Fac/Perm/Co ID #	Date	Doc ID#
92-31	5/27/10	DIN 10720

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NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Dexter R. Matthews, Director | Division of Waste Management | Michael F. Easley, Governor
William G. Ross Jr., Secretary

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

CONSTRUCTION AND DEMOLITION LANDFILL FACILITY
Permit No. 92-31

MATERIAL RECOVERY, LLC
and WCA WASTE SYSTEMS, INC., wholly owned subsidiaries of
WCA WASTE CORPORATION
are all hereby issued a

PERMIT TO OPERATE

MATERIAL RECOVERY C&D LANDFILL
A CONSTRUCTION AND DEMOLITION LANDFILL
Phase 1, Cells A, B, and C

Located west of and accessed by Brown Field Road, Raleigh, Wake 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 and described by the legal description of the site or the property map contained within the approved application and further identified on the deeds recorded for this property listed in Attachment No. 3 of this permit. The facility is located on 210.19 acres owned by Material Recovery, LLC. Material Recovery, LLC was formerly owned by MRR Southern, LLC and is now owned by WCA Waste Systems, Inc.

WAKE COUNTY, NC 262
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
04/27/2010 AT 14:25:06

BOOK:013920 PAGE:02146 - 02159

Edward F. Mussler III, P.E.
cn=Edward F. Mussler III, P.E., c=US, o=Division of Waste Management, ou=Solid Waste Section, email=ed.mussler@ncmail.net
I have reviewed this document and am approving this document
2008.01.28 17:15:49 -05'00'

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
An Equal Opportunity / Affirmative Action Employer – Printed on Dual Purpose Paper

Return to: WCA Waste Corporation 421 Raleighview Road
Raleigh, NC 27610 ATTN: Dennis Gehle

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 WAKE COUNTY AND SAID PROPERTY BEING OWNED BY MATERIAL RECOVERY, LLC AND FURTHER IDENTIFIED BY THE DEEDS RECORDED AS LISTED BELOW:

Wake County, N.C. Register of Deeds					
Book	Page	Grantee	Grantor	Tract	Acres
8806	845	Material Recovery, LLC	William A. Turner and wife, Debra C. Turner	1	113.55
8806	849	Material Recovery, LLC	Ashley Turner Enterprises, Inc.	N/A	98.41
Book of Maps 2002	791	Material Recovery, LLC	Material Recovery, LLC	1A and 1B	211.96
Book of Maps 2003	1508	Material Recovery, LLC	Material Recovery, LLC and Margaret Talton	1	210.19
				Total Site Acreage	210.19

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A LANDFILL EXISTS ON THE PROPERTY. RECORDATION OF THE SANITARY LANDFILL PERMIT AND INDEXING IN THE GRANTOR INDEX UNDER THE NAME OF THE LAND OWNER IS REQUIRED BY N.C.G.S. 130A-301(a).

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 92-31 for the Material Recovery, LLC Construction and Demolition Waste 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 26 day of April, 20 10.

OFFICIAL SEAL

NOTARY PUBLIC

Betty Jo Stanfield NOTARY PUBLIC Wake County, NC

My commission expires December 29, 20 14.

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

ATTACHMENT 3

PART I: PERMITTING HISTORY

1. Permits to Construct and to Operate certain cells in Phase 1 of the landfill were originally issued to Material Recovery, LLC, owned by MRR Southern, LLC, as Permit No. 92-31. The Permit to Construct Phase 1 of the Landfill (19 acres) was recorded on February 14, 2003, at Book 9914, Pages 701 – 720 in the Wake County Register of Deeds. The Permit to Operate Phase 1, Cell A was issued on October 1, 2003. Permits to operate a solid waste management facility are issued for a maximum period of five years.

2. On or about April 5, 2005, business entities which were wholly owned by WCA Waste Corporation purchased four solid waste management facilities in North Carolina owned by MRR Southern, LLC, including the construction and demolition waste landfill permitted to Material Recovery, LLC.

3. Subsequent to the purchase of the facility, WCA has obtained a franchise for the landfill from Wake County and has submitted information and documentation to the Solid Waste Section to apply for the permit to operate the facility to be re-issued to WCA Waste Systems, Inc. and Material Recovery, LLC. During this period, WCA has continued to operate the landfill as previously permitted to Material Recovery, LLC.

Permit Type	**Date Issued**
Site Suitability Approval Letter	January 24, 2003
Original Issue PTC (Phase 1 – Cells A, B, & C)	January 31, 2003
PTO Phase 1, Cell A	October 1, 2003
PTO Modification - New franchise / Wood waste processing area added	February 18, 2005
PTO Modification –Phase 1, Cell B	May 23, 2006
PTO New Facility Permit – Phase 1, Cell C, and ownership change	January 28, 2008

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. Volume One - Site Application - Section I, Material Recovery, LLC/Brown-field Road Construction & Demolition Landfill - Wake County, North Carolina. December 2001. Joyce Engineering, Inc., Greensboro, North Carolina.

2. Volume One - Site Application - Section II, Material Recovery, LLC/Brown-field Road Construction & Demolition Landfill - Wake County, North Carolina. December 2001. Joyce Engineering, Inc., Greensboro, North Carolina.

3. Documents received on 6 February 2002 from David E. Wagner addressing the franchise and special use permit approvals for Material Recovery, LLC to include affidavits from the Clerk to the Board of Commissioners, Ms. Gwendolyn I. Reynolds, and the agenda packages from the Wake Board of Commissioners meeting.

4. Response to Comments - Site Suitability Permit Application - Material Recovery, LLC - Construction & Demolition Landfill - Wake County, North Carolina. April 2002. Joyce Engineering, Inc., Greensboro, North Carolina.

5. Response to Completeness Review Comments - Site Application - Material Recovery, LLC - Construction & Demolition Landfill - Wake County, North Carolina. 7 May 2002. Joyce Engineering, Inc., Greensboro, North Carolina.

6. Second Response to Comments - Site Suitability Permit Application - Material Recovery, LLC - Construction & Demolition Landfill - Wake County, North Carolina; Site Application Hydrogeologic Report and Groundwater Monitoring Plan - Report of Analytical Results. 22 May 2002. Joyce Engineering, Inc., Greensboro, North Carolina.

7. Site Suitability Permit Application information - Material Recovery, LLC - Construction & Demolition Landfill - Wake County, North Carolina; Groundwater Quality Assessment - Report of Well Installation and Results of First Monitoring Event. September 2002. Joyce Engineering, Inc., Greensboro, North Carolina.

8. Letter dated 19 April 2002 from DWQ addressing NPDES permits for the facility.

9. Letter dated 8 May 2002 from State Historic Preservation Office addressing archaeological aspects of the site.

10. Erosion and Sedimentation Control Plan (revised), approved by Wake County Environmental Services - Erosion, Flood and Stormwater. 24 May 2002; Permit No. 0023475.

11. U.S. Army Corps of Engineers report, Action I.D. 200220569 dated 25 February 2002, and site survey map indicating wetlands at the site.

12. Certification letter dated 16 September 2003 from Joyce Engineering addressing the construction of Phase 1, Cell A and related infrastructure. Along with the letter were three drawings addressing as-built grades, proposed grades from approved plan and groundwater/rock contour map.

13. Modification #1: Letter dated 25 March 2004 requesting the use of soils off-site with less than 10 ppm nitrate and addressing that soils with greater than 10 ppm nitrate levels be utilized on-site.

14. Modification #1: New franchise approvals for Material Recovery, LLC. 20 January 2004 and 2 February 2004, Wake Board of Commissioners. The franchise changes include adding Franklin County to the service area and increasing the daily disposal amount.

15. Modification #1: Addendum to the operations plan dated 16 April 2004, Appendix 6, addressing the management of wood waste at the Southern Disposal Area on a 2 acre area.

17. *Construction Quality Assurance Report, WCA Brownfield Road C&D Landfill Cell B.* Prepared by: David Garrett, P.G., P.E, Raleigh, NC. Prepared for: WCA of Wake County, L.P., Houston, TX. May 22, 2006.

18. *Drawing*: As-built Survey of Cell B. Prepared by: David Garrett, P.G., P.E., Raleigh, NC. Prepared for: WCA of Wake County, L.P., Houston, TX.. May 22, 2006. The surveyor of record is Anthony S. Dibona, P.L.S., NC Registration No. L-3967.

19. Letter from Stephen R. Berlin to Paul Crissman, dated November 16, 2006, requesting issuance of permit to WCA Waste Corporation and providing information to support the request for permit issuance.

20. Letter dated April 13, 2007 from David Garrett, P.G., P.E. Engineering and Geology certifying that the base grades for Cell C of Phase 1 was constructed according to the approved plan. Letter includes an as-built survey drawing showing the limits of construction.

21. Memo from Donna J. Wilson dated December 20, 2007 providing clarification regarding the correct number of groundwater and surface water monitoring locations required.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Wake County, N.C. Register of Deeds					
Book	Page	Grantee	Grantor	Tract	Acres
8806	845	Material Recovery, LLC	William A. Turner and wife, Debra C. Turner	1	113.55
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Book of Maps 2003	1508	Material Recovery, LLC	Material Recovery, LLC and Margaret Talton	1	210.19
				Total Site Acreage	210.19

- End of Section -

ATTACHMENT 4
CONDITIONS OF PERMIT

General Conditions

1. This permit shall expire October 1, 2008. On or about April 5, 2005, WCA Waste Corporation purchased the equity interest in Material Recovery LLC, and continued to operate the entity under the same name (reference Attachment 3, Part II, Document No. 19 of this permit). Pursuant to 15A NCAC 13B .0201(e), no later than June 1, 2008, the owner or operator must submit an application for amendment or modification to the permit for review to the North Carolina Department of Environment and Natural Resources (DENR), Division of Waste Management (DWM), Solid Waste Section (hereinafter "Section"). The application must be prepared in accordance with 15A NCAC 13B .0533, as applicable.

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

3. The permit shall not be effective until the certified copy of this permit which shows current ownership and references legal descriptions for all land within the solid waste management facility boundary is recorded 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 Section within 30 calendar days of issuance of this permit. 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 shall contain in the description section in no smaller type than that used in the body of the deed or instrument, a statement that the property has been used as a sanitary landfill and a reference by book and page to the recordation of the permit.

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

6. Operation of this solid waste management facility shall be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of the 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. This permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 3, "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 and through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules.

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

10. This permit approves the operation of Phase 1, Cell C, and the continued operation of Phase 1, Cells A and B. Operation of any C&D landfill future phases or cells requires written approval of the Section and must be constructed in accordance with applicable statutes and rules.

11. This facility is permitted to receive solid waste generated within the following counties: Chatham, Durham, Franklin, Johnston, Orange, and Wake and the municipalities contained within those counties, consistent with the approved franchise approved by the Wake County Board of Commissioners.

12. Phase 1, Cells A, B, and C of the landfill has a permitted, calculated available disposal capacity of approximately 1,429,000 cubic yards of total gross capacity. Total gross capacity is defined as the volume measured from the bottom of waste through the top of final cover. Phase 1 is approximately 19 acres, and was designed with a projected life of 5.2 years (beginning October 2003) based on the maximum rate of receipt of waste at approximately 1100 tons per day.

13. The facility is approved to accept approximately 1100 tons per day, approximately 286 days per year (5.5 days per week), with a maximum variance in accordance with GS 130A-294(b1)(1) and consistent with the approved franchise granted by the County of Wake dated February 2, 2004.

14. Financial assurance as required by state rules and statutes must be established with proof submitted to the Division by July 1, 2008, in accordance with 15A NCAC 13B .0547 (2). The financial assurance must be continuously maintained for the duration of the facility in accordance with the applicable rules and statutes.

Operational Conditions

15. The permittee must not knowingly dispose of C&D waste that is generated within the boundaries of a unit of local government that by ordinance:

    a. Prohibits generators or collectors of C&D waste from disposing of that type or form of C&D waste.

    b. Requires generators or collectors of C&D waste to recycle that type or form of C&D waste.

16. The facility operator must complete an approved operator training course in compliance with G.S. 130A-309.25.

    a. A responsible individual certified in landfill operations must be on-site during all operating hours of the facility at all times while open for public use to ensure compliance with operational requirements.

    b. All pertinent landfill-operating personnel must receive training and supervision necessary to properly operate the C&D landfill unit in accordance with G.S. 130A-309.25 and addressed by memorandum dated November 29, 2000.

17. The C&D landfill units are permitted to receive the following waste types:

    a. "Construction or demolition debris" as defined in G.S. 130A-290 (a)(4) means solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures, but does not include inert debris, land-clearing debris or yard debris.

    b. "Inert debris" as defined in G.S. 130A-290 (a)(14) means solid waste that consists solely of material such as concrete, brick, concrete block, uncontaminated soil, rock, and gravel.

    c. "Land-clearing debris" as defined in G.S. 130A-290 (a)(15) means solid waste that is generated solely from land-clearing activities, such as stumps and tree trunks.

    d. "Asphalt" in accordance with G.S. 130-294(m).

18. Those wastes listed in 15A NCAC 13B .0542 (e), must not be accepted for disposal including, but not limited to, municipal solid waste, liquid or industrial wastes, and yard trash.

19. Asbestos waste must be managed in accordance with 40 CFR 61. Disposal of asbestos waste must be in accordance with 15 NCAC 13B .0542 (c).

20. The Permittee must actively employ a training and screening program at the facility prepared in accordance with Section .0544(e) for detecting and preventing the disposal of excluded or unauthorized wastes. At a minimum, the program must include:

    a. Random inspections of incoming loads or other comparable procedures.

    b. Records of any inspections.

    c. Training of personnel to recognize hazardous, liquid, and other excluded waste types.

    d. Development of a contingency plan to properly manage any identified hazardous, liquid, MSW, or other excluded or unauthorized wastes. The plan must address identification, removal, storage, and final disposition of these wastes.

21. All sedimentation/erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated there under at 15A NCAC 4.

22. A closure and post-closure plan must be submitted for approval at least 90 days prior to closure or partial closure of any landfill unit. The plan must include all steps and measures necessary to close and maintain the C&D unit in accordance with all rules in effect at that time. At a minimum, the plan must address the following:

    a. Design of a final cover system in accordance with 15 NCAC 13B .0543(c), or the solid waste management rules in effect at the time of closure;

    b. Construction and maintenance/operation of the final cover system and erosion control structures; and

    c. Surface water, ground water, and explosive gas monitoring.

Monitoring and Reporting Requirements

23. The following are groundwater monitoring requirements for the C&D landfill facility:

    a. Groundwater and surface water monitoring locations must be established and monitored as identified in the approved plans (reference Attachment 3, Part II, Document 21).

b. The owner or operator must sample the monitoring wells semi-annually or as otherwise directed in writing by the Solid Waste Section Hydrogeologist.

c. A licensed geologist must be present to supervise the installation of groundwater monitoring wells. The exact locations, screened intervals, and nesting of the wells must be established after consultation with the SWS Hydrogeologist at the time of well installation.

d. All well construction records and soil boring logs for new wells must be submitted to the Solid Waste Section Hydrogeologist for review within 30 days of completion.

24. Copies of this permit, the approved plans, and all records required to be maintained by the permittee must be maintained at the facility and made available to the Section upon request during normal business hours.

25. The permittee must maintain a record of the amount of solid waste received at the C&D units, compiled on a monthly basis. Scales must be used to weigh the amount of waste received.

26. On or before August 1 annually, the Permittee must submit an annual facility report to the Solid Waste Section, on forms prescribed by the Section.

a. The reporting period shall be for the previous year beginning July 1 and ending June 30.

b. The annual facility report must list the amount of waste received and landfilled in tons and be compiled:
   i) On a monthly basis.
   ii) By county, city or transfer station of origin.
   iii) By specific waste type.
   iv) By disposal location within the facility.
   v) By diversion to alternative management facilities.

c. A measurement of volume utilized in the C&D cells must be performed during the second quarter of the calendar year. The date and volumes, in cubic yards, must be included in the report.

d. The amount of C&D waste, in tons from scale records, disposed in landfill cells since October 1, 2003, through the date of the annual volume survey must be included in the report.

e. The completed report must be forwarded to the Regional Waste Management Specialist for the facility by the date due on the prescribed annual facility report form.

f. A copy of the completed report must be forwarded to each county manager for each county from which waste was received at the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Waste Management Specialist by the date due on the prescribed annual facility report form.

Miscellaneous Treatment and Processing Unit Specific Conditions

27. The reclamation pad operation as shown on the application drawings is not approved for construction or operation.

28. The wood waste processing operation as shown on the application drawings is not approved for operation.

- End of Permit Conditions -

BOOK:013920 PAGE:02146 - 02159

Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.

Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

This Customer Group
_____ # of Time Stamps Needed

This Document
_____ New Time Stamp
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22.004-1/20/06