

LCIDN 34-90-05 Permit
H.G. Myers Landfill



Central File
Permit # ~~34-90-05~~
34-90-05

State of North Carolina

Department of Justice

ROY COOPER
ATTORNEY GENERAL

P. O. Box 629
RALEIGH
27602-0629

REPLY TO:
Lauren Murphy Clemmons
Environmental Division
Phone: 919/716-6600

April 30, 2003

Mr. Fred G. Crumpler, Jr.
White and Crumpler
301 North Main Street, Suite 1100
Winston-Salem, NC 27101-3899



Re: Herbert G. Myers, Landfill, Shallowford Road, Lewisville, N.C. , Expired Permit.

Dear Mr. Crumpler:

I am in receipt of your letter dated April 21, 2003. The permit that you enclosed has expired. Your client's foremost problem is that he is operating his solid waste management facility without a permit. A permit is required by state law to operate the type of solid waste treatment and processing facility that it appears your client desires to operate. Based on notations in the agency's audit reports, your client may have already submitted an application for permit to operate a solid waste management facility. Namely, it appears that he may have submitted an application for a permit to operate a land clearing and inert debris landfill and an application for a permit for land clearing treatment and processing. In many cases, the permitting process involves the discussion and exchange of information between the permit applicant and the agency's staff. Your client can obtain permitting requirements from the agency's staff.

I do not have personal knowledge of the other matters that you discuss in your letter. I would direct your attention to the regulations at 15A NCAC 13B .0201 & .0501 , 15A NCAC 13B .0560 through .0566, and 15A NCAC 13B .0301 and .0302. Definitions are also in NCGS 130A-290. Other provisions of Chapter 130A may apply, depending on the circumstances.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lauren M. Clemmons".

Lauren M. Clemmons
Assistant Attorney General

LAW OFFICES

WHITE AND CRUMPLER

301 NORTH MAIN STREET, SUITE 1100
WINSTON-SALEM, NORTH CAROLINA 27101-3899

TELEPHONE 336-725-1304
TELEFAX 336-761-8845

FRED S. HUTCHINS, JR.
OF COUNSEL

JAMES G. WHITE
1924-1974
OF COUNSEL

BARBARA C. WESTMORELAND
1984-2000

CLYDE C. RANDOLPH, JR.
1992-1995

FRANK M. ARMSTRONG
1976-1979

FRED G. CRUMPLER, JR.
G. EDGAR PARKER
DAVID B. FREEDMAN
DUDLEY A. WITT
LAURIE A. KELLY

JONES P. BYRD, JR.

March 27, 2003

NCDENR
Division of Waste Management
401 Oberlin Road, Suite 150
Raleigh, NC 27605

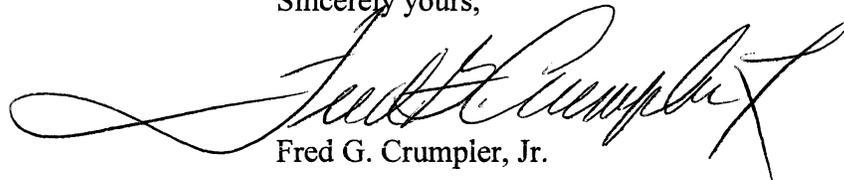
Attention: Mr. Jim Coffey

Dear Mr. Coffey:

I have been engaged by Mr. Herb Myers concerning a shut down of his business which consists, among other things, of a landfill operation co-existing with Waste Management. I will be most appreciative if you will advise me, or have whichever agency that issued this Order advise me, of the exact regulation or laws which constitute a basis for this Order.

In extending my kindest regards, I remain,

Sincerely yours,



Fred G. Crumpler, Jr.

FGCjr/ks



Michael F. Easley, Governor
William G. Ross Jr., Secretary



WINSTON-SALEM REGIONAL OFFICE
Division of Waste Management
Solid Waste Section

FAX TRANSMITTAL

Winston-Salem Regional Office

Telephone: (336) 771-4600

FAX (336) 771-4631

Date: 3-31-03

No. of Pages (including this page) _____

To: Mark Poindexter

From: Brent Rockett

FAX NO. 919 733-4810

Telephone No. x 209

RE Herb Myers Demo LF

Comments:

Audit Reports

April 20, 2001

Wendy Simmons

August 1, 2002

James Bealle & Wendy

August 27, 2002

James & Tim Jewett

January 30, 2003

Wendy, James & Tim

Wendy, Tim & I met w/ Herb & Marly Myers
and their consultants on March 14, 2003.

North Carolina
Department of Environment and Natural Resources



Michael F. Easley, Governor
Sherri Evans-Stanton, Acting Secretary

Division of Waste Management
Solid Waste Section

WINSTON-SALEM REGIONAL OFFICE

April 30, 2001

Herbert G. Myers & Marty L. Myers
820 Ellington Drive
Winston-Salem, NC 27104

Re: Landfill Inspection
Land Clearing and Inert Debris Landfill, Shallowford Road, Lewisville
Permit Number 34-90-05
Forsyth County

Dear Mr. and Mrs. Myers:

Enclosed is a copy of the results of the landfill inspection conducted April 20, 2001. The Solid Waste Section appreciates your cooperation during the inspection. If you have any questions concerning this report, please feel free to contact me at (336) 771-4608, ext. 208.

Sincerely,

Wendy Simmons
Waste Management Specialist

Enclosure

cc: Brent Rockett, Western Area Supervisor
Phil Prete, Field Operations Branch

LANDFILL INSPECTION REPORT

Facility Information: Land Clearing and Inert Debris Landfill
Shallowford Road
Lewisville, NC
Permit No. 34-90-05

Facility Contact: Herb Myers, Property Owner

Facility Components and Permit Status:

Operations at the site include a land clearing and inert debris landfill. This facility was originally permitted as a demolition landfill February 23, 1990.

Inspection Participants: Wendy Simmons, NC Solid Waste Section
Herb Myers, Property Owner

Inspection Date: April 20, 2001

Purpose of Inspection: To audit the land clearing and inert debris landfill

Violations Noted:

- A. 15A North Carolina Administrative Code 13B .0201(a) states that "No person shall establish or allow to be established on his land, a solid waste management facility, or otherwise treat, store, or dispose of solid waste unless a permit for the facility has been obtained from the Division." Land clearing debris is being treated and processed at your facility, and the Division has not issued a permit that allows for this activity.
- B. 15A NC Admin. Code 13B .0566(2) requires LCID landfills to "only accept those solid wastes which it is permitted to receive." Materials other than land clearing and inert debris (e.g. carpet, basketball hoop, painted wood, painted blocks, plastic buckets, etc.) were observed to be mixed in with the land clearing and inert debris. Additionally, several piles of gas tanks and scrap tires were observed beyond the landfill boundary at the back of the property.
- C. 15A NC Admin. Code 13B .1105(a) states that "No person, other than a person exempted by G.S. 130A-309.57(d) shall establish, operate or maintain, or allow to be established, operated or maintained upon his land, a scrap tire collection site or scrap tire disposal site unless a permit for the site has been obtained from the Division." Several piles of scrap tires were observed at the back of the property.
- D. 15A NC Admin. Code 13B .0564(9)(a) requires LCID facilities to maintain a minimum buffer requirement of 50 feet from the waste boundary to all surface

waters of the state as defined in G.S. 1443-212." Permission was never given allowing for the piping of the spring that crosses the property or the filling of the area over the spring with inert debris. Discussions in November 1997 with the Division's Winston-Salem Regional Office made it clear that the spring could only be piped with concrete and covered with uncontaminated soil, maintaining 50 feet buffers on each side of the spring.

Comment/Suggestions:

1. Cease production of mulch until a permit is issued by the Division for the treatment and processing of land clearing debris.
2. Remove all unacceptable solid waste and transport to an approved solid waste disposal facility by May 31, 2001.
3. Provide verification that the waste was taken to an approved facility. Receipts of disposal will be required.
4. All waste must be 50 feet from the spring. All waste within the buffer should be removed and taken to an approved facility. Only uncontaminated soil may be used within the 50 feet buffers.



FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

| UNIT TYPE: | | | | | | | | COUNTY: FORSYTH | | | |
|--------------|--|---------------------|--|---------------|--|---------------------|--|-----------------|---|-------------------------|--|
| Lined MSWLF | | LCID | | YW | | Transfer | | Compost | | SLAS | |
| Closed MSWLF | | HHW | | White Goods | | Incin | | T&P | | FERM | |
| CDLF | | Tire T&P/Collection | | Tire Monofill | | Industrial Landfill | | DEMO | X | SDTF | |
| | | | | | | | | | | PERMIT NUMBER: 34-90-05 | |
| | | | | | | | | | | FILE TYPE: COMPLIANCE | |

Date of Audit: August 1, 2002Date of Last Audit: April 20, 2001**FACILITY NAME AND ADDRESS:**

H.G. Myers/M.L. Myers Demolition Landfill
 Shallowford Road
 Lewisville, NC

FACILITY CONTACT NAME AND PHONE NUMBER:

Herbert G. Myers
 (336) 766-6887

FACILITY CONTACT ADDRESS:

820 Ellington Drive
 Winston-Salem, NC 27104

AUDIT PARTICIPANTS:

Herbert G. Myers, Landfill Operator//H.G. Myers/M.L. Myers Demolition Landfill
 Wendy Simmons, Waste Management Specialist/SWS
 James B. Bealle III, Environmental Technician/SWS

STATUS OF PERMIT:

Demolition Landfill Permits
 Expired on January 1, 1998

PURPOSE OF AUDIT:

Semi-annual Comprehensive Landfill Audit

NOTICE OF VIOLATION(S) (citation and explanation):

15A N.C.A.C. 13B, Section .0563(6) – "Landfills that are currently permitted as demolition landfills are required to comply with the following: (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." You are in violation of *Section .0563(6)(c)*. A Land Clearing and Inert Debris Landfill Permit Application has been received and is in the process of review.

15A N.C.A.C. 13B, Section .0201(a) – "No person shall establish or allow to be established on his land, a solid waste management facility, or otherwise treat, store, or dispose of solid waste unless a permit for the facility has been obtained from the Division." You are in violation of *Section .0201(a)*. A Land Clearing Treatment and Processing Permit Application has been received and is in the process of review.

15A N.C.A.C. 13B, Section .0566(2) – "The facility shall only accept those solid wastes which it is permitted to receive." You are in violation of *Section .0566(2)*.

**Division of Waste Management
Solid Waste Section**

Page 2 of 2

15A N.C.A.C. 13B, Section .1105(a) – "No person, other than a person exempted by *N.C.G.S. §130A-309.57(d)*, shall establish, operate or maintain, or allow to be established, operated or maintained upon his land, a scrap tire collection site or scrap tire disposal site unless a permit for the site has been obtained from the Division." You are in violation of *Section .1105(a)*.

15A N.C.A.C. 13B, Section .0564(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 *N.C.G.S. §143-212*." You are in violation of *Section .0564(9)(a)*.

Address the following:

1. Cease all landfill operations until an LCID Landfill Permit has been issued by the Division.
2. Cease all grinding operations until an LC T & P Permit has been issued by the Division. As per discussion, modify the existing mulch stockpile as to minimize the potential for fire recurrence (ie. store in windrows) by **October 31, 2002**.
3. Remove all unacceptable waste materials (ie. construction and demolition waste, scrap tires, gas tanks, etc.) by **October 31, 2002**. Verification that the unacceptable waste materials have been properly disposed of at a State Permitted Solid Waste Management Facility will be required. Please submit receipts and any related correspondence.
4. Obtain approval for the diversion of, and filling in over the surface water feature located on the North end of the property.

You are hereby advised that, pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$5,000 per day may be assessed for each violation of the Solid Waste Statute or Regulations. If the violation(s) noted here continue, you may be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

STATUS OF PAST NOTED VIOLATIONS:

Reference – "Landfill Inspection Report. Violations Noted" dated April 20, 2001:

A. *15A N.C.A.C. 13B, Section .0201(a)* – LCID Landfill and LC T & P Permit Applications have been received and are in the process of review.

B. *15A N.C.A.C. 13B, Section .0566(2)* – Unacceptable waste noted has not been removed. Additional unacceptable waste was observed on August 1, 2002.

C. *15A N.C.A.C. 13B, Section .1105(a)* – All scrap tires noted were still present on August 1, 2002.

D. *15A N.C.A.C. 13B, Section .0564(9)(a)* – Approval for the diversion of, and filling in over the surface water feature located on the North end of the property was not obtained prior to the work being performed.

OTHER COMMENTS/SUGGESTIONS:

Please keep me informed of your progress. Upon completion, a Follow-up Landfill Audit is required. Thank you in advance for your cooperation. Please contact me if you have any questions or concerns regarding this Audit Report.

 (signature) Phone: (704) 663-1699

Regional Representative

Distribution: original signed copy to facility – signed copy to compliance officer – e-mail or copy to super

| | | | | |
|---|---------------|---------|---|--|
| Delivered on: <u>August 15, 2002</u> by | Hand Delivery | US Mail | X | Certified Mail (7001 2510 0002 0287 9474) |
|---|---------------|---------|---|--|

**Division of Waste Management
Solid Waste Section**

Page 2 of 2

STATUS OF PAST NOTED VIOLATIONS:

Reference – "Landfill Inspection Report, Violations Noted" dated April 20, 2001; "Facility Compliance Audit Report, Notice of Violation(s)" dated August 1, 2002; and "Facility Compliance Audit Report, Other Comments/Suggestions" dated August 27, 2002:

Landfill Operators are currently in the process of addressing *all* violations as noted in the aforementioned reports.

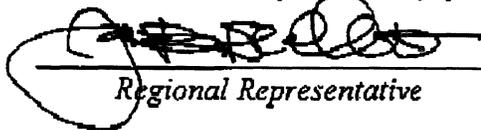
OTHER COMMENTS/SUGGESTIONS:

All operations (compliance related) appear to be progressing forward:

1. Landfill Operators agreed to discontinue acceptance of waste until all compliance issues are resolved; and schedule a meeting through Timothy A. Jewett, Western Area Engineer/SWS, to include the consultant representing H.G. Myers/M.L. Myers Demolition Landfill. The meeting will be an effort to provide clarification on the permit application requirements in relation to the new proposed plan of operation as per discussion on January 30, 2003, and modification of the existing proposed Operational Plan as previously submitted.
2. Unacceptable waste as noted was in the process of being removed from within the fill area, and along the fence bordering the Southeast property line.
3. Many of the landfill side slopes appeared to be steeper than 3:1. Landfill Operators agreed to continue to address the landfill side slopes. Landfill leachate was observed running out one of the landfill side slopes in close proximity to the surface water feature located on the North end of the property. Landfill Operators agreed to continue to address the leachate problem.

Please continue to keep me informed of your progress. Upon completion, a Follow-up Landfill Audit is required. Thank you in advance for your cooperation.

Please contact me if you have any questions or concerns regarding this Audit Report.



(signature) Phone: (704) 663-1699

Regional Representative

Distribution: original signed copy to facility -- signed copy to compliance officer -- e-mail or copy to super

| | | | | | | |
|---|--|---------------|---|---------|--|---|
| Delivered on: <u>February 10, 2003</u> by | | Hand Delivery | X | US Mail | | Certified Mail <input type="checkbox"/> |
|---|--|---------------|---|---------|--|---|

DEC 19 1997

Walter Sarem
Regional Office

Worksheet
Worksheet for Circular Channel

| Project Description | |
|---------------------|--------------------------|
| Project File | untitled.fm2 |
| Worksheet | MYERS LAND FILL. CULVERT |
| Flow Element | Circular Channel |
| Method | Manning's Formula |
| Solve For | Channel Depth |

| Input Data | |
|----------------------|----------------|
| Mannings Coefficient | 0.013 |
| Channel Slope | 0.035800 ft/ft |
| Diameter | 30.00 in |
| Discharge | 50.30 cfs |

| Results | |
|------------------------|----------------------|
| Depth | 1.47 ft |
| Flow Area | 2.99 ft ² |
| Wetted Perimeter | 4.36 ft |
| Top Width | 2.46 ft |
| Critical Depth | 2.30 ft |
| Percent Full | 58.62 |
| Critical Slope | 0.013048 ft/ft |
| Velocity | 16.82 ft/s |
| Velocity Head | 4.40 ft |
| Specific Energy | 5.86 ft |
| Froude Number | 2.69 |
| Maximum Discharge | 83.48 cfs |
| Full Flow Capacity | 77.60 cfs |
| Full Flow Slope | 0.015040 ft/ft |
| Flow is supercritical. | |

OUTLET
USE CLASS 2 RIPPAP STONE; 10' W X 25' L X 24" DEEP
INLET " " " 6' W X 15' L X 24" DEEP

PRB
12/10/97

NRCD Land Quality Section
NYDOT Dissipator Design Results

Pipe diameter (ft) 2.50
Outlet velocity (fps) 16.82
Apron length (ft) 25.00

| AVG DIAM (inches) DDDDDDDD | STONE CLASS DDDDD | THICKNESS (inches) DDDDDDDD |
|----------------------------------|-------------------------|-----------------------------------|
| 3 | A | 9 |
| 6 | B | 22 |
| 13 | B or 1 | 22 |
| / 23 | 2 | 27 |

-- Dissipator , Pipe or Quit (D P or Q) --

PRB
12/18/97

$$A = 0.248 \times 0.02 \times 400^2 \div 43,560 = 18.2 \text{ AC.}$$

$$L = 900, H = 78' \quad S = 78 \div 900 = 0.0867 \text{ FT/FT}$$

$$t_c = \frac{\left(\frac{L^3}{H}\right)^{0.385}}{128} = \frac{\left(\frac{900^3}{78}\right)^{0.385}}{128} = \frac{483}{128} = 3.77 \text{ MIN} \approx 5 \text{ MIN. (MINIMUM)}$$

$$I = \frac{q}{h+t} \quad (25 \text{ YEAR})$$

$$= \frac{222}{23+5} = 7.9$$

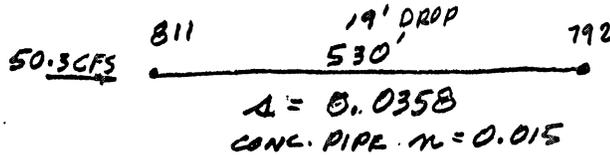
(MALCOM) W-S: $q = 222$
 $h = 23$

$C = 0.35$ (LAWNS, DENSE SOIL - STEEPER THAN 7%)

$$Q = CIA = 0.35 \times 7.9 \times 18.2 = 50.3 \text{ CFS UNDER LANDFILL}$$

PIPE DESIGN:

$$L = 530'$$



MANOGRAPH
30"

COMPUTER DESIGN:

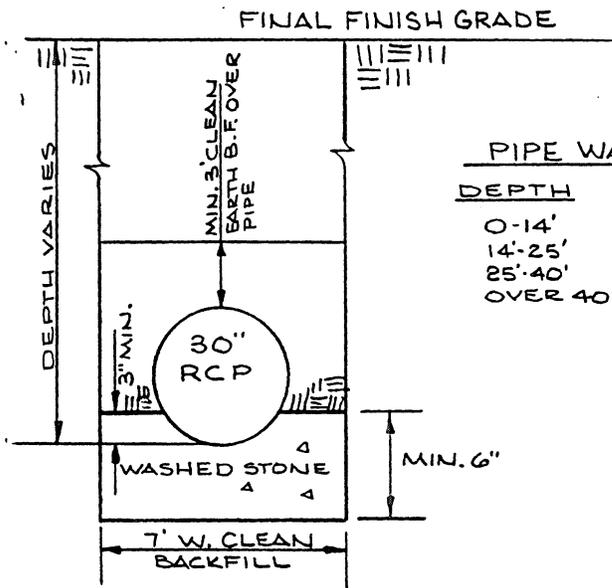
- PIPE DIA. = 30"
- DEPTH = 1.47'
- VELOCITY = 16.82 FPS

PAB
12/18/97



THE PHILLIP R. BALL COMPANY, INC.
Consulting Engineers and Land Surveyors
305 Doub Road
Lewisville, North Carolina 27023
Telephone (910) 945-9911

| | | |
|------------------------------|---------|-------------|
| PROJECT: MYERS LANDFILL EAZ7 | | |
| PIPE SIZING | | |
| Party Chief: | | Date |
| Design | Checked | SHT. NO. of |



| PIPE WALL THICKNESS | |
|---------------------|---------------------------|
| DEPTH | CLASS |
| 0-14' | III |
| 14'-25' | IV |
| 25'-40' | V |
| OVER 40' | SPECIAL DESIGN CONC. PIPE |

CULVERT DETAIL
NTS

M E M O R A N D U M

DATE: May 21, 1997

TO: Bill Petree
Zoning Enforcement Supervisor

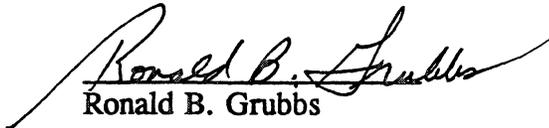
FROM: Ronald B. Grubbs
Principal Planner

RE: PBR 97-24 HERBERT G. MYERS AND MARTY MYERS (LAND CLEARING AND INERT DEBRIS LANDFILL IN A RS-40 ZONING DISTRICT) AS REQUIRED UNDER SECTION 2-5.37 OF THE *UNIFIED DEVELOPMENT ORDINANCES* - FORSYTH COUNTY

In its meeting on May 8, 1997, the City-County Planning Board reviewed and approved the subject site plan with the following conditions:

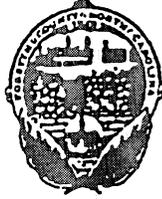
- a. The expansion of this landfill in the Phase II area shall be approved by the North Carolina Department of Environment, Health and Natural Resources (DEHNR) prior to the issuance of any permits on this site.
- b. Developer shall apply for a Special Use Permit which must be approved by the County Zoning Board of Adjustment for this LCID landfill in a RS-40 Zoning District.
- c. This property lies within the Yadkin River WS-IV State Regulated Watershed. Developer shall obtain a Watershed permit from the Erosion Control Officer within 90 days after the Special Use Permit is approved by the County Zoning Board of Adjustment.
- d. Developer shall obtain an erosion control permit from the Erosion Control Officer within 90 days after the Special Use Permit is approved by the County Zoning Board of Adjustment.
- e. Developer shall obtain a grading and zoning permit from the Inspections Division of the City of Winston-Salem and a permit from the North Carolina Department of Environment, Health and Natural Resources (DEHNR) within 90 days after the Special Use Permit is approved by the County Zoning Board of Adjustment.
- f. Developer shall file a reclamation plan for the reuse of this property with the Inspections Division within 90 days after the Special Use Permit is approved by the County Zoning Board of Adjustment.
- g. A type III bufferyard shall be installed along all adjoining residential property lines where this LCID landfill adjoins RS-40 zoning and the landfill is within 100 feet of that property line within ninety (90) days after the Special Use Permit is approved by the County Zoning Board of Adjustment.

- h. Applicant may accept only waste consistent with the definition of "Landfill, Land Clearing and Inert Debris" contained in the UDO.
- i. This landfill does not have to be enclosed in a fence in accordance with Section 2-5.37(D) since the block around this property is not over 50% developed.


Ronald B. Grubbs

pc: Herbert and Marty Myers, Owners
Richard Bennett, Surveyor
Larry Bunn, Health Dept. - Environmental Section
Brent Rockett, NCDEHNR
Jeff Kopf, Inspections
Reed Jarvis, County Fire
File Copy PBR 97-24

County of Forsyth



February 17, 1997

RECEIVED
N.C. Dept. of EHN
FEB 24 1997
Winston-Salem
Regional Office

Mr. and Mrs. Herbert and Marty Myers
820 Ellington Drive
Winston-Salem, NC 27104

Dear Mr. and Mrs. Myers:

Please be advised that an inspection of the property on Shallowford Drive referenced as Tax Lot(s) 208, 041A, and 210-212 Block 4439, zoned RS40, indicates that a violation of the Unified Development Ordinance exists, specifically Chapter A, Article 2 and Chapter B, Sections 2-5.37, 5-4.4, and 9-1, Table 2.6 in that:

Use conditions for required improvements to existing Land Clearing and Inert Debris landfills not met.

Failure to correct said violations(s) within ten (10) days of receipt of this notice will result in you being assessed a civil penalty of one hundred dollars (\$100.00) for each day the violation continues after the tenth (10th) day. In addition, the county may also seek injunctive relief to remedy this violation.

In addition to assessment of a civil penalty, Section 9-1 of the Unified Development Ordinance provides that a violation of the Zoning Ordinance constitutes a misdemeanor punishable upon conviction of a fine not to exceed \$500.00 or imprisonment up to thirty (30) days. You may avoid all such penalties by bringing the described property into compliance within ten (10) days of receiving this Notice.

If you have any questions about bringing the property into compliance, please call Richard Vinson, Zoning Inspector, at 748-3096.

As soon as you have brought the property into compliance with the Unified Development Ordinance, you should call our office so that a prompt inspection can be made and further penalties, if any, can be stopped.

Very truly yours,



Richard Vinson
Zoning Inspector for Inspections
Division Superintendent

OFFICER'S RETURN

Received _____, 19 ____.

Served _____, 19 ____, by delivering the original letter, of which is a true copy, to _____.

_____.

Deputy Sheriff, Sheriff's
Department of Forsyth County



CITY OF WINSTON-SALEM

INSPECTIONS DIVISION

100 LIBERTY WALK/NATIONSBANK PLAZA
WINSTON-SALEM, NORTH CAROLINA 27101

June 5, 1996

Herbert and Marty Myers
820 Ellington Drive
Winston-Salem, NC 27104

RE: Improvement Standards
Shallowford Road
Zoned: RS40
Lot: 208, 041A, 210-212
Block: 4439

Dear Sir or Madam:

On January 16, 1996 you were notified by our office that the landfill at the above address would need to meet improvement standards in order to comply with Chapter B, Article 5-4 of the Zoning Ordinance. The deadline for compliance is January 1, 1997.

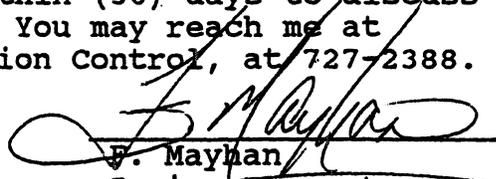
This letter will serve as your second and final notice for complying with the necessary improvements prior to issuance of violation notices.

In addition, to Zoning regulations, Environmental Regulations, Chapter C, Article VII Erosion Control, of the Unified Development Ordinance requires that an Erosion Control plan be submitted to the Inspections Division and a grading permit be obtained for any Land Clearing and Inert Debris Landfill (LCID) that exceeds 10,000 square feet in area.

If your site has been closed or will be closed prior to January 1, 1997, you will need to obtain a letter of closure from the NC Department of Environment, Health, and Natural Resources and forward a copy of the letter to the Inspections Division at P O Box 2511, Winston-Salem, NC 27102.

Failure to comply with the regulations may result in civil penalties being assessed against property owners.

Please contact our office within (30) days to discuss compliance with the regulations. You may reach me at (910) 748-3096 or Jeff Kopf, Erosion Control, at 727-2388.


J. Mayhan
Zoning Inspector

Copy To: NCDEHNR

Health Department
Dr. Thomas R. Dundon
Director



**Division of Environmental
Health and Laboratory**
Fred G. Overstreet
Director
(919)727-2760

February 28, 1992

Mr. Marty Myers
Lewisville Motor Company
5600 Country Club Road
Winston-Salem, NC 27025

Re: Waste acceptance and appropriate signs

Dear Mr. Myers:

On February 21, 1992 I discussed with you the types of wastes your demolition landfill is permitted to receive. You agreed that waste acceptance has occasionally been a problem. To hopefully resolve this you indicated that you would install a sign at the entrance of the landfill indicating the material this site is permitted to receive. I have included with this letter a copy of the permit. Please note item No. 4 within the conditions section of the solid waste permit the list of waste forms this facility may accept for disposal.

Also, I have included a second certified copy of the permit. Our records still do not show the disposal site as being recorded in the Register of Deeds Office, in the owners name, in the grantor index section. Please check your records to see if the site has been recorded or not. If it is not recorded please do so at this time and have the Register of Deeds Office send me the registered copy. If it has been recorded please notify this office in writing of this action and provide a copy as evidence for our file.

Let's get these matters taken care to avoid invalidation of the permit. If you have any questions regarding this matter please contact this office at (919) 727-2272.

Sincerely,
Division of Environmental Health

Jim Bryan
Environmental Health Supervisor

FORSYTH COUNTY ENVIRONMENTAL AFFAIRS DEPARTMENT
 NOTIFICATION AND PERMIT APPLICATION
 ASBESTOS DEMOLITION/RENOVATION OPERATIONS

34-90-05

10101

| OPERATOR # | POSTMARK | DATE RECEIVED | PERMIT # | CASE MANAGER |
|---|----------|---------------|-------------------|--------------|
| | | 11-5-91 | 4470 | RG |
| 1. TYPE OF NOTIFICATION <input type="checkbox"/> Original <input type="checkbox"/> Revised <input type="checkbox"/> Cancelled | | | | |
| 2. FACILITY INFORMATION (Identify owner, contractor, and other operator.) | | | | |
| OWNER NAME: Longco, Inc. | | | | |
| Address: 4400 Styers Ferry Road | | | | |
| City: Winston-Salem | | State: N.C. | Zip: 27104 | |
| Contact: Mike Beauchamp | | | Tel: 945-3776 | |
| REMOVAL CONTRACTOR: L. A. Reynolds Landscaping | | | | |
| Address: 4400 Styers Ferry Road | | | | |
| City: Winston-Salem | | State: N.C. | Zip: 27104 | |
| Contact: Mike Beauchamp | | | Tel: 945-3776 | |
| DEMOLITION CONTRACTOR: | | | | |
| Address: | | | | |
| City: | | State: | Zip: | |
| Contact: | | | Tel: | |
| OTHER OPERATOR: | | | | |
| Address: | | | | |
| City: | | State: | Zip: | |
| Contact: | | | Tel: | |
| 3. TYPE OF OPERATION: <input checked="" type="checkbox"/> Demolition <input type="checkbox"/> Ordered Demolition <input type="checkbox"/> Renovation <input type="checkbox"/> Emergency Renovation | | | | |
| 4. FACILITY DESCRIPTION (Site includes bldg. #, floor, and room #.) | | | | |
| Building Name: Office Building | | | | |
| Address: 4400 Styers Ferry Road | | | | |
| City: Winston-Salem | | State: N.C. | County: Forsyth | |
| Site Location: 4400 Styers Ferry Road | | | | |
| Building Size: 300 sq. ft. | | # Floors: 1 | Age: 15 | |
| Present Use: Office | | | Prior Use: Office | |

5. IS ASBESTOS PRESENT? Yes No

6. PROCEDURE (INCLUDING ANALYTICAL METHOD AND LABORATORY USED), USED TO DETECT THE PRESENCE OR ABSENCE OF ASBESTOS MATERIAL. USE ADDITIONAL PAGES IF NEEDED.

TEIE Survey Report Attachd

7. AMOUNT OF ASBESTOS: Including regulated ACM to be removed, Category I ACM not removed, and Category II ACM not removed.

| Components | RACM To Be Removed | Nonfriable Asbestos Material Not To Be Removed | | Indicate Unit Of Measurement Below |
|--------------------------------|-----------------------------|--|-------------|------------------------------------|
| | | Category I | Category II | |
| Pipes | | | | ln. ___ft ___m |
| Surface area | TEIE Survey Report Attached | | | sq. ___ft ___m |
| RACM not on facility component | | | | cu. ___ft ___m |

| 8. SCHEDULED DATES: | Start | Complete |
|---------------------------|---------|----------|
| Asbestos Removal/Disposal | | |
| Renovation | | |
| Demolition and Disposal | 12-1-91 | 12-71-91 |

9. DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK, AND METHOD(S) TO BE USED, INCLUDING DEMOLITION/RENOVATION TECHNIQUES AND DESCRIPTION OF FACILITY COMPONENTS BEING RENOVATED OR DEMOLISHED. USE ADDITIONAL PAGES IF NEEDED.

Complete demolition - Will be hauled to Lewisville Motors Landfill

(backhoe + dozer to demolish)

10. DESCRIPTION OF WORK PRACTICES AND ENGINEERING CONTROLS TO BE USED TO PREVENT EMISSIONS OF ASBESTOS AT THE DEMOLITION/RENOVATION SITE. THIS INCLUDES ASBESTOS REMOVAL AND WASTE HANDLING EMISSION CONTROL MEASURES. USE ADDITIONAL PAGES IF NEEDED.

No asbestos present

11. WASTE TRANSPORTER #1:

Name: L.A. Reynolds Landscaping

Address: 4400 Styers Ferry Rd.

City: Winston-Salem

State: NC

Zip: 27104

Contact:

Tel: 945-3796

WASTE TRANSPORTER #2:

Name:

Address:

City:

State:

Zip:

Contact:

Tel:

12. WASTE DISPOSAL SITE:

Name: Lewisville Motors Landfill

Location: ⁴⁴³⁹ Shallowford Rd.

City: Lewisville

State: NC

Zip: 27023

Contact: Herb Myers

Tel: 765-2362

13. IF DEMOLITION ORDERED BY A GOVERNMENT AGENCY. PLEASE ATTACH ORDER.

Name:

Title:

Authority:

Date of Order:

Date Ordered to Begin:

14. FOR EMERGENCY RENOVATIONS, PLEASE COMPLETE:

Date and Hour of Emergency:

Description of the Sudden, Unexpected Event:

Explanation of how the event caused unsafe conditions or would cause equipment damage or an unreasonable financial burden:

15. DESCRIPTION OF PROCEDURES TO BE FOLLOWED IN THE EVENT THAT UNEXPECTED ASBESTOS IS FOUND OR PREVIOUSLY NONFRIABLE ASBESTOS MATERIAL BECOMES CRUMBLED, PULVERIZED, OR REDUCED TO POWDER. USE ADDITIONAL PAGES IF NEEDED.

Work will stop + EAD contacted.

16. *TO BE COMPLETED AFTER NOVEMBER 20, 1991*

I CERTIFY THAT AN INDIVIDUAL TRAINED IN THE PROVISIONS OF THIS REGULATION (40 CFR PART 61, SUBPART M) WILL BE ON-SITE DURING THE DEMOLITION OR RENOVATION AND EVIDENCE THAT REQUIRED TRAINING HAS BEEN ACCOMPLISHED BY THIS PERSON WILL BE AVAILABLE FOR INSPECTION AT THE DEMOLITION/RENOVATION SITE.

Signature of Owner/Operator

Date

17. *THIS SECTION MUST BE COMPLETED*

I CERTIFY TO THE ACCURACY OF THE PLANS, SPECIFICATIONS, AND SUPPLEMENTAL DATA SUBMITTED WITH THIS APPLICATION/NOTIFICATION AND DO HEREBY AGREE THAT IF A PERMIT IS ISSUED, THE OWNER AND OPERATOR WILL ABIDE BY ITS TERMS IN ALL RESPECTS. I UNDERSTAND THAT ANY MISINFORMATION OR MISREPRESENTATION WILL BE GROUNDS FOR THE MODIFICATION OR REVOCATION OF ANY PERMIT BASED ON THIS APPLICATION AND MAY ALSO BE A VIOLATION OF AIR QUALITY REGULATIONS. I AM AN AUTHORIZED AGENT OF THE PERMITTEE.

Donald H. Long

Signature of Owner/Operator

President

Title

Longco Inc.

Company

11-4-91

Date

FORSYTH COUNTY ENVIRONMENTAL AFFAIRS DEPARTMENT
 NOTIFICATION AND PERMIT APPLICATION
 ASBESTOS DEMOLITION/RENOVATION OPERATIONS

| OPERATOR # | POSTMARK | DATE RECEIVED | PERMIT # | CASE MANAGER |
|---|----------|---------------|----------------------|-----------------|
| | | 11-5-91 | 447 D | RF |
| 1. TYPE OF NOTIFICATION <input type="checkbox"/> Original <input type="checkbox"/> Revised <input type="checkbox"/> Cancelled | | | | |
| 2. FACILITY INFORMATION (Identify owner, contractor, and other operator.) | | | | |
| OWNER NAME: Longco, Inc. | | | | |
| Address: 4400 Styers Ferry Road | | | | |
| City: Winston-Salem | | State: N.C. | | Zip: 27104 |
| Contact: Mike Beauchamp | | | Tel: 945-3776 | |
| REMOVAL CONTRACTOR: L. A. Reynolds Landscaping | | | | |
| Address: 4400 Styers Ferry Road | | | | |
| City: Winston-Salem | | State: N.C. | | Zip: 27104 |
| Contact: Mike Beauchamp | | | Tel: | |
| DEMOLITION CONTRACTOR: L. A. Reynolds Landscaping | | | | |
| Address: 4400 Styers Ferry Road | | | | |
| City: Winston-Salem | | State: N.C. | | Zip: 27104 |
| Contact: Mike Beauchamp | | | Tel: 945-3776 | |
| OTHER OPERATOR: | | | | |
| Address: | | | | |
| City: | | State: | | Zip: |
| Contact: | | | Tel: | |
| 3. TYPE OF OPERATION: <input checked="" type="checkbox"/> Demolition <input type="checkbox"/> Ordered Demolition <input type="checkbox"/> Renovation <input type="checkbox"/> Emergency Renovation | | | | |
| 4. FACILITY DESCRIPTION (Site includes bldg. #, floor, and room #.) | | | | |
| Building Name: Warehouse Building | | | | |
| Address: 4400 Styers Ferry Road | | | | |
| City: Winston-Salem | | State: N.C. | | County: Forsyth |
| Site Location: 4400 Styers Ferry Road | | | | |
| Building Size: 1800 sq. ft. | | # Floors: 1 | | Age: 15 |
| Present Use: Warehouse | | | Prior Use: Warehouse | |

5. IS ASBESTOS PRESENT? Yes No

6. PROCEDURE (INCLUDING ANALYTICAL METHOD AND LABORATORY USED), USED TO DETECT THE PRESENCE OR ABSENCE OF ASBESTOS MATERIAL. USE ADDITIONAL PAGES IF NEEDED.
Attached TEI Survey

7. AMOUNT OF ASBESTOS: Including regulated ACM to be removed, Category I ACM not removed, and Category II ACM not removed.

| Components | RACM To Be Removed | Nonfriable Asbestos Material Not To Be Removed | | Indicate Unit Of Measurement Below |
|--------------------------------|--------------------|--|-------------|------------------------------------|
| | | Category I | Category II | |
| Pipes | | | | ln. ___ft ___m |
| Surface area | | | | sq. ___ft ___m |
| RACM not on facility component | | | | cu. ___ft ___m |

| 8. SCHEDULED DATES: | Start | Complete |
|---------------------------|----------------|-----------------|
| Asbestos Removal/Disposal | | |
| Renovation | | |
| Demolition and Disposal | <i>12-1-91</i> | <i>12-31-91</i> |

9. DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK, AND METHOD(S) TO BE USED, INCLUDING DEMOLITION/RENOVATION TECHNIQUES AND DESCRIPTION OF FACILITY COMPONENTS BEING RENOVATED OR DEMOLISHED. USE ADDITIONAL PAGES IF NEEDED.
Backhoe & dozer to level buildings & grade land.

10. DESCRIPTION OF WORK PRACTICES AND ENGINEERING CONTROLS TO BE USED TO PREVENT EMISSIONS OF ASBESTOS AT THE DEMOLITION/RENOVATION SITE. THIS INCLUDES ASBESTOS REMOVAL AND WASTE HANDLING EMISSION CONTROL MEASURES. USE ADDITIONAL PAGES IF NEEDED.

| | | |
|--|------------------------|---------------|
| 11. WASTE TRANSPORTER #1: | | |
| Name: L. A. Reynolds Landscaping | | |
| Address: 4400 Styers Ferry Road | | |
| City: Winston-Salem | State: N.C. | Zip: 27104 |
| Contact: Mike Beauchamp | | Tel: 945-3776 |
| WASTE TRANSPORTER #2: | | |
| Name: | | |
| Address: | | |
| City: | State: | Zip: |
| Contact: | | Tel: |
| 12. WASTE DISPOSAL SITE: | | |
| Name: Lewisville Motors Landfill | | |
| Location: Shallowford Road | | |
| City: Lewisville | State: N.C. | Zip: 27023 |
| Contact: Herb Myers | | Tel: 765-2362 |
| 13. IF DEMOLITION ORDERED BY A GOVERNMENT AGENCY. PLEASE ATTACH ORDER. | | |
| Name: | Title: | |
| Authority: | | |
| Date of Order: | Date Ordered to Begin: | |
| 14. FOR EMERGENCY RENOVATIONS, PLEASE COMPLETE: | | |
| Date and Hour of Emergency: | | |
| Description of the Sudden, Unexpected Event: | | |
| Explanation of how the event caused unsafe conditions or would cause equipment damage or an unreasonable financial burden: | | |

15. DESCRIPTION OF PROCEDURES TO BE FOLLOWED IN THE EVENT THAT UNEXPECTED ASBESTOS IS FOUND OR PREVIOUSLY NONFRIABLE ASBESTOS MATERIAL BECOMES CRUMBLED, PULVERIZED, OR REDUCED TO POWDER. USE ADDITIONAL PAGES IF NEEDED.

No Asbestos, work will stop if any is found,

16. *TO BE COMPLETED AFTER NOVEMBER 20, 1991*

I CERTIFY THAT AN INDIVIDUAL TRAINED IN THE PROVISIONS OF THIS REGULATION (40 CFR PART 61, SUBPART M) WILL BE ON-SITE DURING THE DEMOLITION OR RENOVATION AND EVIDENCE THAT REQUIRED TRAINING HAS BEEN ACCOMPLISHED BY THIS PERSON WILL BE AVAILABLE FOR INSPECTION AT THE DEMOLITION/RENOVATION SITE.

Signature of Owner/Operator

Date

17. *THIS SECTION MUST BE COMPLETED*

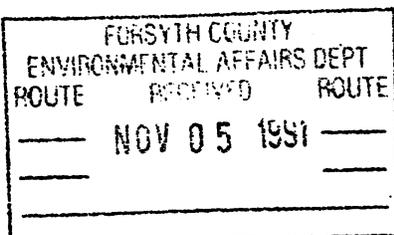
I CERTIFY TO THE ACCURACY OF THE PLANS, SPECIFICATIONS, AND SUPPLEMENTAL DATA SUBMITTED WITH THIS APPLICATION/NOTIFICATION AND DO HEREBY AGREE THAT IF A PERMIT IS ISSUED, THE OWNER AND OPERATOR WILL ABIDE BY ITS TERMS IN ALL RESPECTS. I UNDERSTAND THAT ANY MISINFORMATION OR MISREPRESENTATION WILL BE GROUNDS FOR THE MODIFICATION OR REVOCATION OF ANY PERMIT BASED ON THIS APPLICATION AND MAY ALSO BE A VIOLATION OF AIR QUALITY REGULATIONS. I AM AN AUTHORIZED AGENT OF THE PERMITTEE.

General H. Long
Signature of Owner/Operator

President
Title

Longco Inc.
Company

11-4-91
Date



Health Department
Dr. Thomas R. Dundon
Director



Division of Environmental
Health and Laboratory
Fred G. Overstreet
Director
(919)727-2760

September 24, 1991

Herb Myers
Lewisville Motors
Lewisville, N.C. 27023

RE: Demo Landfill Number 34-90-05

Dear Mr. Myers:

Our files indicate you have not recorded your demolition landfill.

General Statute 130A - 301 (a), (b), (c), (d) and (e) require recordation of a "demolition landfill" because by definition a "demolition landfill" is a "sanitary landfill." A copy of the General Statute is attached for your review. Please record your permit and/or demonstrate other evidence of recordation to this office immediately upon receipt of this notice.

Your failure to record the site voids the permit as specified in G.S. 130 A - 301 (d). Your failure to notify this office within 10 days of receipt of this notice will cause this office to revoke your permit irregardless of the status of the site. If you have questions please call 727-2272.

Sincerely,

DIVISION OF ENVIRONMENTAL HEALTH

Jim Bryan, R. S.
Environmental Health Supervisor

JB:jk

34-90-05

file
9/5 8-19-
9880

**FORSYTH COUNTY ENVIRONMENTAL AFFAIRS DEPARTMENT
NOTIFICATION AND PERMIT APPLICATION
ASBESTOS DEMOLITION/RENOVATION OPERATIONS**

| OPERATOR # | POSTMARK | DATE RECEIVED | PERMIT # | CASE MANAGER |
|---|----------|----------------|-------------------------------|--------------------|
| | | 8-1-91 | 427 P | RG |
| 1. TYPE OF NOTIFICATION <input checked="" type="checkbox"/> Original <input type="checkbox"/> Revised <input type="checkbox"/> Cancelled | | | | |
| 2. FACILITY INFORMATION (Identify owner, contractor, and other operator.) | | | | |
| OWNER NAME: FORSYTH COUNTRY CLUB | | | | |
| Address: 3101 Country Club Road | | | | |
| City: Winston Salem | | State: NC | | Zip: 27104 |
| Contact: STERLING JARDEN, Manager | | | | Tel: 768-0220 |
| REMOVAL CONTRACTOR: EME, INC. | | | | |
| Address: P. O. Box 8843 | | | | |
| City: Greensboro | | State: NC | | Zip: 27419 |
| Contact: EDWARD MALONE | | | | Tel: 855-0850 |
| DEMOLITION CONTRACTOR: (Subcontractor) Spainhour & Spainhour | | | | |
| Address: P. O. Box 2127 | | | | |
| City: King | | State: NC | | Zip: 27021 |
| Contact: Jeff Spainhour | | | | Tel: 983-2120 |
| OTHER OPERATOR: (General Contractor) Dancy Construction Co., Inc. | | | | |
| Address: 627 Coliseum Drive | | | | |
| City: Winston Salem | | State: NC | | Zip: 27106 |
| Contact: Tom Harris | | | | Tel: 723-2981 |
| 3. TYPE OF OPERATION: <input checked="" type="checkbox"/> Demolition <input type="checkbox"/> Ordered Demolition <input type="checkbox"/> Renovation <input type="checkbox"/> Emergency Renovation | | | | |
| 4. FACILITY DESCRIPTION (Site includes bldg. #, floor, and room #.) | | | | |
| Building Name: Forsyth Country Club Tennis Pro Shop | | | | |
| Address: 3101 Country Club Road | | | | |
| City: Winston Salem | | State: NC | | County: Forsyth |
| Site Location: Adjacent to Tennis Courts @ Forsyth Country Club | | | | |
| Building Size: 1050 sq. ft. | | # Floors: 1 | | Age: 20 yrs. |
| Present Use: Tennis Pro Shop | | | Prior Use: Tennis Pro Shop | |

5. IS ASBESTOS PRESENT? Yes No

6. PROCEDURE (INCLUDING ANALYTICAL METHOD AND LABORATORY USED), USED TO DETECT THE PRESENCE OR ABSENCE OF ASBESTOS MATERIAL. USE ADDITIONAL PAGES IF NEEDED.

SEE ATTACHED REPORT

7. AMOUNT OF ASBESTOS: Including regulated ACM to be removed, Category I ACM not removed, and Category II ACM not removed.

| Components | RACM To Be Removed | Nonfriable Asbestos Material Not To Be Removed | | Indicate Unit Of Measurement Below |
|--------------------------------|--------------------|--|-------------|------------------------------------|
| | | Category I | Category II | |
| Pipes | | | | ln. ___ft ___m |
| Surface area | 663 SF | 50 SF | | sq. ___ft ___m |
| RACM not on facility component | | | | cu. ___ft ___m |

| 8. SCHEDULED DATES: | Start | Complete |
|---------------------------|-----------------|-----------------|
| Asbestos Removal/Disposal | | |
| Renovation | | |
| Demolition and Disposal | August 21, 1991 | August 24, 1991 |

9. DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK, AND METHOD(S) TO BE USED, INCLUDING DEMOLITION/RENOVATION TECHNIQUES AND DESCRIPTION OF FACILITY COMPONENTS BEING RENOVATED OR DEMOLISHED. USE ADDITIONAL PAGES IF NEEDED.

Demolish Existing Tennis Pro Shop with Front End Loader.

10. DESCRIPTION OF WORK PRACTICES AND ENGINEERING CONTROLS TO BE USED TO PREVENT EMISSIONS OF ASBESTOS AT THE DEMOLITION/RENOVATION SITE. THIS INCLUDES ASBESTOS REMOVAL AND WASTE HANDLING EMISSION CONTROL MEASURES. USE ADDITIONAL PAGES IF NEEDED.

| | | | |
|--|-----------|--|--|
| 11. WASTE TRANSPORTER #1: | | | |
| Name: Spainhour and Spainhour | | | |
| Address: P. O. Box 2127 | | | |
| City: King | State: NC | Zip: 27021 | |
| Contact: Jeff Spainhour | | Tel: 983-2120 | |
| WASTE TRANSPORTER #2: | | | |
| Name: | | | |
| Address: | | | |
| City: | State: | Zip: | |
| Contact: | | Tel: | |
| 12. WASTE DISPOSAL SITE: *Note: +/- 50 S.F. of non friable asbestos lindleum will be | | | |
| Name: HERB MYER'S DUMP | | transported on a seperate truck by Dancy Construction to the Hanes Mill Road Dump (Owner: City of Winston Salem. Contact: Jim Bryan, 727-2272) | |
| Location: 5600 COUNTRY CLUB RD. | | | |
| City: Winston Salem | State: NC | Zip: 27104 | |
| Contact: | | Tel: 765-2362 | |
| 13. IF DEMOLITION ORDERED BY A GOVERNMENT AGENCY. PLEASE ATTACH ORDER. | | | |
| Name: | | Title: | |
| Authority: | | | |
| Date of Order: | | Date Ordered to Begin: | |
| 14. FOR EMERGENCY RENOVATIONS, PLEASE COMPLETE: | | | |
| Date and Hour of Emergency: | | | |
| Description of the Sudden, Unexpected Event: | | | |
| Explanation of how the event caused unsafe conditions or would cause equipment damage or an unreasonable financial burden: | | | |

15. DESCRIPTION OF PROCEDURES TO BE FOLLOWED IN THE EVENT THAT UNEXPECTED ASBESTOS IS FOUND OR PREVIOUSLY NONFRIABLE ASBESTOS MATERIAL BECOMES CRUMBLED, PULVERIZED, OR REDUCED TO POWDER. USE ADDITIONAL PAGES IF NEEDED.

ALL WORK WILL STOP AND WE WILL NOTIFY ENVIRONMENTAL AFFAIRS.

16. *TO BE COMPLETED AFTER NOVEMBER 20, 1991*

I CERTIFY THAT AN INDIVIDUAL TRAINED IN THE PROVISIONS OF THIS REGULATION (40 CFR PART 61, SUBPART M) WILL BE ON-SITE DURING THE DEMOLITION OR RENOVATION AND EVIDENCE THAT REQUIRED TRAINING HAS BEEN ACCOMPLISHED BY THIS PERSON WILL BE AVAILABLE FOR INSPECTION AT THE DEMOLITION/RENOVATION SITE.

Signature of Owner/Operator

Date

17. *THIS SECTION MUST BE COMPLETED*

I CERTIFY TO THE ACCURACY OF THE PLANS, SPECIFICATIONS, AND SUPPLEMENTAL DATA SUBMITTED WITH THIS APPLICATION/NOTIFICATION AND DO HEREBY AGREE THAT IF A PERMIT IS ISSUED, THE OWNER AND OPERATOR WILL ABIDE BY ITS TERMS IN ALL RESPECTS. I UNDERSTAND THAT ANY MISINFORMATION OR MISREPRESENTATION WILL BE GROUNDS FOR THE MODIFICATION OR REVOCATION OF ANY PERMIT BASED ON THIS APPLICATION AND MAY ALSO BE A VIOLATION OF AIR QUALITY REGULATIONS. I AM AN AUTHORIZED AGENT OF THE PERMITTEE.

J. Thomas Harris
Signature of Owner/Operator

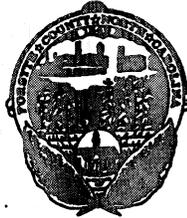
DANCY CONSTRUCTION CO.
Company

EXEC. VICE - PRESIDENT
Title

7/26/91
Date

**Division of Environmental Health
and Laboratory**

**Fred G. Overstreet
DIRECTOR**



Health Department

**Dr. Thomas R. Dundon
DIRECTOR**

May 15, 1990

Mr. Richard Bennett
Allied Land Surveying
165 Elliot Drive
Winston-Salem, N.C. 27104

Dear Mr. Bennett:

Would you please send Reed Jarvis, County Fire Marshal's Office a copy of H.G. Myers site plan Job. No. 4538.

Thank you very much for any assistance you may provide in this matter.

Sincerely,

DIVISION OF ENVIRONMENTAL HEALTH

Jim Bryan, R.S.
Environmental Health Supervisor

JB:jk

March 6, 1990

*file in
Herb Myers
demo landfill
file JB*

Mr. Jim Bryant
(Permits Office)
Inspections Division
NCNB Plaza - 100 Liberty Walk
Winston-Salem, North Carolina 27101

Dear Mr. Bryant:

This letter is to confirm our telephone conversation today regarding 7 acres of land owned by Mr. Herb Myers (Tax lots: 12A, 14W, 110A, 14Y, 41A, tax block: 4439).

From our conversation today it is my understanding that the landfill permit will allow for the disposal of stumps, leaves, dirt, concrete and construction rubble. No "junked" vehicles or tires may be included as buried materials.

I understand that you are personally supervising this landfill operation and will be inspecting the site periodically (approximately every 30 days). If Mr. Myers is found to be in violation of permit, he may be fined or the permit revoked and the landfill operation shut down. You assured me that you will keep close watch on this operation, and that you have worked with Mr. Myers previously.

As an adjoining property owner and as a spokesperson for fellow neighbors, our concerns are primarily the use of this property once the filling is completed. As you know, this area is currently zoned R-6 and we very much desire to maintain this zoning as R-6. The neighborhood would welcome a new housing development at this site, as this would tend to increase property values and would be in conformance with current zoning.

We have heard "rumors" that Mr. Myers has intent of establishing a tire-shredding and/or salvaged vehicle business ("junk yard") once the land is filled. We are aware of the current issue relative to proper and cost-effective disposal of used tires. I would like to stress again that our neighborhood and informed persons in the Lewisville community would be emphatically opposed to the establishment of this type of business. We feel this would be environmentally threatening and would result in decreased property values for homeowners. We understand that rezoning to business use would be required before this type of business could be established.

Thank you for discussing these concerns and for your assistance in the supervision of this landfill site.

Sincerely,

Carolyn Williams

Carolyn K. Williams
210 Pilot Ridge Drive
Lewisville, N.C. 27023

cc: Chairman, Board of County Commissioners
City/County Planning Department

SURVEY DISCRIPTION

Beginning at an existing iron in the Northern right of way line of Shallowford Rd., thence with said right of way N 72° 01' 38" W 350' to an iron, thence N 70° 40' 30" W 143.79 to an iron, thence leaving right of way N 25° 04' 40" E 219.39, thence N 07° 45' 15" E 439.8, thence N1° 30' E 380', thence N 21° 06' 55" E 348.62 to an existing iron, Southeast corner of Max Bailey, thence S 55° 48" E 548.05, thence S 11° 13' 15" W 832.86, thence S 21° 49' W 377.39 to point and place of beginning containing 15.944 ac± being tax lots 12A,14W,110A,14Y,41A and part of lot 41B tax block 4439.

BK 587
PAGE: 356

CERTIFIED COPY OF SOLID WASTE PERMIT

I do hereby certify that the attached PERMIT is an exact and true copy of Permit No. 34-90-05

Fred G. Overstreet, R.S.
FRED G. OVERSTREET, DIRECTOR
Environmental Health Section

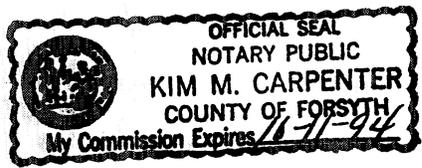
North Carolina

Forsyth County

I, Kim M. Neal, a Notary Public for said County and State, do hereby certify that Fred G. Overstreet personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 23rd day of February, 1990.

(Official Seal)



Kim M. Carpenter (Neal)
Notary Public

My Commission Expires October 11, 1994.

PERMIT #:34-90-05

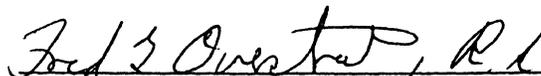
DATE ISSUED: 02-23-90

FORSYTH COUNTY PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH
SOLID AND HAZARDOUS WASTE SECTION
P. O. BOX 2975
WINSTON-SALEM, NC 27102

S O L I D W A S T E P E R M I T

H. G. Myers & M. L. Myers are hereby issued a permit to operate a demolition landfill located Shallowford Road, Winston-Salem, N. C., Block 4439, Lot 12A, 14W, 110A, 14Y, 41A & Part of 41B, 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 on the below described property:

SEE: ATTACHED PLAT MAP FOR LOCATION OF DEMOLITION LANDFILL
SEE: ATTACHED DESCRIPTION(S) ON "EXHIBIT A" AND/OR "DEED"


Fred G. Overstreet, Director
Division of Environmental Health

PERMIT #: 34-90-05

DATE: 2-23-90

CONDITIONS AND REQUIREMENTS OF SOLID WASTE PERMIT

1. This permit may be subject to review at an administrative hearing upon petition of anyone whose legal rights, privileges, and duties may have been affected by the issuance thereof.
2. 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 Section of the Forsyth County Health Department, Division of Environmental Health and shall have indicated on it the page and book number, date of recordation and registrar's seal.
3. The following requirements shall be met prior to receiving solid waste at the site:
 - a. Site preparation in accordance with operational site plan.
 - b. Site inspection made by a representation of the Division of Environmental Health.
4. This solid waste disposal site is permitted to receive stumps, limbs, leaves, concrete, masonry, wood and other substances upon approval by the Division of Environmental Health on a case by case basis.
5. The operation of this facility shall conform to Rule .0507 of the Solid Waste Management Rules.
6. The final slope of a demolition landfill shall be 3 to 1 unless other engineered plans are approved by the permitting agency.
7. Dust suppression shall be provided .
8. Erosion control features shall be installed where necessary. These features shall include but not be limited to: energy dissipaters, silt fences, straw, berms, dikes, and diversion ditches and brush barriers.
9. All finished areas within six months of completion shall be stabilized at its surface with native grasses.

PERMIT #: 34-90-05
DATE: 2-23-90

10. Vehicles shall not exceed a safe speed for the materials being hauled and shall be covered or secured with suitable device(s) when on the public highway.
11. All fill must upon completion stay a minimum of 15 feet from any property line, and 25 feet from any public utility. All easements and access shall be preserved to allow service, inspection and maintenance of public utilities.
12. All kinds of containers shall be sufficiently punctured or with the ends removed and crushed before going into a demolition landfill. No device which is capable of holding liquid is allowed for codisposal into the demolition landfill.
13. The site must/shall be inspected by the owner/operator at least once every ten (10) working days.
14. Signs indicating: "No Unauthorized Dumping", "No Hazardous, Liquid or Infectious Waste Shall Be Accepted Or Disposed", and "The Permit No." shall be posted in a conspicuous location at the entrance(s) of the site.
15. Ingress and Egress shall be controlled with a suitable device, i.e. a chain, cable or gate. Where access is next to a public or private road, berms shall be installed to provide a controllable access.
16. The site shall not be accessible unless the operator or his representative demonstrates acceptable control of the site.
17. All drainage features shall be preserved.
18. At no time shall any part of the fill site enter a flood way. Disposal into the flood plain is expressly forbidden without approved, engineered plans to control flood waters.
19. The permit is subject to periodic review. At the time of review, the permit may be renewed, suspended or cancelled depending on the condition of the landfill on the day of review and past performance.
20. 24 inches of soil (cover material) is required unless otherwise noted in this permit. Adequate cover materials shall be provided at all times, but in no case shall final cover be less than 6 inches of uncontaminated soil.
21. Solid wastes shall be spread and compacted not less than ten working days after being deposited into the landfill.

PERMIT #: 34-90-05

DATE: 2-23-90

22. Open burning of solid waste is prohibited.
23. This permit is null and void if the local fire department is not made aware of the location and activity of the landfill.
24. Provision for sufficient cover materials (uncontaminated soils) shall be demonstrated on site by stockpiling soils unless soils are available on site.
25. Any amendments to the operational plan for the site shall be recorded in the Forsyth County Register of Deeds' office.
26. At all times a four-foot separation distance shall be maintained between the fill material(s) and groundwater.
27. A closure plan shall be submitted by the owner/contractor no less than 90 days prior to establishing the final elevations.
28. Financial responsibility shall be demonstrated by the owner and the contractor to operate and close the demolition landfill. A "CLOSURE BOND" may be required to assure financial capability.
29. Surface water shall be diverted in a controllable manner from the operational area and not allowed to be impounded over waste. Solid waste shall not be disposed of in water.
30. Temporary seeding will be utilized as necessary to control erosion.
31. Springs and seeps which exist or may form on the site will have to be evaluated. Permit(s) from the Army Corps of Engineers may be needed to handle this type of water.
32. This permit does not allow the permittee to violate other rules, regulations, etc. Other permits and regulations may apply; therefore, the permittee and contractor are responsible for other local, state, and federal permits.

SURVEY DISCRIPTION

Beginning at an existing iron in the Northern right of way line of Shallowford Road., thence with said right of way N 72° 01' 38" W 350' to an iron, thence N 70° 40' 30" W 143.79 to an iron, thence leaving right of way N 25° 04' 40" E 219.39, thence N 07° 45' 15" E 439.8, thence N 1° 30' E 380', then N 21° 06' 55" E 548.05, then S 11° 13' 15" W 832.86, thence S 21° 49' W 377.39 to point and place of beginning containing 15.944 ac_ being tax lots 12A,14W,110A,14Y,41A and part of lot 41B tax block 4439.

EXHIBIT A:



PUBLIC WORKS
DEPARTMENT

City of Winston-Salem

FEBRUARY 15, 1990

H.G. MYERS
M.L. MYERS

RE: TAX LOTS 12A, 14-W, 110-A, 14-Y, 41A A
PART OF 41-B.
TAX BLOCK 4439
SHALLOWFORD ROAD, LEWISVILLE, N.C.

DEAR MR. MYERS,

You have inquired regarding zoning regulations as they apply to this property.

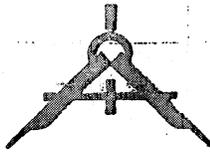
This will advise you that so long as the fill material consists entirely of demolition type debris and non-putrescible waste materials, it is our opinion that your proposal can be approved.

If you have not already done so, the Division of Environmental Health, P. O. Box 2975, Winston-Salem, North Carolina 27102, should be contacted for their approval of your project.

Sincerely,

FOR Aubrey Smith
Inspections Superintendent

AS/dh



ALLIED LAND SURVEYING CO.

165 ELLIOT DR. WINSTON SALEM, NC 27104
(919) 765-2377

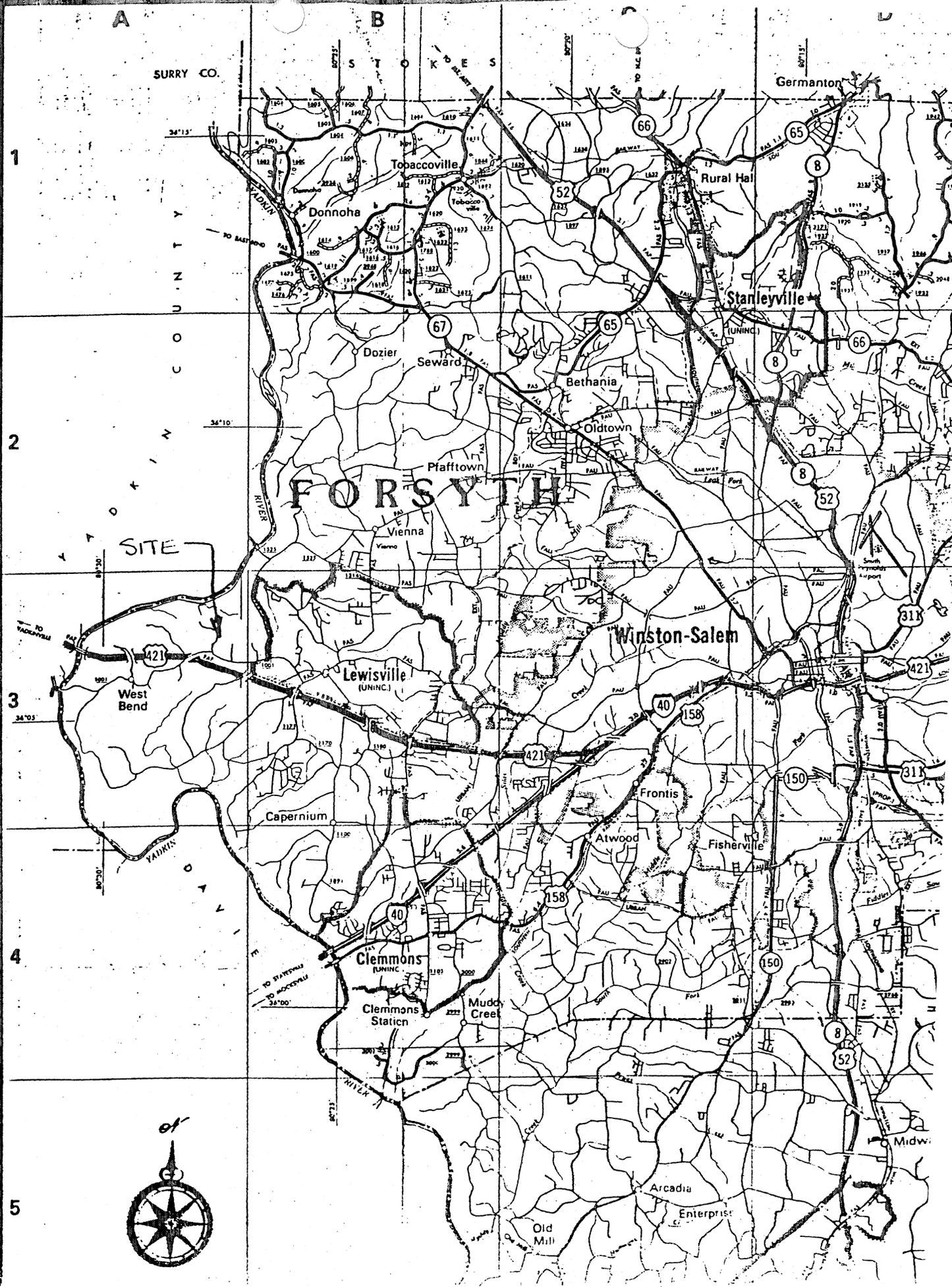
— DEMOLATION LANDFILL PLAN —

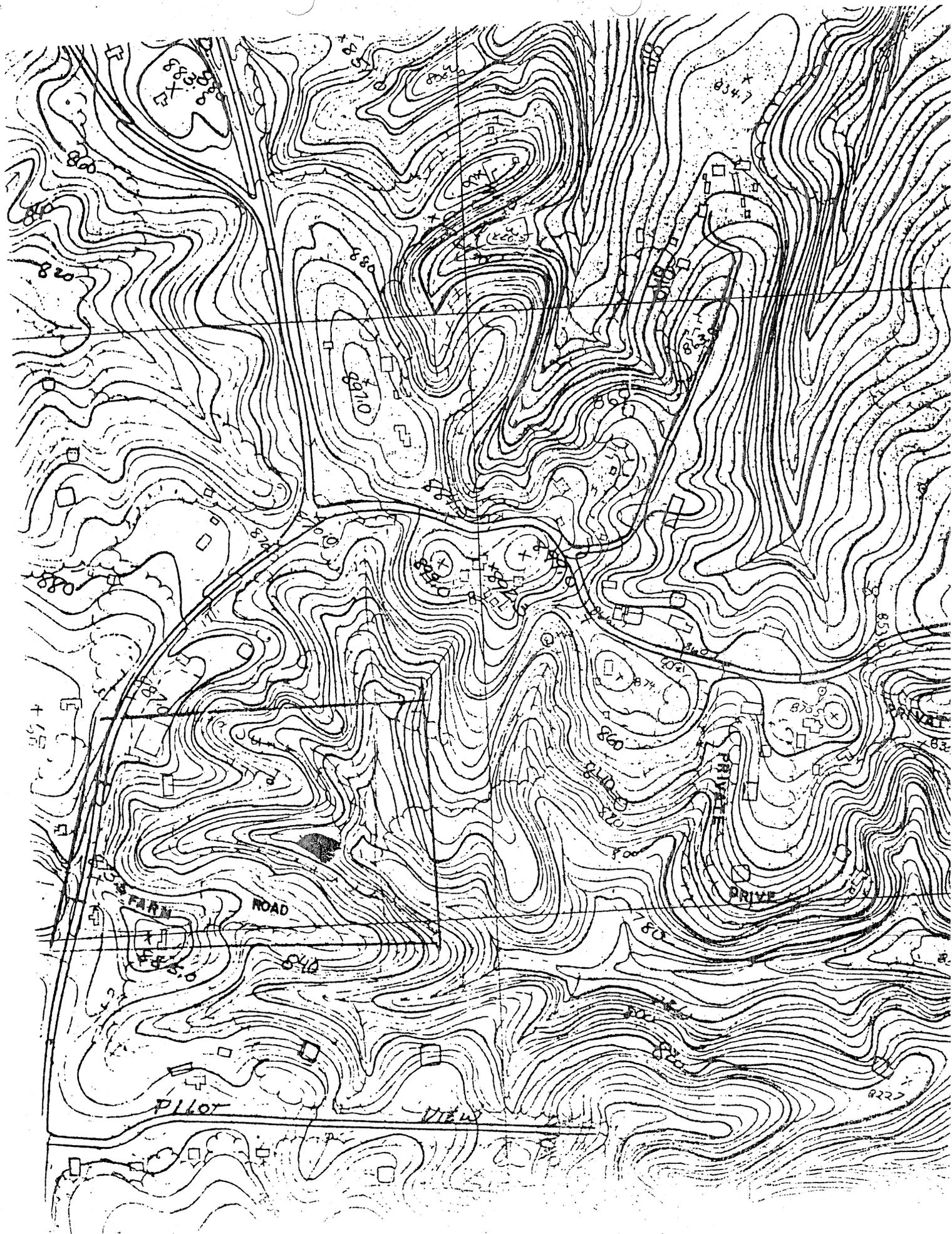
H.G. MYERS & M.L. MYERS

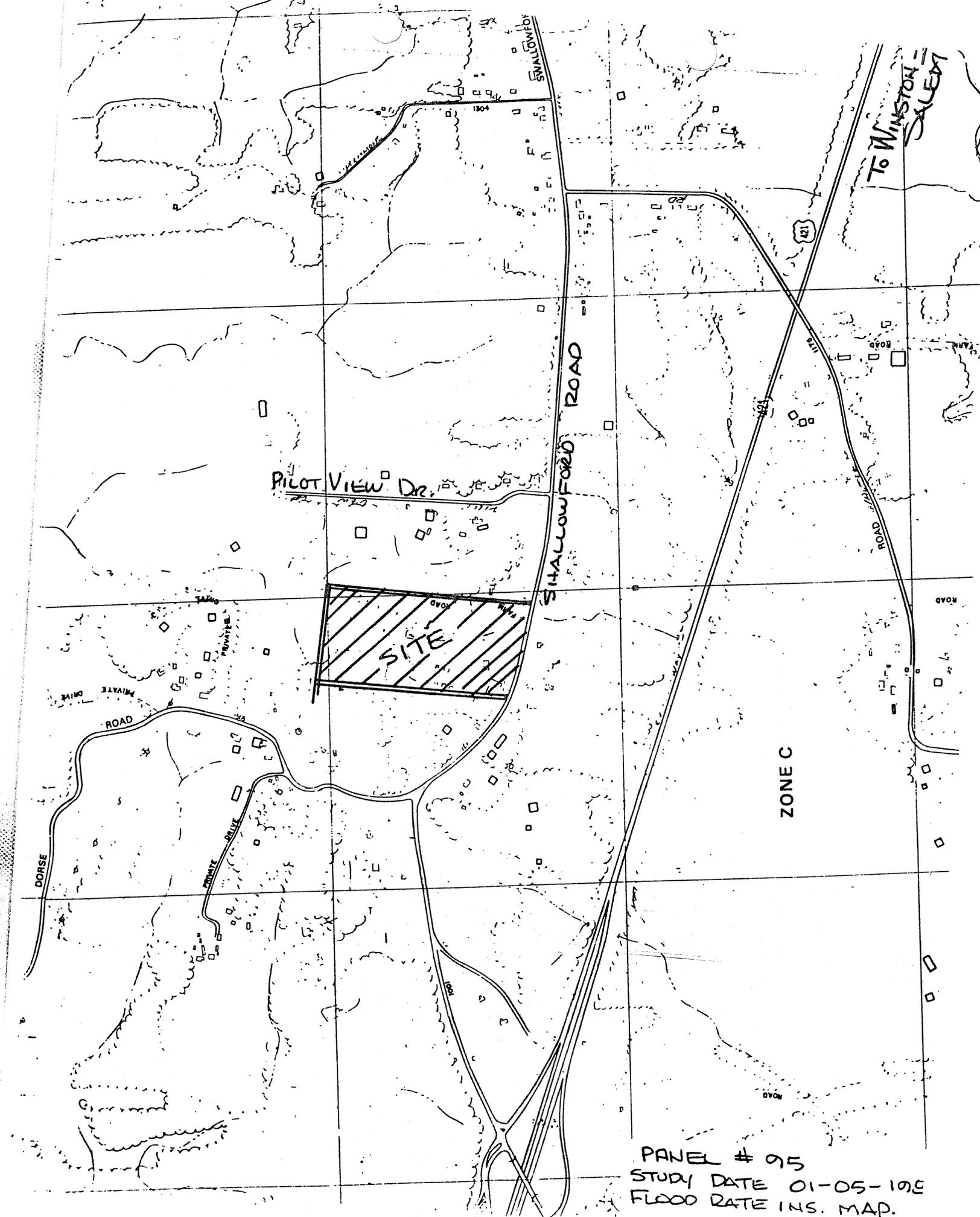
PHASE I
PHASE II

DECEMBER 1989

Richard Parks Bennett
20-89







PANEL # 95
STUDY DATE 01-05-1986
FLOOD RATE INS. MAP.

**CONSTRUCTION SEQUENCE:
FOR DEMOLITION LANDFILL**

1. Install stabilize construction entrance as per plan. (practice 6.06)

2. Drain existing pond. Pond basin to be refurbished for use as sediment ~~basin~~ ^{TRAP} as per plan. (practice 6.61)
 - 2a. Pipe existing spring per approved plan.

3. Diversion ditches shall be cut per plan to divert flow and sediment to basin previously mentioned per item 2. (practice 6.21)

4. Demolition landfill shall be cleared and demolition material placed.

5. Material shall be placed and compacted to proposed grade specified by site plan.

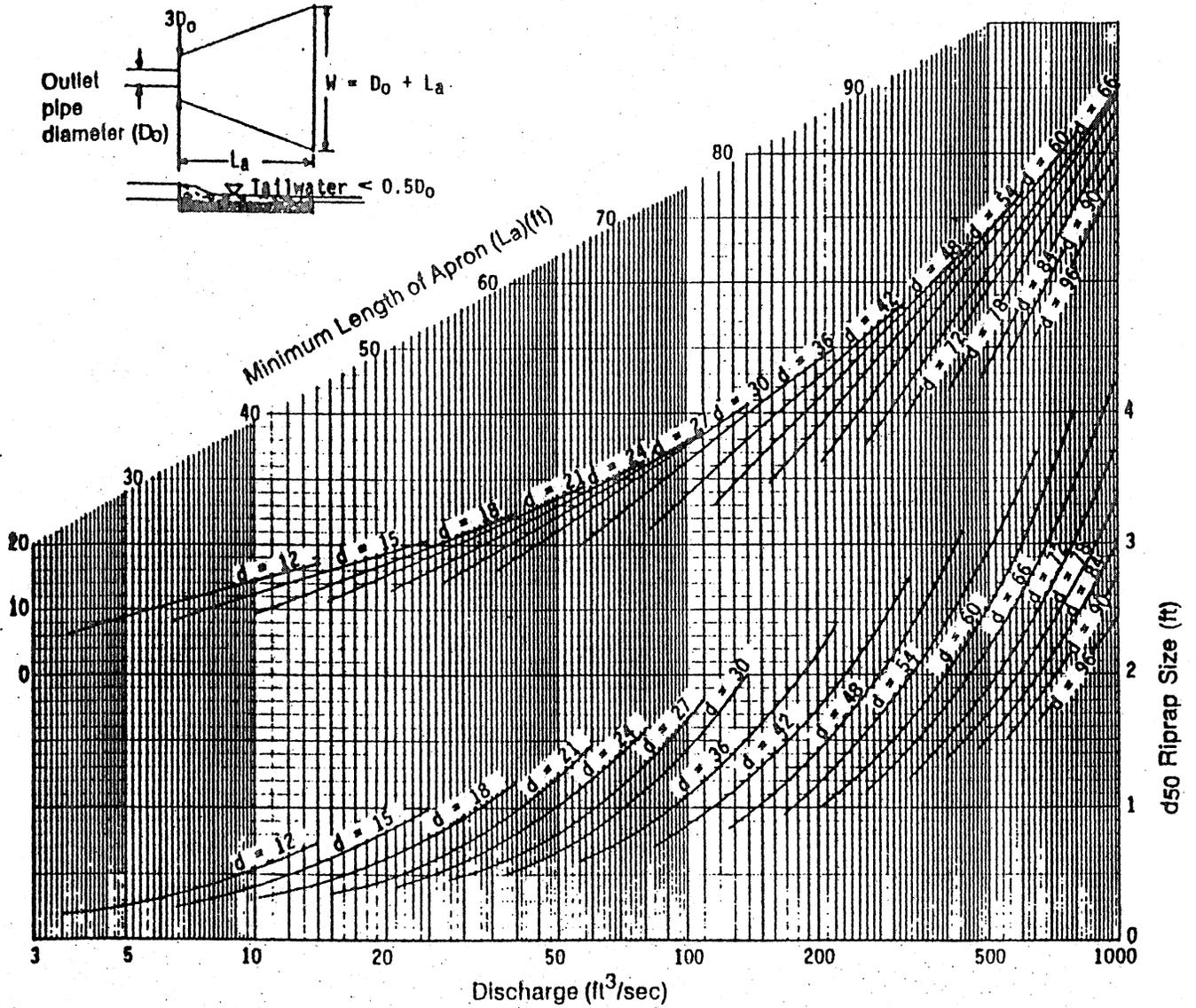
6. Upon completion of material placement, a one (1') cover of suitable earth material will be placed such that all demolition materials are covered.

7. A sediment basin with slope drain shall be installed at the top of the fill. (practice 6.61 & 6.32) The slope drain will feed into the sediment basin at the toe of slope. Stone outlet protection shall be installed at the slope drain outlet.

8. Diversion ditches shall be cut per plan at the top of fill to drain into the basin mentioned per item 7.

9. Upon completion of the soil placement and erosion control measures, The site shall be seeded and mulched per the detail provided on the site plan.

10. Maintenance and repair shall be performed as required.



Curves may not be extrapolated.

Figure 8.06a Design of outlet protection protection from a round pipe flowing full, minimum tailwater condition ($T_w < 0.5$ diameter).

$$\text{TOTAL DRAINAGE AREA} = 300' \times 500' = 10.33 \text{ AC}$$

CULVERT DESIGN: SIZING & OUTLET PROTECTION

$$\text{SLOPE DRAIN: } S_0 = 50\% \text{ (2:1 SLOPE)}$$

$$n = 0.013$$

$$Q_{25} = CIA$$

$$C = 0.4$$

$$Q_{25} = (0.4)(7.6)(10)$$

$$I = 7.6$$

$$Q_{25} = 30.4 \text{ CFS}$$

$$A = 10.0 \text{ AC}$$

$$\begin{aligned} \text{PIPE DIA.} &= D_0 = 16 \left[\frac{Q_{25}}{\sqrt{S_0}} \right]^{\frac{3}{8}} \\ &= 16 \left[\frac{30.4(0.013)}{\sqrt{0.5}} \right]^{\frac{3}{8}} \\ &= 12.86 \text{ "} \end{aligned}$$

* NOTE RECOMMEND 18" CORR. PLASTIC PIPE

OUTLET PROTECTION:

OUTLET INTO SEDIMENT BASIN - NO DEFINED CHANNEL

∴ ASSUME MINIMUM TAILWATER CONDITION

$$(T_x < 0.5 \text{ DIA.})$$

$$d_{50} = 0.8' = 9.6 \text{ "}$$

$$d_{\text{max}} = 1.5 \times 0.80 = 1.2' = 14.4 \text{ "}$$

∴ USE CL-B EROSION CONTROL STONE

(SPEC. S : 5" TO 15" DIA.)

$$\text{APRON LENGTH: } L_a = 20'$$

$$\text{APRON WIDTH: } W = 1.5 \times L_a = 1.5 \times 20 = 30'$$

$$\text{APRON DEPTH: DEPTH} = 1.5 \times d_{\text{max}} = 21.6 \text{ "}$$

∴ USE 22" WITH FILTER FABRIC

OUTLET PROTECTION

$$Q_{10} = CIA$$

$$Q_{10} = 0.45 (6.7) (1.0) = 3.02 \text{ CFS}$$

$$\text{DIA: } D_0 = 18''$$

MINIMUM TAIL WATER CONDITION ($TW < 0.5 \text{ DIA}$)

SEE FIG 8.06 a

$Q_{10} = 3.02 \text{ CFS}$ PLOTTED AGAINST $D_0 = 18''$
IS OUTSIDE THE RANGE REQUIRING
OUTLET PROTECT \therefore THIS CULVERT
SHALL NOT REQUIRE OUTLET PROTECT
MEASURES.

HOWEVER RIPRAP IS SHOWN PER
CITY OF WINSTON-SALEM REQUEST.



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1890
WILMINGTON, NORTH CAROLINA 28402-1890

January 25, 1990

IN REPLY REFER TO

Regulatory Branch

SUBJECT: CESAW-CO89-D-034 and Nationwide Permit No. 26

Mr. Richard P. Bennett
Allied Land Surveying Company
165 Elliot Drive
Winston-Salem, North Carolina 27104

Dear Mr. Bennett:

Reference is made to your meeting of January 11, 1990, with Mr. Ken Jolly of my staff on a 15-acre tract north of Shallowford Road near Lewisville, Forsyth County, North Carolina. The purpose of that meeting was to inspect the site for the presence of waters or wetlands subject to Department of the Army regulatory jurisdiction. Reference also your letter of January 12, 1990, in which you submitted plans for the proposed work and requested Department of the Army permit authorization for the placement of fill into 0.38 acre of wetlands located adjacent to, and above the headwaters of, an unnamed tributary to the Yadkin River.

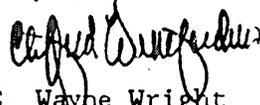
For the purposes of the Corps of Engineers' Regulatory Program, Title 33, Code of Federal Regulations (CFR), Part 330, published in the Federal Register on November 13, 1986, lists nationwide permits. Authorization was provided for discharges of dredged or fill material into non-tidal rivers, streams, and their lakes and impoundments, including adjacent wetlands, that are located above the headwaters and other non-tidal waters of the United States, including adjacent wetlands, that are not a part of a surface tributary system to interstate waters or navigable waters of the United States.

Your work, involving the discharge of fill material into 0.38 acre of waters and wetlands located above the headwaters of the aforementioned tributary, is authorized by nationwide permit provided it is accomplished in strict accordance with the enclosed conditions. This authorization is valid for a period of two years from the date of this letter.

You should contact Mr. William Mills, N.C. Division of Environmental Management, (919) 733-5083, to obtain the necessary Section 401, Water Quality Certification prior to starting work. Please be aware that this authorization does not relieve you of the responsibility to obtain any other required State or local approval.

Thank you for your time and cooperation. If you have any questions, please contact Mr. Ken Jolly, Raleigh Regulatory Field Office, telephone (919) 846-1217.

Sincerely,


C. Wayne Wright
Acting Chief, Regulatory Branch

Enclosure

CONDITIONS

a. Any discharge of dredged or fill material will not occur in the proximity of a public water supply.

b. The activity will not jeopardize a threatened or endangered species as identified under the Endangered Species Act, or destroy or adversely modify the critical habitat of such species.

c. The activity will not significantly disrupt the movement of those species of aquatic life indigenous to the waterbody (unless the primary purpose of the fill is to impound water).

d. Any discharge of dredged or fill material will consist of suitable material free from toxic pollutants.

e. Any structure or fill will be properly maintained.

f. If the activity may adversely affect historic properties which the National Park Service has listed on, or determined eligible for listing on, the National Register of Historic Places, or if significant historic properties are encountered before or during work, the permittee will notify the District Engineer.

g. An individual state water quality certification must be obtained or waived. Conditions of certification will be considered to be special conditions of the Federal nationwide permit.

h. The following management practices will be followed to the maximum extent:

(1) Discharges of dredged or fill material into waters of the United States will be avoided or minimized through the use of other practical alternatives.

(2) Discharges in spawning areas during spawning seasons will be avoided.

(3) Discharges will not restrict or impede the movement of aquatic species indigenous to the waters or the passage of normal or expected high flows or cause the relocation of the waters (unless the primary purpose of the fill is to impound water).

(4) If the discharge creates an impoundment of water, adverse impacts on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow will be minimized.

(5) Discharge in wetland areas will be avoided.

(6) Heavy equipment working in wetlands will be placed on mats.

(7) Discharges into breeding areas for migratory waterfowl will be avoided.

(8) All temporary fills will be removed in their entirety.

Copies Furnished (without enclosure):

Mr. John Parker
North Carolina Department of
Environment, Health, and
Natural Resources
Post Office Box 27687
Raleigh, North Carolina 27611-7687

Mr. William Mills
Water Quality Section
Division of Environmental Management
North Carolina Department of Environment,
Health, and Natural Resources
Post Office Box 27687
Raleigh, North Carolina 27611-7687

Regional Office Manager
North Carolina Department of Environment,
Health, and Natural Resources
8025 North Point Boulevard
Suite 100
Winston-Salem, North Carolina 27106

Copy Furnished (with wetland form and map):

Environmental Protection Agency
Agency -Region IV
Wetlands Section - Water Quality Branch
345 Courtland Street, N.E.
Atlanta, Georgia 30365



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

Division of Environmental Management

512 North Salisbury Street • Raleigh, North Carolina 27611

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

January 22, 1990

R. Paul Wilms
Director

Mr. Richard P. Bennett, R.L.S.
Allied Land Surveying Company
165 Elliot Drive
Winston-Salem, North Carolina 27104

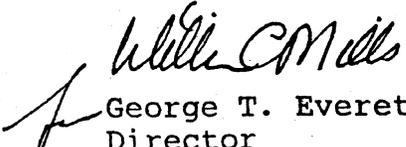
Dear Mr. Bennett:

Subject: Proposed Fill in Headwaters or Isolated Wetlands
Myers Property
Forsyth County

Upon review of your request for Water Quality Certification to place fill material in a wetland area adjacent to a tributary of Yadkin River, we have determined that the proposed fill can be covered by General Water Quality Certification No. 2176 issued November 4, 1987. A copy of the General Certification is attached. This Certification may be used in qualifying for coverage under Corps of Engineers' Nationwide Permit No. 26.

If you have any questions, please contact Bill Mills at 919/733-5083.

Sincerely,


George T. Everett
Director

Attachment

cc: Wilmington District Corps of Engineers
Winston-Salem Regional Office



INSPECTIONS
DIVISION

City of Winston-Salem

PUBLIC WORKS
DEPARTMENT

December 22, 1989

Mr. Richard Bennett
Allied Land Surveying
165 Elliot Drive
Winston-Salem, NC 27104

Re: Block 4439, Lots 12A, 14W,
110A, 14Y, 41A & Part of 41B
Forsyth County Tax Map

Dear Mr. Bennett:

As of this date there are no zoning requirements for demolition landfills. In regards to above property, you will need approval through the Forsyth County Health Department.

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

Sincerely,

Richard Little
Sr. Zoning Inspector

RL/lv

PIPE CULVERT DESIGN

$$\text{SIZE: DIA} = D_o = 16 \left[\frac{Q_{25} n}{\sqrt{S_o}} \right]^{\frac{3}{8}}$$

$$Q_{25} = CIA \quad n = 0.013 \text{ (RCP)} \quad S_o = 1.0\%$$

$$A = 1.0 \text{ AC} \pm$$

$$C = 0.45 \quad : \text{ PAVED STREET / GRASS LINE DITCH}$$

$$I = 7.6$$

$$Q_{25} = (0.45)(7.6)(1.0) = 3.420 \text{ CFS}$$

$$\text{PIPE DIA} = D_o = 16 \left[\frac{(3.420)(0.013)}{\sqrt{0.01}} \right]^{\frac{3}{8}}$$

$$D_o = 11.8'' \text{ PIPE REQUIRED}$$

\therefore EXISTING 18" PIPE WILL
CARRY FLOW

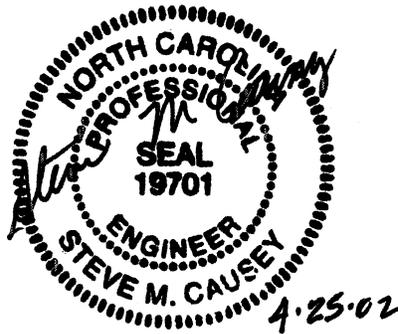
PERMITTING AND OPERATIONS MANUAL

MYERS LAND CLEARING AND INERT DEBRIS LANDFILL

Permit No.: FC 34-90-05

for:
Herbert G. Myers

RECEIVED
N.C. Dept. of ENR
APR 30 2002
Winston-Salem
Regional Office



April 2002

Prepared by:

Allied Design, Inc.
4720 Kester Mill Road
Winston-Salem, NC 27103
(336) 765-2377
Project Number ALS021

APPROVED
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION
DATE 6/10/2004 BY JR
PERMIT # 34-BB
CENTRAL FILE COPY
(ALSO Refer to related File 34-18-710)
LC10 T&P

MEMO

DATE: 1/17/92

TO: All Concerned Parties

SUBJECT: UST Contaminated Soil
Baynes Demo. Landfill
Greensboro, NC

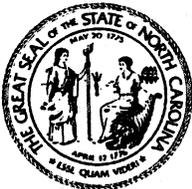
Re: Jurisdiction of permitted demolition landfills in N.C.
(Baynes Demolition Landfill, Permit # 41-90-20)

N.C. Solid Waste Management Rules, 15A NCAC 13B
take precedence over any other regulations / ordinances /
requirements by any other governmental agency
(State or local) concerned with the operations of
a permitted demolition landfill in N.C. generally.

Therefore, in the matter of UST contaminated soil being accepted,
stored, treated, or disposed of at the Baynes Demolition
landfill, requests that pursuant to N.C.G.S. 130A-294
and 15A NCAC 13B, the Division of Solid Waste Management
be given the lead jurisdictional role in the matter at hand, and
that the Division of Environmental Management - Groundwater Section
work in conjunction with the Div. of Solid Waste Mgmt. and
invoke v. General Conditions, # 5 of Permit No. SR0400016
issued 16 Dec. 1991.

From: _____

Jim Angell
Waste Management Specialist
Div. of Solid Waste Mgmt.
Solid Waste Section



North Carolina Department of Environment,
Health, and Natural Resources



Printed on Recycled Paper

NORTH CAROLINA**ENVIRONMENTAL MANAGEMENT COMMISSION****DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES****RALEIGH**

SOILS CONTAINMENT AND TREATMENT PERMIT

In accordance with the provisions of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other applicable Laws, Rules, and Regulations

PERMIT No. SR0400016 IS HEREBY GRANTED TO

SICELOFF Oil COMPANY

Guilford County

FOR THE

construction and operation of a system for the containment and treatment of soils containing petroleum products. The soils containment and treatment area shall be approximately 60,300 (1.38 acres) feet square, lined in accordance with Section II of this permit and surrounded by a dike extending no less than 18" inches above land surface. Approximately 3350 cubic yards of the soils are to be treated on the site by passive volatilization and bioremediation, pursuant to the application received November 12, 1991 and in conformity with the project plan, specifications, and other supporting data filed and approved by the Department of Environment, Health and Natural Resources and considered part of this permit.

This permit shall be effective from the date of issuance until June 16, 1993, and shall be subject to the following specified conditions and limitations:

I. PERFORMANCE STANDARDS

1. The Winston-Salem Regional Office, phone no. (919)896-7007 shall be notified at least forty-eight (48) hours before initial placement of the contaminated soils onto the liner. To allow for a site inspection, soil placement shall be initiated, and the Regional Supervisor shall be notified, during the normal working hours of 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding State holidays (unless another time has been arranged with the Regional Supervisor).

-2-

2. In the event that the facilities fail to perform satisfactorily, including the creation of nuisance conditions, the Permittee shall take immediate corrective action, including those as may be required by the Division of Environmental Management (hereinafter "Division"), such as the construction of additional or replacement treatment or disposal facilities.
3. The issuance of this permit shall not relieve the Permittee of the responsibility for damages to surface waters or groundwaters resulting from the operation of this facility.
4. The following minimum buffers shall be maintained:
 - a) 100 feet between disposal area and any public or private water supply, including wells.
 - b) 100 feet between disposal area and "SA" and "SB" classified surface waters.
 - c) 50 feet between disposal area and any stream, lake, river or natural drainageway.
 - d) 50 feet between disposal area and property lines.
 - e) 10 feet between disposal area and surface water interceptor drains or diversions (upslope).
 - f) 25 feet between disposal area and surface water interceptor drains or diversions (downslope) and groundwater drainage systems.
 - g) 100 feet from any habitable residence or place of public assembly under separate ownership.
5. No soils containing petroleum products, other than as specified in the permit application, shall be placed on the containment and treatment site without permission from the Winston-Salem Regional Supervisor.
6. This permit may be rescinded upon a determination by the Division that the contaminated soils have been remediated to a level of Total Petroleum Hydrocarbons (TPH) of ten (10) parts per million (ppm) or less.

II. OPERATION AND MAINTENANCE REQUIREMENTS

1. The facilities shall be properly maintained and operated at all times.

-3-

2. The soils containing petroleum products shall be placed within the 60,300 square feet contained area which is underlain by either of the following:
 - a) synthetic liner that is chemically compatible with the petroleum products being contained and treated, having a permeability that is no greater than 1×10^{-9} centimeters per second (cm/sec), and that is comprised of a single layer of no less than 30 mil in thickness, or
 - b) a liner of uncontaminated natural materials (i.e clays, etc) at least one (1) foot in thickness at all locations and having a permeability no greater than 1×10^{-9} cm/sec upon being compacted to 95% Proctor standard dry density.
3. The containment system for the contaminated soils shall be able to withstand any physical, chemical or biological processes used for containment and treatment without failure of the impermeable liner.
4. The facilities shall be effectively maintained and operated as a non-discharge system to prevent the discharge of any wastewater resulting from the operation of this facility.
5. The 3350 cubic yards of contaminated soils shall be spread to a thickness not to exceed 18 inches.
6. Nutrients, in the form of nitrogen and phosphorus fertilizers, may be applied over the containment area and fully incorporated into the contaminated soil.

III. MONITORING AND REPORTING REQUIREMENTS

1. Any monitoring deemed necessary by the Division, to insure surface water and groundwater protection, will be established and an acceptable sampling and reporting schedule shall be followed.
2. **Noncompliance Notification:**

The permittee shall report by telephone to the Winston-Salem Regional Office, telephone no. (919) 896-7007, as soon as possible, but in no case more than 24 hours or on the next working day following the occurrence, or first knowledge of the occurrence, of any of the following:

Carolina General Statutes, and filed with the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, North Carolina 27611-7447. Unless such demands are made this permit shall be final and binding.

One set of approved plans and specifications is being forwarded to you. If you need additional information concerning this matter, please contact Christopher Greene at (919) 896-7007.

Sincerely,

Larry D. Coble
Regional Supervisor

cc: Guilford County Division of Emergency Management
WSRO Regional Office
Groundwater Section Permits Group
SPATCO Environmental
Walter Baynes



State of North Carolina
Department of Environment, Health and Natural Resources
Winston-Salem Regional Office

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

Margaret Plemmons Foster
Regional Manager

DIVISION OF ENVIRONMENTAL MANAGEMENT
GROUNDWATER SECTION

December 16, 1991

Doug Siceloff
Siceloff Oil Company
P.O. Box 327
High Point, NC 27261

Subject: Permit No. SR0400016
Siceloff Oil Company
Viewmont Road
Soils Containment and Treatment
Guilford County

Dear Mr. Siceloff:

In accordance with your application received November 12, 1991, we are forwarding herewith Permit No. SR0400016, dated December 16, 1991, to Siceloff Oil Company for the construction and operation of the subject Soils Containment and Treatment program.

This permit shall be effective from the date of issuance until June 16, 1993, and shall be subject to the conditions and limitations as specified therein.

If any parts, requirements, or limitations contained in this permit are unacceptable to you, you have the right to request an adjudicatory hearing upon written request within 30 days following receipt of this permit. This request must be in the form of a written petition, conforming to Chapter 150B of North

Fax

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT, HEALTH
AND NATURAL RESOURCES

8025 North Point Boulevard, Suite 100
Winston-Salem, N.C. 27106

TEL: (919) 896-7007

FAX: (919) 896-7005

From:

NAME C. Greene

Date 1/17/92 # of Pages (including this page) 12

To:

Name JEA Rogers

Company Div. of solid waste

Address W/S

Fax # 761-2313

NOTE:

Hope this material will aid in
assessing the soil contamination.
More information will probably be
needed for your purposes.

-4-

- a) the containment and treatment of significant amounts or types of wastes which are not in accordance with the terms and conditions of this permit.
- b) any failure of the containment and treatment system resulting in a discharge of wastes to groundwaters or surface waters of the State in contravention of assigned quality standards.
- c) any system failure, due to known or unknown reasons, that render the facility incapable of adequate containment or treatment of the permitted soils containing petroleum products.
- d) any spillage or discharge from a vehicle or piping system transporting contaminated soil to the application site.

Persons reporting such occurrences by telephone shall also file a written report in letter form within 15 days following first knowledge of the occurrence. This report must outline the actions taken or proposed to be taken to ensure that the problem does not recur.

3. Samples and analyses of the soils may be required, from a minimum of six areas at the disposal site, at least 30 days prior to closure of the containment and treatment operation. Analyses must be methods approved by the Division.

Each sample shall be representative of the vertical column of contaminated soil, using a soil auger, Shelby tube, split-spoon sampler or other means deemed acceptable by the Division. Precautions must be taken to prevent penetration or tearing of the liner material during sample collection.

A copy of the laboratory results of the soil analysis shall be submitted to the Winston-Salem Regional Office, to the attention of the Regional Hydrogeological Supervisor, within 30 days of sample collection or another time frame approved by the Winston-Salem Regional Supervisor.

4. Prior to close-out of the containment and treatment system, collection and analyses of soil samples from beneath the liner system may be required to verify that the integrity of the liner system has been maintained.

-5-

IV. INSPECTIONS

1. Adequate inspection and maintenance of the subject facility(ies) shall be provided by the Permittee to insure compliance with applicable state, federal or local laws and regulations.
2. Any duly authorized officer, employee, or representative of the Division of Environmental Management may, upon presentation of credentials, enter and inspect any property, premises or place on or related to the disposal site and facility at any reasonable time for the purpose of determining compliance with this permit; may inspect or copy any records that must be kept under the terms and conditions of this permit; or may obtain samples of groundwater, surface water, or leachate.

V. GENERAL CONDITIONS

1. This permit is effective only with respect to the nature and volume of wastes described in the application and other supporting information.
2. This permit is not transferable. In the event there is a desire for the facilities to change ownership, or there is a name change of the Permittee, a formal permit request must be submitted to the Division of Environmental Management accompanied by an application fee, documentation from the parties involved, and other supporting materials as may be appropriate. The approval of this request will be considered on its merits and may or may not be approved.
3. A set of approved documents for the subject project must be retained by the applicant for the life of the project.
4. Failure to abide by the conditions and limitations contained in this permit may subject the Permittee to an enforcement action by the Division of Environmental Management in accordance with North Carolina General Statute 143-215.6.
5. The issuance of this permit does not preclude the Permittee from complying with any and all statutes, rules, regulations, or ordinances which may be imposed by other government agencies (local, state, or federal) which have jurisdiction.

-5-

Permit issued this the 16th day of December, 1991.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

Larry W. Coble

Larry W. Coble

Regional Supervisor, Winston-Salem Regional Office

Division of Environmental Management

By Authority of the Environmental Management Commission

Permit No. SR0400016

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I. EXECUTIVE SUMMARY

A. Purpose

Allied Design, Inc. was retained by Mr. Herb G. Myers to prepare a Land Clearing and Inert Debris Landfill (LCID) 5-year permit application. The Myers LCID landfill consists of approximately 15.9 acres and is located off of Shallowford Road in Lewisville, Forsyth County, North Carolina. The property is currently identified as Tax Block 4439, Lot 12A, 14W, 110A, 14Y, 41A and 41 B.

The Myers LCID incorporates treatment and processing operations as a function of daily recycling operations. This permit application also intends to address the permitting requirements for a "Treatment and Processing Facility".

The LCID has been previously permitted by the North Carolina Department of Environment and Natural Resources (NCDENR), Division of Waste Management, Solid Waste Section. The existing permit number is FC 34-90-05.

The purpose of this manual is to provide the permitting application and information necessary for approval of a 5-year permit for the LCID and the Treatment and Processing Facility in a comprehensive format. This application has been prepared to meet the requirements of and to ensure compliance with the North Carolina Administrative Code, 15 NCAC 13B. 0563 through 0566 (the rules).

B. Summary

This permitting and operations manual attempts to compile the complete permitting requirements of the NCDENR Division of Waste Management and provides a complete summary and record of the documentation. This manual should be annually and periodically updated to reflect new permitting requirements and operational changes.

II. SITE MAPS AND INFORMATION

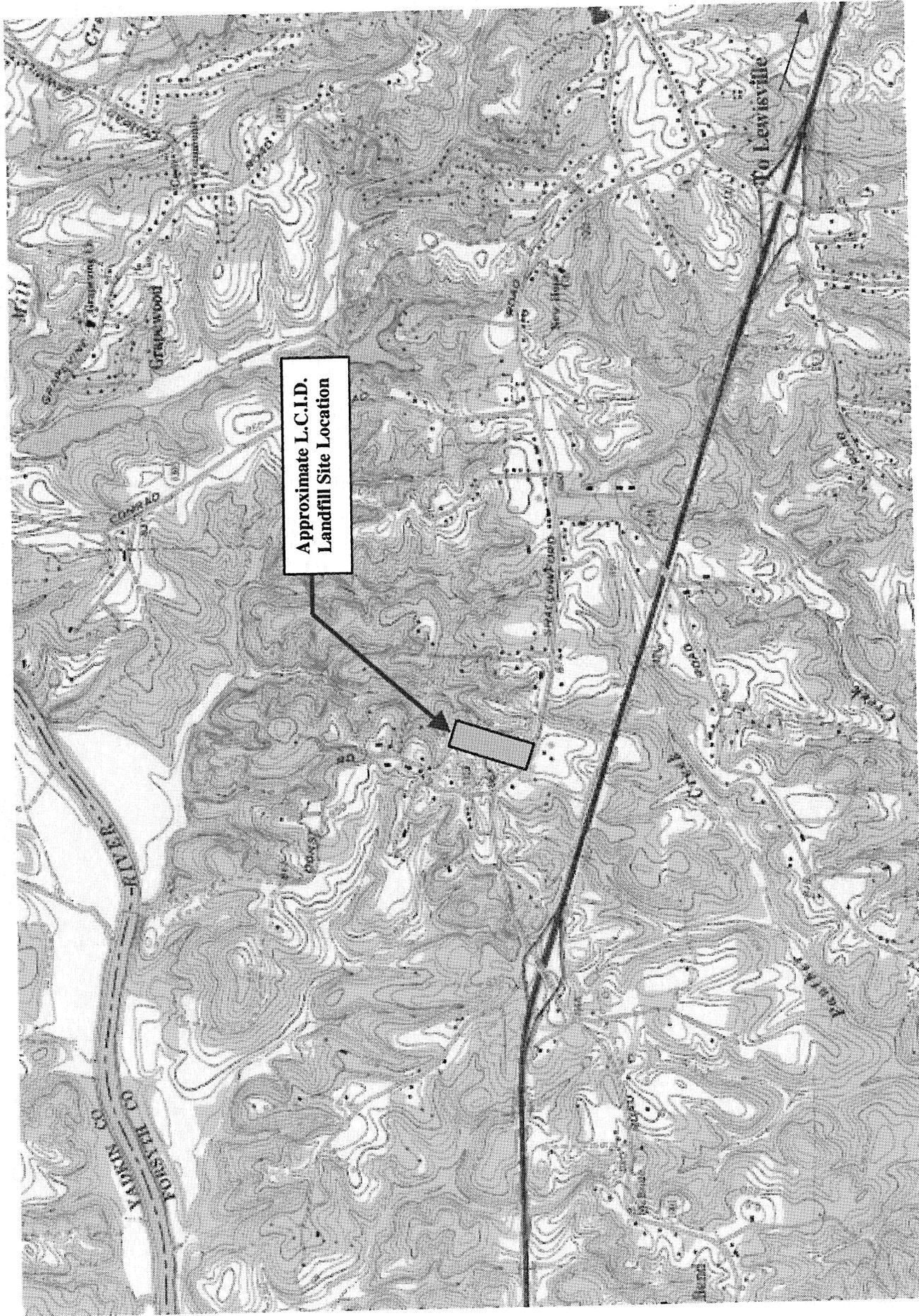
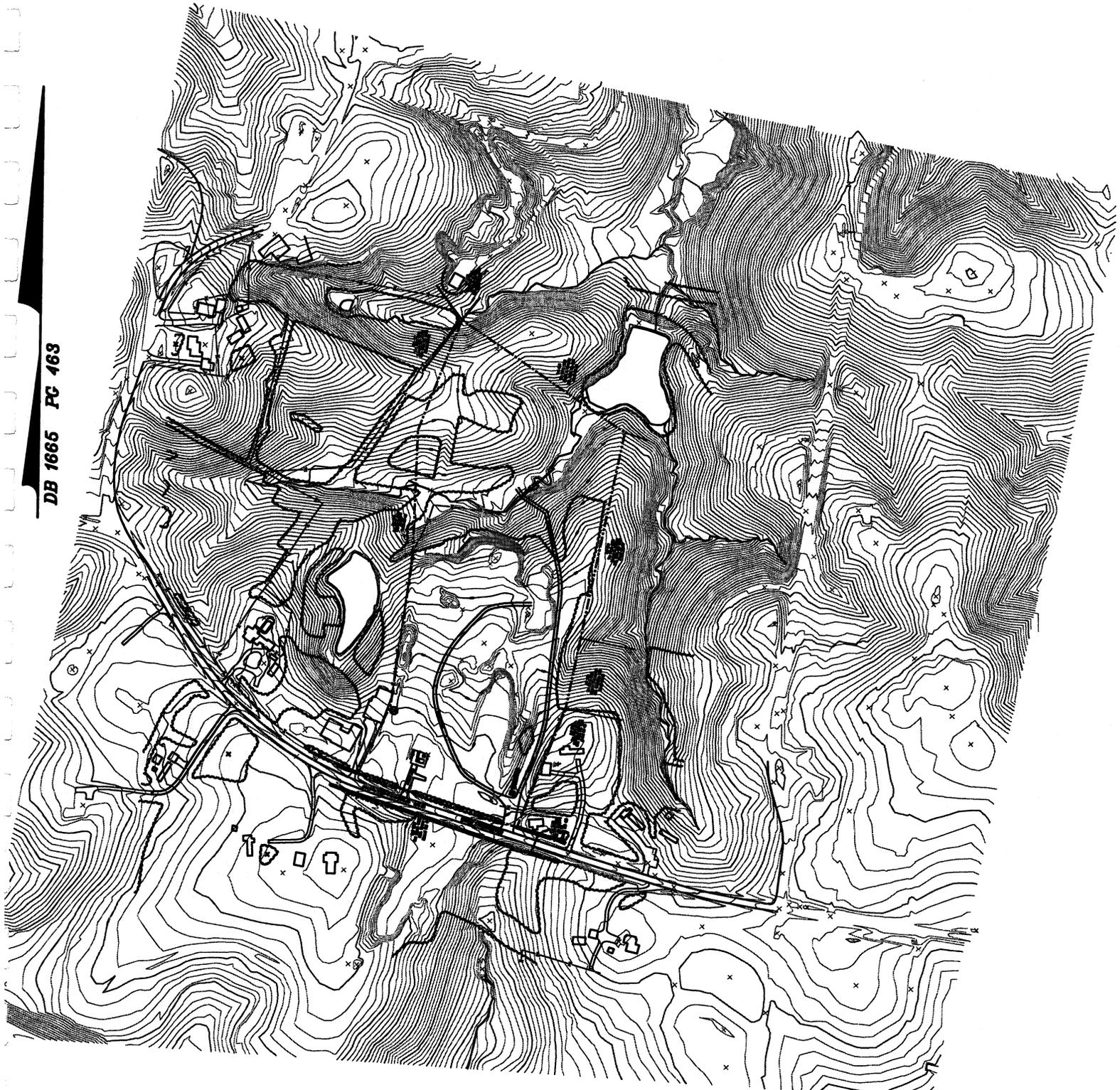


Figure 1 – Myers Property L.C.I.D. Landfill
USGS Map “Clemmons, North Carolina” Quadrangle (7.5 minute series) revised in 1994 at a scale of 1” = 2,000’

DB 1665 FC 463



MYERS LCID
VICINITY MAP
1"=400'

Drawn by: J. Matthew Dillon, White and Crumpler *Bof*

RK1682 P3766

Mail to: (Name) (Street and Number) (City) (State) (Zip)
Mail future tax bills to: (Name) (Street and Number) (City) (State) (Zip)

THIS DEED Made this the 21 day of December, 19 89 by GAIL M. BARGOIL and husband, GEORGE BARGOIL.

of Forsyth County, North Carolina. part ies of the first part, to HERBERT G. MYERS, SR. and MARTY LEE MYERS

of Forsyth County, North Carolina, part ies of the second part; Witnesseth that the said part ies of the first part, in consideration of (\$10.00 & o.v.c.) Ten Dollars and other valuable considerations to them paid by the said part ies of the second part, the receipt of which is hereby acknowledged, has/have bargained and sold, and by these presents do bargain, sell and convey unto the said part ies of the second part and their heirs a tract or parcel of land in Forsyth County, North Carolina, in Lewisville Township, and bounded as follows:

BEGINNING at an existing iron pin in the southwest corner of the H.G. Myers and Marty L. Myers land recorded in Deed Book 1665, page 463 in the office of the Forsyth County Register of Deeds; said corner bordering on Shallowford Road; running thence North 70° 30' 40" West 143.79 feet with a curve to the right, the radius of which is 2055.67; along said curve to the right to a new iron pin (with said curve being the northern right-of-way of Shallowford Road, to be the actual property line); running thence North 25° 4' 40" East 219.39 feet to a new iron pin; running thence North 7° 45' 15" East 439.80 feet to an existing iron pin; said pin being along the eastern boundary line of the Gail M. Bargoil property as recorded in the office of the Register of Deeds of Forsyth County in Book 630, page 256; running thence South 16° 7' 52" East 99.94 feet to an existing iron pin; thence South 10° 4' 24" West 345.35 feet to an existing iron pin; thence South 89° 27' 46" East 69.59 feet to an existing iron pin; thence South 12° 18' 06" West 251.60 feet to the point and place of beginning; said parcel contains .944 acres, more or less, as outlined in a survey dated November 30, 1989 by Richard P. Bennett, Registered Land Surveyor.

PROPERTY ADDRESS BLOCK 4439 LOT 14Y & part of Lot 41B

The above land was conveyed to grantor by See Estate File 83E-1225 (See Book No. 630 Page 256) TO HAVE AND TO HOLD the aforesaid tract or parcel of land all privileges and appurtenances thereunto belonging to the said part ies of the second part and their heirs and assigns forever. And the said part ies of the first part do covenant that they were seized of said premises in fee and they the right to convey the same in fee simple; that the same are free from encumbrances; and that they will warrant and defend the said title to the same against the claims of all persons whatsoever.

IN TESTIMONY WHEREOF the said part ies of the first part do hereunto set their hands and seals GAIL M. BARGOIL (Seal) GEORGE BARGOIL (Seal)

STATE OF NORTH CAROLINA - Forsyth County Joan Kleitche a Notary Public of Forsyth County, North Carolina, do hereby certify that GAIL M. BARGOIL and husband, GEORGE BARGOIL

grantor(s), each personally appeared before me this day and acknowledged the execution of the foregoing deed of conveyance. My commission expires: Witness my hand and notarial seal or stamp this the 21 day of December, 19 89 November 20, 1992 11-20-1992 Joan Kleitche, Notary Public

STATE OF NORTH CAROLINA - Forsyth County I, a Notary Public of Forsyth County, North Carolina, do hereby certify that grantor(s), each personally appeared before me this day and acknowledged the execution of the foregoing deed of conveyance. (Notarial Stamp or Seal) Witness my hand and notarial seal or stamp this the day of , 19 My commission expires , 19 , Notary Public

STATE OF NORTH CAROLINA - Forsyth County The foregoing (or annexed) certificate of Joan Kleitche N.P. Forsyth Co (here give name and official title of the officer signing the certificate, passed upon) is (are) certified to be correct. This the 21 day of Dec 19 89

STATE OF NORTH CAROLINA Real Estate Excise Tax 500.50 PB 10723

PRESENTED FOR REGISTRATION N.P. Forsyth Co L. E. Speas, Register of Deeds DECEMBER 21 3 15 PM '89 Deputy-Assistant

8.00 PD

Exhibit A

Beginning at a new iron pin located in the northern right-of-way of Shallowford Road and running from said point of beginning North 12 degrees 18 minutes 6 seconds East 251.60 feet to a new iron pin; thence North 89 degrees 27 minutes 46 seconds West 69.59 feet to a new iron pin; thence North 10 degrees 04 minutes 24 seconds East 345.35 feet to a new iron pin; thence North 16 degrees 7 minutes 52 seconds West 99.94 feet to a new iron pin; thence North 01 degrees 30 minutes East 380 feet to a new iron pin; thence North 21 degrees 06 minutes 56 seconds East 348.62 feet to an existing iron pin, said existing iron pin being at the corner of the within described tract and in Maxwell Bailey tract as described in Deed Book 1448, page 196 and the Ronald E. Simonds tract described in Deed Book 1138, page 888; thence running along the Ronald E. Simonds tract the following course: South 55 degrees, 48 minutes 00 seconds East 584.05 feet to an existing iron pin, said iron pin being the corner of the within described tract and the Ronald E. Simonds Tract and the Rodney C. Williams tract as described in Deed Book 1581, page 1013; thence along the common boundary with Rodney C. Williams, South 11 degrees 13 minutes 17 seconds West 832.86 feet to a new iron pin; thence South 21 degrees 49 minutes West 334.41 feet to a new iron pin; thence South 21 degrees 49 minutes West 42.98 feet to a new iron pin in the northern right-of-way of Shallowford Road; thence along Shallowford Road North 72 degrees 01 minutes 38 seconds West 350.00 feet to the point and place of beginning containing 15 acres, plus or minus, according to the survey by Larry L. Callahan, Registered Land Surveyor, dated March 20, 1989 and identified as Job Number 2901-3.

The above described tract is all of Tax Lot 12A and a portion of Tax Lots 14A, 41 and 110 of Block 4439. The property was obtained by the Grantor through the Will of John A. McInnis, see Estate File, 83 E 1225.

16650465

**MYERS LCID LANDFILL
FORSYTH COUNTY, NORTH CAROLINA**

BEGINNING at the Southeast corner of Gail M. Bargoil Tax Lot 4D Block 4439 along the right of way of Shallowford Road, Thence with her property line the following four calls N 25° 04' 40" E 219.39'; Thence N 07° 45' 29" E 439.85'; Thence N 01° 31' 05" E 380.02'; Thence N 21° 07' 14" E 348.56' to a 1 3/4" EIP; Thence with the property line of Ronald E. Simonds S 55° 47' 32" E 583.91'; Thence with the property line of Rodney C. Williams S 11° 13' 15" E 832.86'; Thence S 21° 49' W 377.39' to the right of way of Shallowford Road; Thence with the right of way of Shallowford Road N 72° 01' 30" W 350.08'; Thence with a curve to right N 70° 31' 05" W 143.84' chord distance with a radius of 2055.67' to the point and place of beginning containing 15.944 acres +/-

City of
Lewisville

YADKIN RIVER

ZONE A

FORSYTH COUNTY
CITY OF LEWISVILLE

CONRAD RD

RD

ZONE X

Forsyth County
Unincorporated Areas
375349

DORSE RD

SITE

PILOT VIEW DR

CORPORATE LIMITS FOR THE CITY OF
LEWISVILLE ARE SHOWN FOR INFORMATION
PURPOSES ONLY. THE UNINCORPORATED
AREAS OF FORSYTH COUNTY HAVE LAND USE
JURISDICTION OVER THIS AREA.

1304

SHALLOWFORD RD

421

ZONE X

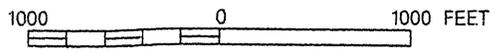
1175

COUNTRY LN

City of
Lewisville



APPROXIMATE SCALE



M

NATIONAL FLOOD INSURANCE PROGRAM

**FIRM
FLOOD INSURANCE RATE MAP
FORSYTH COUNTY,
NORTH CAROLINA
AND INCORPORATED AREAS**

PANEL 230 OF 377

(SEE MAP INDEX FOR PANELS NOT PRINTED)

CONTAINS:

| <u>COMMUNITY</u> | <u>NUMBER</u> | <u>PANEL</u> | <u>SUFFIX</u> |
|------------------|---------------|--------------|---------------|
| FORSYTH COUNTY | 375349 | 0230 | H |

D)

X

Notice to User: The MAP NUMBER shown below should be used when placing map orders; the COMMUNITY NUMBER shown above should be used on insurance applications for the subject community.

**MAP NUMBER
37067C0230 H**

**EFFECTIVE DATE:
OCTOBER 20, 1998**



Federal Emergency Management Agency

36° 03' 45 "
15 "

cy

III. CORRESPONDENCE AND DOCUMENTATION



CITY OF WINSTON-SALEM

INSPECTIONS DIVISION

100 E. FIRST STREET, SUITE 328 • WINSTON-SALEM, NORTH CAROLINA 27101
FAX 336-727-2792

November 8, 2001

**Allied Land Surveying Company, P.A.
4720 Kester Mill Road
Winston-Salem, NC 27103**

**Re: Herbert Myers (LCID)
Block 4439, Lots 208, 210, 211, 212 & 41A
Forsyth County Tax Maps**

To Whom It May Concern:

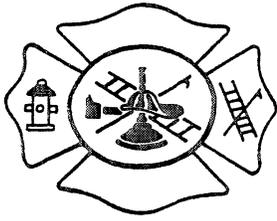
As of this date the zoning maps in the Inspections Division show the above referenced property to be zoned Residential Single Family-40 (RS-40) which does allow Landfills, Land Clearing/Inert Debris (LCID).

If we can be of further assistance, please call me at (3336) 727-2625.

Sincerely,

**Richard Little
Permit Office Supervisor**

RL/vmp



LEWISVILLE FIRE DEPARTMENT

216 Lewisville-Clemmons Road
Lewisville, North Carolina 27023
Phone: (336) 945-5983



April 29, 2002

To Whom It May Concern:

The property located at 7815 Shallowford Road, Lewisville, N.C. is in Lewisville Fire Department's fire and rescue district. Our department responds to any call for service at the above-mentioned address.

Chief Wes Lail
Lewisville Fire Department



Allied Design, Inc.

CIVIL ENGINEERING ♦ LAND SURVEYING

April 14, 2000

Mr. Randy Wilson
North Carolina Wildlife Resources Commission
512 North Salisbury Street
Raleigh, North Carolina 27604

**SUBJECT: IMPACTS TO ENDANGERED OR THREATENED SPECIES
LAND CLEARING AND INERT DEBRIS LANDFILL
LEWISVILLE, NORTH CAROLINA**

Dear Mr. Wilson:

This letter is being written in order to investigate whether an existing Land Clearing/Inert Debris (LCID) Landfill possess a threat to any endangered and/or threatened species of plant, fish or wildlife or to the destruction of their habitat as identified in 50 CFR Part 17. The LCID Landfill is located at 7805 Shallowford Road, Lewisville, North Carolina. Attached is Figure 1, which shows the LCID Landfill location on the Clemmons Quadrangle map.

Currently, there is an LCID Landfill operating at this location that was previously permitted by the NCDENR, Division of Waste Management, under North Carolina Administrative Code 15A NCAC 13B 0.0506 and 0.0507 for Demolition Landfills. The LCID Landfill now requires permitting under the newly adopted rules of 15A NCAC 13B 0.0560 - 0.0566.

In accordance with the subject permitting requirements we are requesting a letter from your office stating whether or not the LCID possess a threat to any endangered and/or threatened species of plant, fish or wildlife or to the destruction of their habitat as identified in 50 CFR Part 17. Please forward a letter to our office summarizing your findings as soon as you have completed an investigation.

If there are any questions or if additional information is needed, please contact me at (336) 765-2377. We appreciate your assistance with this project.

Sincerely,

Steve M. Causey, P.E.

Enclosures: As Noted Above

cc: Mr. Herb Myers



Allied Design, Inc.

CIVIL ENGINEERING ♦ LAND SURVEYING

April 14, 2000

Mr. David Brooks
Archaeology and Historic Preservation
4617 Mail Service Center
Raleigh, North Carolina 27699-4617

**SUBJECT: IMPACTS TO ARCHAEOLOGICAL/HISTORIC SITES
LAND CLEARING AND INERT DEBRIS LANDFILL
LEWISVILLE, NORTH CAROLINA**

Dear Mr. Brooks:

This letter is being written in order to investigate whether an existing Land Clearing/Inert Debris (LCID) Landfill poses a threat to any archaeological and/or historical site. The LCID Landfill is located at 7805 Shallowford Road, Lewisville, North Carolina. Attached is Figure 1, which shows the LCID Landfill location on the Clemmons Quadrangle map.

Currently, there is an LCID Landfill operating at this location that was previously permitted by the NCDENR, Division of Waste Management, under North Carolina Administrative Code 15A NCAC 13B 0.0506 and 0.0507 for Demolition Landfills. The LCID Landfill now requires permitting under the newly adopted rules of 15A NCAC 13B 0.0560 - 0.0566.

In accordance with the subject permitting requirements we are requesting a letter from your office stating whether or not the LCID Landfill possess a threat to any archaeological and/or historical sites. Please forward a letter to our office summarizing your findings as soon as you have completed an investigation.

If there are any questions or if additional information is needed, please contact me at (336) 765-2377. We appreciate your assistance with this project.

Sincerely,

Steve M. Causey, P.E.

Enclosures: As Noted Above

cc: Mr. Herb Myers



North Carolina Department of Cultural Resources

State Historic Preservation Office

David L. S. Brook, Administrator

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

Division of Archives and History
Jeffrey J. Crow, Director

May 4, 2000

Steve M. Causey, PE
Allied Designs, Inc.
4720 Kester Mill Road
Winston Salem, NC 27103

Re: LCID Landfill, 7805 Shallowford Rd., Lewisville, Forsyth County, ER 00-9576

Dear Mr. Causey:

Thank you for your letter of April 14, 2000, 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,

Handwritten signature of Renee Gledhill-Earley

David Brook
Deputy State Historic Preservation Officer

DB: scb

Table with 4 columns: ADMINISTRATION, ARCHAEOLOGY, RESTORATION, SURVEY & PLANNING; Location; Mailing Address; Telephone/Fax.



Allied Design, Inc.

CIVIL ENGINEERING ♦ LAND SURVEYING

April 12, 2000

Ms. Linda Pearsall
Natural Heritage Program
Division of Parks & Recreation
1615 Mail Service Center
Raleigh, North Carolina 27699-1615

**SUBJECT: IMPACTS TO PARKS AND RECREATIONAL SITES
LAND CLEARING AND INERT DEBRIS LANDFILL
LEWISVILLE, NORTH CAROLINA**

Dear Ms. Pearsall:

This letter is being written in order to investigate whether an existing Land Clearing/Inert Debris (LCID) Landfill causes any adverse impacts on a state park, recreation or scenic area, or any lands in the state nature and historic preserve. The LCID Landfill is located at 7805 Shallowford Road, Lewisville, North Carolina. Attached is Figure 1, which shows the LCID Landfill location on the Clemmons Quadrangle map.

Currently, there is an LCID Landfill operating at this location that was previously permitted by the NCDENR, Division of Waste Management, under North Carolina Administrative Code 15A NCAC 13B 0.0506 and 0.0507 for Demolition Landfills. The LCID Landfill now requires permitting under the newly adopted rules of 15A NCAC 13B 0.0560 - 0.0566.

In accordance with the subject permitting requirements we are requesting a letter from your office stating whether or not the LCID causes any adverse impacts on a state park, recreation or scenic area, or any lands in the state nature and historic preserve. Please forward a letter to our office summarizing your findings as soon as you have completed an investigation.

If there are any questions or if additional information is needed, please contact me at (336) 765-2377. We appreciate your assistance with this project.

Sincerely,

Steve M. Causey, P.E.

Enclosures: As Noted Above

cc: Mr. Herb Myers



Allied Design, Inc.

CIVIL ENGINEERING ♦ LAND SURVEYING

April 12, 2000

Mr. John Thomas
U. S. Army Corps of Engineers
6508 Falls of the Neuse Road, Suite 120
Raleigh, North Carolina 27615

**SUBJECT: IMPACTS TO JURISDICTIONAL WETLANDS
LAND CLEARING AND INERT DEBRIS LANDFILL
LEWISVILLE, NORTH CAROLINA**

Dear Mr. Thomas:

This letter is being written in order to investigate whether an existing Land Clearing/Inert Debris (LCID) Landfill encroaches on jurisdictional wetlands. The LCID Landfill is located at 7805 Shallowford Road, Lewisville, North Carolina. Attached is Figure 1, which shows the LCID Landfill location on the Clemmons Quadrangle map.

Currently, there is an LCID Landfill operating at this location that was previously permitted by the NCDENR, Division of Waste Management, under North Carolina Administrative Code 15A NCAC 13B 0.0506 and 0.0507 for Demolition Landfills. The LCID Landfill now requires permitting under the newly adopted rules of 15A NCAC 13B 0.0560 - 0.0566.

In accordance with the subject permitting requirements we are requesting a letter from your office stating whether or not the LCID Landfill will encroach on jurisdictional wetlands. Please forward a letter to our office summarizing your findings as soon as you have completed an investigation.

If there are any questions or if additional information is needed, please contact me at (336) 765-2377. We appreciate your assistance with this project.

Sincerely,

Steve M. Causey, P.E.

Enclosures: As Noted Above

cc: Mr. Herb Myers



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS

P.O. BOX 1890
WILMINGTON, NORTH CAROLINA 28402-1890
October 5, 2001

IN REPLY REFER TO

Regulatory Division

Action ID No. 200220051

Mr. Herb Myers
820 Ellington Drive
Lewisville, North Carolina 27104

Dear Mr. Myers:

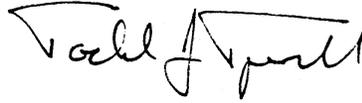
Reference is made to our meeting of September 12, 2001 on your property located on the north side of Shallowford Road, in Lewisville, Forsyth County, North Carolina. Also attending the meeting were Mr. Richard Bennett and Mr. Steve Causey with Allied Design, Inc. The site is adjacent to an unnamed tributary of Tomahawk Creek in the Yadkin River Basin. The purpose of the meeting was to review the site for potential wetland impacts associated with the existing land clearing and inert debris landfill located on your property.

During the meeting it was determined that a road crossing was recently constructed across the intermittent tributary located on your property. The purpose of the crossing was to gain access to high ground located toward the back of the site. In certain circumstances, where impacts are confined within the banks of stream channels, Nationwide permit 14 allows the construction of roads across stream channels without prior notification. As this is the case on your property, the existing road crossing is covered by Nationwide permit 14.

You should be aware, however, that there are other waters of the U.S., including wetlands, located on your property that are subject to our regulatory authority pursuant to Section 404 of the Clean Water Act. While none of these areas were disturbed at the time of the visit, any discharge of excavated or fill material into these areas will require prior Department of the Army (DA) permit authorization. The type of DA authorization required (i.e., general or individual permit) will be determined by the location, type, and extent of jurisdictional area impacted by the project, and by the project design and construction limits. Additionally, we recommend that a more detailed delineation of the wetlands present within the project area be performed. When this information becomes available, it should be forwarded to our office for review and comment, as well as a determination of DA permit eligibility.

Should you have any further questions related to DA permits for this project, please contact me at 919-876-8441, extension 26.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd J. Tugwell". The signature is written in a cursive style with a large initial "T" and a long horizontal stroke at the end.

Todd J. Tugwell
Regulatory Specialist,
Raleigh Field Office

Copy Furnished:

Mr. Steve Causey
Allied Design, Inc.
4720 Kester Mill Road
Winston-Salem, NC 27103



State of North Carolina
Department of Environment, Health, and Natural Resources
Division of Environmental Management
512 North Salisbury Street • Raleigh, North Carolina 27611

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

January 22, 1990

R. Paul Wilms
Director

Mr. Richard P. Bennett, R.L.S.
Allied Land Surveying Company
165 Elliot Drive
Winston-Salem, North Carolina 27104

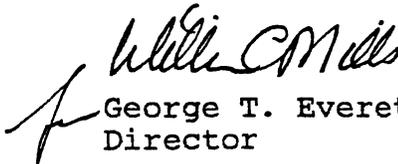
Dear Mr. Bennett:

Subject: Proposed Fill in Headwaters or Isolated Wetlands
Myers Property
Forsyth County

Upon review of your request for Water Quality Certification to place fill material in a wetland area adjacent to a tributary of Yadkin River, we have determined that the proposed fill can be covered by General Water Quality Certification No. 2176 issued November 4, 1987. A copy of the General Certification is attached. This Certification may be used in qualifying for coverage under Corps of Engineers' Nationwide Permit No. 26.

If you have any questions, please contact Bill Mills at 919/733-5083.

Sincerely,


George T. Everett
Director

Attachment

cc: Wilmington District Corps of Engineers
Winston-Salem Regional Office

Copies Furnished (without enclosure):

Mr. John Parker
North Carolina Department of
Environment, Health, and
Natural Resources
Post Office Box 27687
Raleigh, North Carolina 27611-7687

Mr. William Mills
Water Quality Section
Division of Environmental Management
North Carolina Department of Environment,
Health, and Natural Resources
Post Office Box 27687
Raleigh, North Carolina 27611-7687

Regional Office Manager
North Carolina Department of Environment,
Health, and Natural Resources
8025 North Point Boulevard
Suite 100
Winston-Salem, North Carolina 27106

Copy Furnished (with wetland form and map):

Environmental Protection Agency
Agency -Region IV
Wetlands Section - Water Quality Branch
345 Courtland Street, N.E.
Atlanta, Georgia 30365

GENERAL CERTIFICATION

THIS GENERAL CERTIFICATION is issued in conformity with the requirements of Section 401, Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Environmental Management Regulations in 15NCAC2H, Section .0500 for the discharge of fill material to navigable waters or adjacent wetlands areas which are above the headwaters or to wetland areas that are not a part of the surface tributary system to interstate waters or navigable waters of the United States (i.e. isolated wetlands) as described in 33 CFR 330.5(a)(26) of the Corps of Engineers' regulations. The category of activities shall include any fill activity in these headwaters and isolated wetlands areas where the activity does not result in the loss or substantial modification of 10 acres or more of waters of the United States, including wetlands.

The State of North Carolina certifies that the specified category of activity will not violate Sections 301, 302, 303, 306 and 307 of the Public Laws 92-500 and 95-217 if conducted in accordance with the conditions hereinafter set forth.

Conditions of Certification:

1. Proposed fill or substantial modification of 1 to 10 acres of such waters, including wetlands, requires a written concurrence from the Division of Environmental Management. Activities involving less than one acre do not require written concurrence.
2. Excluded from this General Certification are discharges of fill in waters classified WS I, II, or III (public water supplies) and SA (shellfish waters). This exclusion also applies to fill in wetlands adjacent to these waters. Discharge proposed for these waters or wetlands must be considered for certification on a case-by-case basis;



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1890
WILMINGTON, NORTH CAROLINA 28402-1890

January 25, 1990

IN REPLY REFER TO

Regulatory Branch

SUBJECT: CESAW-C089-D-034 and Nationwide Permit No. 26

Mr. Richard P. Bennett
Allied Land Surveying Company
165 Elliot Drive
Winston-Salem, North Carolina 27104

Dear Mr. Bennett:

Reference is made to your meeting of January 11, 1990, with Mr. Ken Jolly of my staff on a 15-acre tract north of Shallowford Road near Lewisville, Forsyth County, North Carolina. The purpose of that meeting was to inspect the site for the presence of waters or wetlands subject to Department of the Army regulatory jurisdiction. Reference also your letter of January 12, 1990, in which you submitted plans for the proposed work and requested Department of the Army permit authorization for the placement of fill into 0.38 acre of wetlands located adjacent to, and above the headwaters of, an unnamed tributary to the Yadkin River.

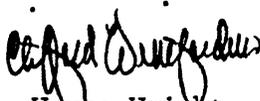
For the purposes of the Corps of Engineers' Regulatory Program, Title 33, Code of Federal Regulations (CFR), Part 330, published in the Federal Register on November 13, 1986, lists nationwide permits. Authorization was provided for discharges of dredged or fill material into non-tidal rivers, streams, and their lakes and impoundments, including adjacent wetlands, that are located above the headwaters and other non-tidal waters of the United States, including adjacent wetlands, that are not a part of a surface tributary system to interstate waters or navigable waters of the United States.

Your work, involving the discharge of fill material into 0.38 acre of waters and wetlands located above the headwaters of the aforementioned tributary, is authorized by nationwide permit provided it is accomplished in strict accordance with the enclosed conditions. This authorization is valid for a period of two years from the date of this letter.

You should contact Mr. William Mills, N.C. Division of Environmental Management, (919) 733-5083, to obtain the necessary Section 401, Water Quality Certification prior to starting work. Please be aware that this authorization does not relieve you of the responsibility to obtain any other required State or local approval.

Thank you for your time and cooperation. If you have any questions, please contact Mr. Ken Jolly, Raleigh Regulatory Field Office, telephone (919) 846-1217.

Sincerely,


G. Wayne Wright
Acting Chief, Regulatory Branch

Enclosure

CONDITIONS

a. Any discharge of dredged or fill material will not occur in the proximity of a public water supply.

b. The activity will not jeopardize a threatened or endangered species as identified under the Endangered Species Act, or destroy or adversely modify the critical habitat of such species.

c. The activity will not significantly disrupt the movement of those species of aquatic life indigenous to the waterbody (unless the primary purpose of the fill is to impound water).

d. Any discharge of dredged or fill material will consist of suitable material free from toxic pollutants.

e. Any structure or fill will be properly maintained.

f. If the activity may adversely affect historic properties which the National Park Service has listed on, or determined eligible for listing on, the National Register of Historic Places, or if significant historic properties are encountered before or during work, the permittee will notify the District Engineer.

g. An individual state water quality certification must be obtained or waived. Conditions of certification will be considered to be special conditions of the Federal nationwide permit.

h. The following management practices will be followed to the maximum extent:

(1) Discharges of dredged or fill material into waters of the United States will be avoided or minimized through the use of other practical alternatives.

(2) Discharges in spawning areas during spawning seasons will be avoided.

(3) Discharges will not restrict or impede the movement of aquatic species indigenous to the waters or the passage of normal or expected high flows or cause the relocation of the waters (unless the primary purpose of the fill is to impound water).

(4) If the discharge creates an impoundment of water, adverse impacts on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow will be minimized.

(5) Discharge in wetland areas will be avoided.

(6) Heavy equipment working in wetlands will be placed on mats.

(7) Discharges into breeding areas for migratory waterfowl will be avoided.

(8) All temporary fills will be removed in their entirety.

IV. OPERATIONAL PLAN

A. Name and Address

Mr. Herbert G. Myers
820 Ellington Drive
Lewisville, North Carolina 27104
(336) 765-2362 (LCID Site)
(336) 407-1010 (Mobile)

B. Project Land Use After Closure

The proposed land use after closure of the LCID will include a mix of residential and agricultural uses. If future zoning classifications permit, the property may realize commercial development.

The Owner/Operator currently operates a "Processing and Treatment Facility" on the site for recycling of materials received. The property will be continually used for processing and treatment as allowed by the local ordinance even after the fill areas are completely utilized.

The front portion of the property and the areas characterized by more desirable topography have been potentially identified for single-family residential development. The remaining portions of the property will be utilized for grass pastures and/or may be reforested.

If the zoning classifications in the area are revised to designations that allow commercial or higher intensity development, the property owner may investigate alternate development scenarios.

C. Operational Plan¹

1. The facility shall only accept those solid wastes that it is permitted to receive.
2. Solid waste shall be restricted to the smallest area feasible and compacted as densely as practical into cells.
3. Adequate soil cover shall be applied monthly, or when the active area reaches one acre in size, whichever occurs first.
4. 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

¹ North Carolina Administrative Code, NCAC 13B.0566

which is or may become injurious to the public health, or a nuisance to the community.

5. Adequate erosion control measures, structures, or devices shall be utilized to prevent silt from leaving the site and to prevent excessive on site erosion.
6. 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.
7. 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.
8. Access roads shall be of all-weather construction and properly maintained.
9. Surface water shall be diverted from the working face and shall not be impounded over waste.
10. Solid waste shall not be disposed of in water.
11. Open burning of solid waste is prohibited.
12. 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.
13. Leachate shall be properly managed on site through the use of current best management practices.
14. 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.
15. 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.

D. Site Specific Operational Plan

1. Vehicles entering the site for LCID material disposition will be met by on-site employees/personnel. Staff will inspect to the extent possible the material content of the load. Vehicles loaded with material not acceptable for disposal in an LCID will be immediately turned around and not allowed to dump. Staff will estimate the volume of material to be received and make a record of the volume and type of material. Materials that will be accepted are specified in Section E below. Estimated waste stream volumes for the materials to be received in Section F below.
2. Materials deemed acceptable will be directed on-site to the general vicinity of the proper disposal or stockpile areas. Unsuitable materials that were not originally detected will be immediately reloaded on the truck. If during later screening operations, unsuitable materials are discovered, these items will be stockpiled in a suitable area on-site for later disposal in an approved sanitary landfill (most likely Hanes Mill Landfill). Unsuitable materials will be removed as the volume accumulates to a truck load capacity (approximately 6 cubic yards) or no less than annually.
3. Dumped materials that are not immediately processed will be stockpiled in designated areas. Materials will be processed prior to volumes exceeding 100 cubic yards or no less frequently than every two weeks.
4. Surface water will be directed via permanent and/or temporary ditches and swales to the necessary erosion control measures to prevent water from ponding and softening of work areas.
5. Asphalt, brick and concrete materials will be screened, sorted and stockpiled on site for processing and recycling. Excessive quantities will be landfilled at the appropriate time and as operations permit. Quantities and materials suitable for use as beneficial fill will be resold or removed from the site as the market determines.
6. Wooded materials brought on-site will be screened and separated. Materials will be processed to remove excessive soil materials. Logs and large limbs suitable for saw milling operations will be stored on-site in designated areas. These materials will be sold or removed from the site as market determines. Large stumps will be reduced in size suitable for grinding. Limbs and other wood debris will be ground on-site as well. Wood products will be processed, ground, composted and stored on-site to produce a viable and marketable mulch product. Mulch products will be made available for sale to the public.
7. Soil materials removed from the waste stream process will be stockpiled on-site and utilized for final covers. Final covers over fill areas will be provided as the

landfill volumes near the proposed finished grades. Temporary soil covers may be applied to active fill areas that remain inactive over four months.

8. The Operator will maintain appropriate equipment on-site to process and handle the waste products. Equipment will be of sufficient size and capacity to move, process and dispose of received materials.
9. Appropriate measure shall be taken to control flies, rodents and other insects and vermin on-site. This may include use of insecticides, traps and other measures.
10. The facility staff will perform routine inspections of the grounds and surrounding areas to collect and dispose of windblown materials from the site.
11. The Operator will provide sufficient means for dust control from the site. This may include watering and temporary ground covers. Necessary provisions will be in place to remove mud and sediment that may be transported from the site.

E. Acceptable Waste Stream

As defined by the North Carolina Solid Waste Section, "Land clearing debris is defined in the rules as waste that is generated solely through land clearing activities such as stumps, trees, limbs, brush, grass, and other naturally occurring vegetative matter.

A land clearing-inert debris landfill is defined in the rules as a facility for the land disposal of land clearing waste, concrete, brick, concrete block, uncontaminated soil, gravel and rock, untreated and unpainted wood, and yard trash.

Yard trash is defined as solid waste resulting from landscaping and yard maintenance such as grass, tree limbs, and similar material."

In accordance with these guidelines, only materials allowed under the rules will be received in the facility. These materials include, but are not limited to: stumps, logs, brush, limbs and other naturally occurring vegetative matter; unpainted concrete, concrete block, gravel, rock and unpainted asphalt; and unpainted and untreated wood and lumber.

F. Estimated Waste Stream Volume

It is estimated that approximately 10 truckloads of material are received daily with an average volume of six to eight cubic yards each. This equates to approximately 17,500 cubic yards of waste materials are received and processed at the facility annually. This amount is broken down into the following estimated volumes:

| Waste Stream Material (Estimated Annual Volumes) | Received | | Recycled | |
|--|-------------|---------------|------------|---------------|
| | % | Volume | % | Volume |
| 1. Asphalt, Brick, Concrete | 15% | 2,600 | 6% | 1,050 |
| 2. Saw Logs | 8% | 1,400 | 6% | 1,050 |
| 3. Limbs, Brush, Stumps, Wood & Other Wood Materials | 77% | 13,450 | 50% | 8,750 |
| 4. Unacceptable Materials | 1% | 50 | NA | |
| TOTAL | 100% | 17,500 | 62% | 10,850 |

G. Available Landfill Volume

Proposed finished cover contours are indicated on the Overall Site Plan, Sheet C1. This plan indicates final grades over existing active fill areas on the south side of the creek as well as finished grade contours over the future fill area on the north side of the creek. The available fill volumes for these cells were computed utilizing earthwork computation software and an assumed cover of 12-inches. The available volumes or landfill capacities are summarized as follows:

| Landfill Area | Available Volume (cubic yards) |
|----------------------------------|-----------------------------------|
| 1. Existing Areas North of Creek | 4,000 |
| 2. Proposed Cell South of Creek | 60,000 |
| TOTAL | 64,000 |

H. Capacity Calculation

Based on the estimated waste stream volumes received and recycled as indicated in the table above in Section F, the total annual landfilled volume would be approximately 6,650 cubic yards.

The total available capacity for bury is approximately 64,000 cubic yards.

Based on these volumes the Myers LCID would have a projected life span of over nine years.

I. Emergency Management Plan

In the event of fire or accidents on-site during normal operating hours, the Operator or employee(s) on-site will make emergency contact through the Forsyth County 911 system who will dispatch the appropriate emergency unit(s). The Lewisville Fire Department is located approximately 2 miles from the site. *(See attached letter from Lewisville Volunteer Fire Department regarding response.)*

The operator maintains equipment on-site with capabilities of turning mulch piles and removing combustible materials from a fire. The Owner/Operator maintains a fire pumper truck on-site to assist in emergency management and fire control.

In the event of fire on-site during non-operating hours, persons observing the incident should be able to contact the Owner/Operator from the contact information provided on the front gate. The Owner/Operator will contact the 911 system and respond to the site. Persons observing an incident could also contact 911.

J. Equipment List

The Owner/Operator currently maintains the following equipment on-site:

1. 1-Grinder
2. 3-Track Loader
3. 1-Track Excavator
4. 2-Tandem Axle Dump Trucks
5. 1-Fire Pumper Truck

In the event of equipment failure, the Owner has arrangements with various local contractors to borrow equipment. Leasing options are also available to provide solutions for equipment replacement.

K. Annual Notification

The Annual Notification will be received from the Raleigh NCDENR office. The Owner/Operator will complete the form and return the completed form to the Division of Waste Management. Copies of the notification will be kept on file as required by the rules.

V. DEVELOPMENT AND SITE PLANS