Doc ID: 014230350012 Type: CRP
Recorded: 11/12/2010 at 04:09:13 PM
Fee Amt: $47.00 Page 1 of 12
Instr# 201000015851
Gaston, NC
Susan S. Lockridge Register of Deeds
BK 4539 PG 833-844

RECORDING FEE 47.00

CC. #27.00

RECEIVED NOV 17 2010 SOLID WASTE SECTION

AFFIDAVIT OF CORRECTION OF TYPOGRAPHICAL OR OTHER MINOR ERROR

Pursuant to N.C.G.S. 47-36.1

NORTH CAROLINA
GASTON COUNTY

Each undersigned Affiant, jointly and severally, being first duly sworn, hereby swears or affirms that the LANDFILL PERMIT -(type of original instrument being corrected) recorded on *October 29, 2010* -(date) in **Book 4537 at Page 525**, GASTON County Registry, by and between North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Grantor) and Dwayne E. McCorkle (Grantee), -(original parties) contained the following typographical or other minor error:

Attachment 1, Attachment 2, and Attachment 3 were not attached to the document when previously recorded by clerical error.

Affiant makes this Affidavit for the purpose of correcting the above-described instrument as follows: **By attaching to the previously recorded document Attachment 1, Attachment 2, and Attachment 3 in order to record the entire document as required by NCDENR.**

Affiant is knowledgeable of the agreement and the intention of the parties in this regard. Affiant is the:
(check one)

_____ Drafter of original instrument being corrected
_____ Closing attorney for transaction involving instrument being corrected
_____ Attorney for grantor/mortgagor named above in instrument being corrected
____X____ Owner of the property described in instrument being corrected
_____ Other (Explain: __)

A copy of the original instrument (in part or in whole) __X___ is OR _____ is not attached.

If this Affidavit pertains to a Deed of Trust, the same Note which secures this recording also secures the previous recording in Book N/A at Page N/A in the Gaston County Register of Deeds Office.

This 12 day of November, 2010. Dwayne E McCorkle (Seal)
Dwayne E. McCorkle

NORTH CAROLINA
GASTON COUNTY

I, Alana N. Flowers, Notary Public of Gaston County, North Carolina, do hereby certify that DWAYNE E. McCORKLE, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal this 12 day of November, 2010.

Alana N. Flowers
Notary Public

My commission expires:

ALANA N. FLOWERS
Notary Public
Gaston County, NC
My Commission Expires August 01, 2012

ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit	Date
Date of Original Issue	March 31,1991
Permit Amendment- Name Change- Formerly James Lewis LCID	October 21, 2010

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *Old 27 LCID Landfill. Permit Renewal Application* - Permit No. 36-A. Prepared by Dwayne E. McCorkle, owner; and Mitchell S. Latham, P.E. and James L.Walters, P.E. of Latham-Walters Engineering, Inc. – September 8. 2010; Document ID No.11720.

2. Correspondence associated with this permit: February 4, 2010 through October 8, 2010. Document ID No. 11719.

3. Historical information: Previous permit issued December 31, 1991 and associated drawings. Document ID No. 11718.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Property	Book	Page	Acreage	Grantor	Grantee
Permit issued October 21, 2010	4518	697-699	28.66 acres	JAMES H.LEWIS, and wife; JUDITH B. LEWIS; RODNEY LEWIS, and wife; DAPHNE M. LEWIS; and DWAYNE ERIC McCORKLE, Single and Unmarried	DWAYNE ERIC McCORKLE 1204 Old Highway 27, Mt. Holly, NC 28120
Total Site Acreage:			**28.66 acres**		

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

PART IV: GENERAL PERMIT CONDITIONS

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B .0201(e), a land clearing and inert debris solid waste management facility permit may be combined in two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct shall expire on October 21, 2015. The Permit to Construct conditions are stated in Attachment 2 of this permit. The Permit to Operate shall expire October 21, 2015. The Permit to Operate conditions are contained in Attachment 3 of this permit.

2. The persons to whom this permit is issued ("permittee") are the owners and operators of the solid waste management facility.

3. This permit shall not be effective unless the certified copy is filed in the Register of Deeds Office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording must be returned to the Division of Waste Management, within 30 (thirty) calendar days. If the Section does not receive the certified copy of the recorded permit within 30 calendar days of issuance of the permit, then and in that event, the permit is suspended and of no effect until the date the Section receives the certified copy of the recorded permit.

4. When this property is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer must contain in the deed description section, in no smaller type than that used in the body of the deed or instrument, a statement that the property has been used as a land clearing and inert debris landfill and a reference by book and page to the recordation of the permit.

5. By beginning construction or receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.

6. Construction and operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit; and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.

7. The permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 1, "List of Documents for

Approved Plan," and which constitute the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.

8. This permit may be transferred only with the approval of the Section, through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g), the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to, a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.

9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for sedimentation and erosion control, and a General or Individual National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit, if applicable. Issuance of this permit does not remove the permittee's responsibilities for compliance with any other local, state or federal rule, regulation or statute.

- End of Section -

ATTACHMENT 2
CONDITIONS OF PERMIT TO CONSTRUCT

PART I: FACILITY SPECIFIC CONDITIONS

1. Pursuant to the NC Solid Waste Management Rules (Rule) 15A NCAC 13B .0201(c) and (e), this permit approves further operation of the Old 27 LCID Landfill according to the approved plans / documentation prepared by James L.Walters, P.E. of Latham –Walters Engineering, Inc. dated September 8, 2010, on behalf of Dwayne E. McCorkle, landfill owner; Document ID No.11720. No further lateral construction of the landfill is allowed at this time. Any revisions to these approved plans must be approved by the North Carolina Solid Waste Section.

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

    a. Written certification from a Registered Professional Engineer must be submitted to the Section certifying that the waste disposal unit(s) has been constructed in accordance with the approved plans.

    b. A sign must be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566(16).

    c. The disposal unit boundary must be accurately identified with permanent markers.

    d. A site inspection and pre-operative meeting must be conducted by a representative of the Section. The permittee must notify the Section's Environmental Senior Specialist and make arrangements for the site inspection and pre-operative meeting.

    e. After completion of the requirements in subparagraphs a. through d. above, the Section Environmental Senior Specialist shall notify the Permitting Branch Supervisor by letter or email that the pre-operative requirements have been met and that the unit(s) may commence receiving waste. The permittee will be copied on the notification and may begin receiving waste at that time.

EROSION AND SEDIMENTATION CONTROL REQUIREMENTS

3. All earth disturbing activities must be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4) and consistent with any other local, state or federal requirements.

4. Facility construction, operations or practices must not cause or result in a discharge of pollution, dredged material, and/or fill material into waters of the state in violation of the requirements under Sections 401 and 404 of the Clean Water Act, as amended.

5. Modifications to the approved sedimentation and erosion control activities require approval by the North Carolina Land Quality Section. The permittee must notify the Section of any sedimentation and erosion control plan modifications.

- End of Section -

ATTACHMENT 3

CONDITIONS OF PERMIT TO OPERATE

PART I: FACILITY SPECIFIC CONDITIONS

1. This Permit to Operate expires October 21, 2015. Pursuant to 15A NCAC 13B .0201(g), no later than April , 2015, the owner or operator must submit a request to the Section for permit review and must submit updated facility plans meeting the requirements of Rule 0.565 and .0566.

2. This facility must conform to the operational requirements of the NC Solid Waste Management Rules, 15A NCAC 13B .0566, and to the operational plan required by 15A NCAC 13B .0565(4) prepared by Mitchell S. Latham, P.E. of Latham–Walters Engineering, Inc.

3. This Permit to Operate authorizes the operation of the LCID Landfill when the Permittee has complied with the conditions specified in Attachment 2 (Conditions of Permit to Construct) of this permit. The landfill is permitted to receive LCID debris within the 2.3 acre footprint area and vertically to an elevation of 680 feet elevation as delineated on the Grading and Erosion Control Plan drawing, referenced in Attachment 1, Part II of this permit (List of Documents For the Approved Plan).

4. This facility is permitted to receive land clearing waste; yard trash; untreated and unpainted wood; uncontaminated soil; inert debris such as unpainted rock, brick, concrete, and concrete block; and asphalt in accordance with NCGS 130-294(m).

5. This facility is permitted to receive waste generated within Gaston County. Proposed changes to the service area must be submitted to the Section for review prior to any changes in accordance with Condition No. 9 of this Attachment.

6. The permanent markers that accurately delineate the waste disposal boundary must be maintained.

7. Excavation, grading and fill material side slopes must not exceed a ratio of three horizontal feet to one vertical feet (3:1).

8. Open burning of land clearing waste is prohibited. If a fire occurs, the permittee must provide oral notification to the Section within 24 hours of the occurrence followed by a written report of the details of the fire within 10 working days of the occurrence. The report must include the cause, the location(s) on the premises, the dimensions and volume of material involved, a description of emergency response activities with results, and a

description of mitigation measures implemented to reduce or eliminate conditions leading to the fire. Other conditions may be required based on the severity or nature of the fire.

9. Revisions to the design or operation of the facility or changes to the facility service area must be submitted to the Section for review and approval prior to the implementation of any changes. Revisions or changes that require modification to the permit will be subject to the appropriate permitting fee.

10. Amendments or revisions to the NC General Statutes or to the NC Solid Waste Management Rules or any violation of ground water standards may necessitate modification of the approved design or operation plans, waste acceptance requirements or may require closure of the facility.

Cover Material Requirements

11. Solid waste must be covered with 1 foot of suitable soil cover at least once per month or when the active area reaches 1 acre in size, whichever occurs first, or more often when necessary to prevent the site from becoming a nuisance or to mitigate conditions associated with fire, windblown materials, vectors or excessive water infiltration.

12. The facility must maintain a supply of cover material adequate to cover the working face in case of an emergency or fire, at all times.

13. Vegetative ground cover sufficient to control erosion must be established within 30 (thirty) working days upon completion of any phase of LCID landfill development or as addressed in the approved Sedimentation and Erosion Control permit.

14. Within 120 calendar days after completion of the final disposal operations, the disposal area must be closed and covered with a minimum of 1 foot of suitable soil cover sloped to allow surface water runoff in a controlled manner. However, for ditches with depths greater than 6 inches and widths less than 3 feet located on the landfill, at least 2 feet of soil is required between the bottom elevation of the ditches and the waste mass.

Drainage Control and Water Protection Requirements

15. All required sedimentation and erosion control measures must be installed and maintained to mitigate excessive on-site erosion and to prevent silt from leaving the site of the landfill unit during the service life of the facility.

16. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.

17. Solid waste must be placed a minimum of four feet above the seasonal high water table.

18. Solid waste must not be disposed in standing water. Surface water must be diverted away from the operational area and must not be impounded over or in waste.

19. Leachate must be properly managed on site using best management practices.

- End of Permit Conditions -

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Fee Amt: $20.00 Page 1 of 3
Instr# 201000014328
Gaston, NC
Susan S. Lockridge Register of Deeds
BK 4537 PG 525-527

3 RECORDING FEE 20.00

OLD 27 LCID LAND FILL
(PERMIT TO CONSTRUCT AND OPERATE)

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

THIS PAGE IS PROVIDED FOR RECORDATION PURPOSES. THE ENTIRE DOCUMENT, INCLUDING THIS PAGE, SHOULD BE RECORDED IN THE GRANTOR INDEX UNDER THE NAME OF THE LANDOWNER FOR THE PARCEL OF PROPERTY LOCATED IN GASTON COUNTY AND SAID PROPERTY BEING OWNED BY DWAYNE E. McCORKLE AND FURTHER IDENTIFIED BY THE DEED RECORDED AS LISTED BELOW:

Property	Book	Page	Acreage	Grantor	Grantee
Permit issued October 21, 2010	4518	697-699	28.66 acres	JAMES H.LEWIS, and wife; JUDITH B. LEWIS; RODNEY LEWIS, and wife; DAPHNE M. LEWIS; and DWAYNE ERIC McCORKLE, Single and Unmarried	DWAYNE ERIC McCORKLE 1204 Old Highway 27, Mt. Holly, NC 28120
Total Site Acreage:			**28.66 acres**		

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

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

MAIL TO: 1204 OLD 27 Hwy Mt. Holly N.C. 28120
Dwayne McCorkle

Facility Permit No: 36-A-2010-LCID
Old 27 LCID Landfill
Permit to Construct and Operate
October 21, 2010
Doc ID No. 11721

NCDENR

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

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

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

LAND CLEARING AND INERT DEBRIS (LCID) LANDFILL PERMIT NO. 36-A-LCID-2010

Dwayne E. McCorkle (owner, operator, and landowner)

are hereby issued a

PERMIT TO CONSTRUCT AND OPERATE

Old 27 LCID LANDFILL
(former James Lewis LCID landfill)

Located at 130 Tate Street in Mt. Holly, Gaston County, North Carolina in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The legal description of the site is identified on the deed recorded for this property listed in Attachment No. 1 of this permit.

cn=Edward F. Mussler III P. E., o=Division of Waste Mngt, ou=Solid Waste Section, email=ed. mussler@ncdenr.gov, c=US
2010.10.25 10:09:22 -04'00'

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

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

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One NorthCarolina Naturally

I do hereby certify that the attached PERMIT TO CONSTRUCT AND OPERATE is an exact and true original of PERMIT NUMBER 36-A-2010 for the Old 27 LCID Landfill.

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

North Carolina

WAKE County

I, BETTY JO STANFIELD, Notary Public for WAKE County,

North Carolina, do hereby certify that Edward F. Mussler, III, Supervisor of the Permitting Branch, Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal,

This the 25 day of OCTOBER, 2010.

OFFICIAL SEAL

NOTARY PUBLIC

Betty Jo Stanfield NOTARY PUBLIC Wake County, NC

My commission expires December 29, 2014.

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

NORTH CAROLINA
GASTON COUNTY

I, SUSAN S. LOCKRIDGE, Register of Deeds, in and for the aforesaid county and state hereby certify this to be a true copy of document which is recorded in Book 4539, Page 833
WITNESS my hand and seal of office this 12th day of November, 20 10.

SUSAN S. LOCKRIDGE
REGISTER OF DEEDS
~~Assistant~~ / Deputy

By: Donna H. Jackson