. L. Gay, Jr. and wife, Frances Riddle Gay by deed recorded in Book 745, Page 569, Edgecombe County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereunto belonging, to REB PROPERTIES, INC., its successors and assigns, in fee simple.

And M. L. GAY, JR. and wife, FRANCES RIDDLE GAY covenant with REB PROPERTIES, INC., its successors and assigns, that M. L. GAY, JR. and wife, FRANCES RIDDLE GAY are seized of the premises in fee simple, that title is marketable and free and clear of all encumbrances, and that M. L. GAY, JR. and wife, FRANCES RIDDLE GAY will warrant and defend the title against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, M. L. GAY, JR. and wife, FRANCES RIDDLE GAY have hereunto set their hands and seals, the day and year first above written.

M. L. Gay, Jr. (SEAL)
M. L. GAY, JR.

Frances Riddle Gay (SEAL)
FRANCES RIDDLE GAY

NORTH CAROLINA

COUNTY OF Nash

I, Donna W. Barnes, Notary Public, do hereby certify that M. L. GAY, JR. and FRANCES RIDDLE GAY personally came before me and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial stamp, this 31 day of December, 1986.

Donna W. Barnes
Notary Public

Donna W. Barnes
Notary Public
Nash County, NC

My commission expires: 1-28-90

NORTH CAROLINA, EDGECOMBE COUNTY
The foregoing certificate (s) of Donna W. Barnes

A Notary Public, is (a) certified to be correct.
This instrument was presented for registration and recorded in this office in Book Page
This 31 day of December 1986
at 3:20 o'clock M.

Gladys Shelton Pitt
Register of Deeds
By Deputy

BOOK 989 PAGE 190

190

AFFIDAVIT

Affiant, REB PROPERTIES INC, deposes and says that he is the fee simple owner of real property located at #12 (TWELVE) Township, in EDGELOMBE County, North Carolina. is applying for a permit to operate a (sanitary), (demolition) landfill on my property. I certify that I have read and understand N.C.G.S. § 130A-309.27 and 15A North Carolina Administrative Code 13B Rule .0201, which statute and rule assign joint and several liability to me as owner of the landfill and to the operator of the landfill for the improper operation and closure of the landfill, as provided by law. I understand that I am financially responsible to the State for fulfilling all regulatory requirements related to the operation of the landfill, for closure and post-closure care of the landfill, for any violations of regulatory requirements, and for any environmental damage resulting from the landfill, including but not limited to environmental clean-up costs. I understand that I am legally liable to third parties for any damages to persons or property caused by the landfill. I also understand that I must file a copy of the landfill permit with the Register of Deeds in EDGELOMBE County for recordation and indexing in the Grantor Index under my name as property owner. When the land on which the landfill is located is sold, leased, conveyed or transferred in any manner, the deed or other instrument of transfer shall contain a statement in the description section in no smaller type than that used in the body of the instrument that the property has been used as a sanitary landfill and a reference by book and page number to the recordation of the permit.

This, the 7th day of January, 1992.

Robert E. Bankhill Jr.
(Seal)

Subscribed and sworn before me,
the 7th day of Jan, 1992.

Japhiel B. Idandy

My commission expires 9-27-93

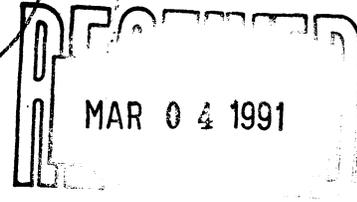
APPIAN CONSULTING ENGINEERS, P.A.
CIVIL AND MUNICIPAL ENGINEERS
POST OFFICE BOX 7966
ROCKY MOUNT, NORTH CAROLINA 27804-0966

BOBBY L. JOYNER, P.E.

841 S. WESLEYAN BLVD.
TELEPHONE (919) 972-7703
FAX # (919) 972-7638

February 13, 1991

Mr. Gordon Layton
N.C. Dept. of Environmental, Health
and Natural Resources
Wachovia Bank Building
225 Green Street
Suite 601
Fayetteville, NC 28301



RE: Demolition Landfill
The Gay Pit

Dear Mr. Layton:

The enclosed information will complete our application for a demolition landfill located at what is now a permitted mining operation entitled the Gay Pit, Permit #33-20.

Enclosed for your review:

- o 4 copies of the Demolition Plan
- o 4 copies of the Site Plan Application with Site Plan approval letter from Mr. Gordon Layton.
- o 4 copies of the Legal Description of the Property
- o 4 copies of the Revised Mining Permit Reclamation Plan

Please proceed with the review of the Construction Plans for the proposed demolition landfill. If you have any questions or concerns, please do not hesitate to contact our office.

Sincerely,


J. Michael Stocks, EIT

JMS/sd

cc: file

Fax #: (919) 972-7638
 Telephone: (919) 972-7703

LETTER OF TRANSMITTAL

APPIAN CONSULTING ENGINEERS

841 S. Wesleyan Blvd.
 P.O. Box 7966
 Rocky Mount, North Carolina 27804-0966

NCDEHNR
 DIVISION of Solid Waste Management

P.O. Box 27687

RALEIGH, NC 27611-7687

Attn: Sherril Hoyt

GENTLEMEN:

DATE	October 3, 1991	JOB NO.	90-76c
ATTENTION	Ms. Sherril Hoyt		
RE:	Gay Pit Demolition LANDFILL		

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

Shop drawings Prints Plans Samples Specifications

Copy of letter Change order _____

COPIES	DATE	NO.	DESCRIPTION
2	9-27-91	Revised	Two complete sets of the Gay Pit Demolition Plan w/ ALL ITEMS Addressed outlined in the 9-16-91 letter.
2	9-27-91		1) Plans show 15 Ac Demolition Pit
			2) Mining IS Complete in Demolition AREA. Proposed section & Notes outline 4' minimum separation.
			3) Pit does not show 5' contour intervals due to flatness. However, spots spots are shown and

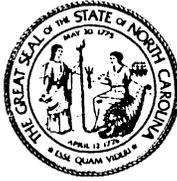
THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____
- For your use Approved as noted Submit _____
- As requested Returned for corrections Return _____
- For review and comment _____
- FOR BIDS DUE _____ 19 _____ PRINTS RETURNED AFTER LOAN TO US
- Deposit for Plans and Specifications requested in the amount of \$ _____
- Deposit for Plans and Specifications is acknowledged in the amount of \$ _____
- Plan Deposit in amount of \$ _____ is returned herewith.
- Refund of \$ _____ on your plan deposit is attached herewith.

REMARKS 3) cont cross-sections A-A & B-B are from actual field top surveyed by our office, 10-1-91. Buffers, Property lines, limit of Demolition, etc are shown on Plan.

4) Two sections have been provided w/ existing ground and proposed ground noted. Again actual proposed contour interval at 5' do not show within our Demolition area. Contour 80 is within the berm and contour 75 is located on the back slope of the pit. Pls continue w/ the review process for the Gay Pit. I will send

COPY TO _____ SIGNED: _____
 Van the Hon Pit ASAD P.M. I can give you questions Thanks Mike



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

James G. Martin, Governor
 William W. Cobey, Jr., Secretary

William L. Meyer
 Director

FACSIMILE
 COVERSHEET

(919) 733-4996

(919) 733-0692

(919) 733-2178

(919) 733-2801

Solid Waste Management Division

Solid Waste Section

Hazardous Waste Section

Superfund Section

TO: Mike Stocks

FAX Number (919) 972-7638

FROM: Sherril Hoyt

RE: Model Affidavit

No. of Pages (Including Cover) 2

Confirm Receipt of Document(s) If Marked Here _____

Mike,

REB Properties needs to execute an affidavit similar to the enclosed model in order for a permit to be issued for Gay Pit. Give me a call if you have any questions.

Sherril Hoyt

AFFIDAVIT

Affiant, _____, deposes and says that he is the fee simple owner of real property located at _____, _____ Township, in _____ County, North Carolina. _____ is applying for a permit to operate a (sanitary), (demolition) landfill on my property. I certify that I have read and understand N.C.G.S. § 130A-309.27 and 15A North Carolina Administrative Code 13B Rule .0201, which statute and rule assign joint and several liability to me as owner of the landfill and to the operator of the landfill for the improper operation and closure of the landfill, as provided by law. I understand that I am financially responsible to the State for fulfilling all regulatory requirements related to the operation of the landfill, for closure and post-closure care of the landfill, for any violations of regulatory requirements, and for any environmental damage resulting from the landfill, including but not limited to environmental clean-up costs. I understand that I am legally liable to third parties for any damages to persons or property caused by the landfill. I also understand that I must file a copy of the landfill permit with the Register of Deeds in _____ County for recordation and indexing in the Grantor Index under my name as property owner. When the land on which the landfill is located is sold, leased, conveyed or transferred in any manner, the deed or other instrument of transfer shall contain a statement in the description section in no smaller type than that used in the body of the instrument that the property has been used as a sanitary landfill and a reference by book and page number to the recordation of the permit.

This, the _____ day of _____, 19__.

(Seal)

Subscribed and sworn before me,
the _____ day of _____, 1992.

My commission expires _____