

161

WAKE COUNTY, NC 517
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
06/25/2010 AT 16:29:48

BOOK:013984 PAGE:00268 - 00280

Hold Box 161

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 ALLIED INSTALLATIONS, LLC. AND FURTHER IDENTIFIED BY THE DEEDS
RECORDED AS LISTED BELOW:

Wake County, N.C. Register of Deeds			
Book	Page	Grantee (sold to)	Grantor (sold from)
13266	210	Allied Installation, LLC	Allied Installation Company, LLC
Total Acreage: 1.38 acres			

Note – The parcel ID of the property is 1702888858.

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

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 92-37T-TRANSFER-2010 for the Capitol Waste C&D Transfer Station Facility.

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,

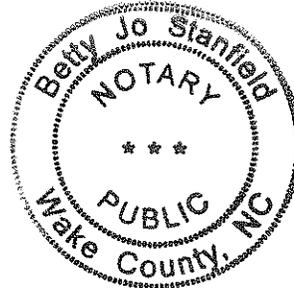
North Carolina, do hereby certify that Edward F. Mussler, III, Supervisor of the Permitting Branch, Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal,

This the 16 day of June, 20 10.

OFFICIAL SEAL

NOTARY PUBLIC



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.



Facility Permit No: 92-37T-Transfer-2010
Capitol Waste C&D Transfer Station
Permit to Operate
June 15, 2010
Doc ID 8494
Page 1 of 10

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

**CONSTRUCTION AND DEMOLITION WASTE
TRANSFER FACILITY**

Permit No. 92-37T-Transfer-2010

DAVID W. KING, JR.,
SHOTWELL TRANSFER STATION, INC., AND
CAPITOL WASTE TRANSFER, LLC

are all hereby issued a

PERMIT TO OPERATE

CAPITOL WASTE C&D TRANSFER STATION
A CONSTRUCTION AND DEMOLITION WASTE TRANSFER FACILITY

Located at 424 Warehouse Drive, Raleigh, Wake County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated there under and subject to the conditions set forth in this permit. The legal description of the site is identified on the deeds recorded for this property listed in Attachment 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
2010.06.15 14:56:29 -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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ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit Issuance	Date Issued	Doc ID No.
Original Issue Permit to Construct and Operate	May 4, 2007	1169
Permit to Operate – change in ownership	June 15, 2010	8494

1. In May 2007, a Permit to Construct and Operate was issued to James M. Barnes, Allied Installation, LLC (landowner), Capitol Waste Systems, LLC, and Capitol Waste Transfer, LLC, for the operation of a construction and demolition debris (C&D) transfer station on this property. The owner of Allied Installation, LLC, Capitols Waste Systems, LLC, and Capitol Waste Transfer, LLC was James M. Barnes.
2. On November 14, 2008, the Solid Waste Section was notified of the purchase of Capitol Waste Systems, LLC, Capitol Waste Transfer, LLC, and Allied Installation, LLC by David W. King, Jr.
3. Subsequent to the purchase of the facility, David W. King, Jr. submitted information and documentation to the Solid Waste Section to apply for the permit to operate the facility to be re-issued to David W. King, Jr., Shotwell Transfer Station, Inc., and Capitol Waste Transfer, LLC. During this period, the applicant continued to operate the transfer station as previously permitted to James M. Barnes.

PART II: LIST OF DOCUMENTS FOR APPROVED PLAN

1. *Permit Application for Transfer Facility at 424 Warehouse Drive Raleigh, NC.* Prepared by: Kenneth D. Cromartie, Garner, NC. May 1, 2006, revised through March 2007.
2. *Capitol Waste Systems, DBA Capitol Waste Transfer, LLC. Permit Revision, July 12, 2006.* Prepared by: Greenworks Associates, LLC, 4872 Auburn Church Road, Garner, NC 27529. 12 July 2006.
3. *Capitol C&D Waste Transfer Facility Application for Change in Ownership.* Prepared by Richardson Smith Gardner & Associates, Inc., Raleigh, North Carolina. November 14, 2008. Doc ID 6461

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Wake County, N.C. Register of Deeds			
Book	Page	Grantee (sold to)	Grantor (sold from)
13266	210	Allied Installation, LLC	Allied Installation Company, LLC
			Total Acreage: 1.38 acres

Note – The parcel ID of the property is 1702888858.

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(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Operate shall expire May 4, 2012. The Permit to Operate must be implemented in accordance with 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 until the certified copy of this permit which 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. (Intentionally Blank)
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. This permit is issued based on the documents submitted in support of the application for permitting the facility identified in Attachment 1, "List of Documents for Approved Plan," which constitutes 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

1. Construction of any new or modified structure or operational component of the transfer facility requires written approval of the Section. Application for a Permit to Construct must be prepared in accordance with applicable statutes and rules in effect on that date and will be subject to a permitting fee.

- End of Section -

**ATTACHMENT 3
CONDITIONS OF PERMIT TO OPERATE**

PART I: OPERATING CONDITIONS

1. The Permit to Operate shall expire May 4, 2012. Pursuant to 15A NCAC 13B .0201(g), no later than January 4, 2012, the owner or operator must submit a request to the Section for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.
2. The transfer facility is 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. C&D waste does not include municipal and industrial wastes that may be generated by the on-going operations at buildings or structures.
 - b. "Inert debris" as defined in G.S. 130A-290 (a)(14) means solid waste that consists solely of 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 which is generated solely from land-clearing activities, such as stumps, trees, limbs, brush, grass, and other naturally occurring vegetative material.
 - d. "Asphalt" in accordance with G.S. 130-294(m).
3. Those wastes listed in 15A NCAC 13B .0542 (e), must not be accepted at the facility including, but not limited to, municipal solid waste, liquid waste, commercial and industrial wastes, and yard trash. Regulated asbestos containing material as defined in 40 CFR 61 must not be accepted at the transfer facility. Barrels and drums shall not be accepted unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein.
4. This facility is permitted to receive C&D waste generated within the following North Carolina counties: Wake, Johnston, Harnett, Chatham, Orange, Durham, Granville, Franklin, and Nash. Waste must be transported for disposal to the Shotwell C&D Landfill (Permit No. 92-26), WCA Material Recovery C&D Landfill (Permit No. 92-31),

and/or the Red Rock Disposal C&D Landfill (Permit No. 92-28) all located in Wake County, North Carolina. Waste must only be transported to facilities whose service area includes the generation source. Proposed changes to the service area and/or the disposal facilities must be approved by the Section, are considered a modification to the permit, and may be subject to a permitting fee.

5. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, solid waste that is generated within the boundaries of a unit of local government that by ordinance:
 - a. Prohibits generators or collectors of solid waste from disposing of that type or form of solid waste.
 - b. Requires generators or collectors of solid waste to recycle that type or form of solid waste.
6. A responsible individual trained and certified in facility operations must be on-site at all times during all operating hours of the facility, in accordance with G.S. 130A-309.25. An attendant must be present to oversee the loading and unloading of waste.
7. The permittee must actively employ a training and screening program at the facility for detecting and preventing unauthorized wastes from being accepted at the facility. At a minimum, the program must include:
 - a. Random inspections of incoming loads or other comparable procedures.
 - b. Records of all 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, or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.
8. The facility must be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the Section to prevent unauthorized entry.
9. Interior roadways must be of all-weather construction and maintained in good condition.
10. Signs must be posted at the entrance to the facility that state that no MSW, hazardous waste or liquid waste can be received at the facility; and that provide information on

dumping procedures, the hours of operation, the permit number, and other pertinent information. Traffic signs or markers must be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.

11. Waste must only be deposited on the tipping floor or directly into a transfer container. Waste must not be stored on the tipping floor after operating hours.
12. Demolition debris waste must not be sorted for recycling, unless an asbestos screening plan has been submitted to the Division of Epidemiology of the Department of Health and Human Services for approval and the approved plan forwarded to the Section for inclusion in the operations plan for the facility.
13. Except for inert debris, all recyclables must be sorted and stored in containers by the end of each operating day. Containers must be covered at the end of each operating day, and during precipitation events. All non-recyclables in the sorting area must be placed in transfer trailers for disposal by the end of each operating day.
14. Recycled materials placed in containers must be removed from the site once the container is full. Recyclable material must not be stored onsite longer than one year.
15. Any waste stored on-site after operating hours must be stored in leak proof transfer trailers, with watertight covers, a maximum of 24 hours. However, a minimal amount of waste may be stored for a maximum of 48 hours when the facility is closed during a weekend and a maximum of 72 hours when closed for a weekend holiday. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.
16. All water or liquid that comes in contact with solid waste, including vehicle wash-down water, is leachate and must be captured and properly treated before release to the environment. Incoming waste and recyclables must not be unloaded onto the tipping area during rainfall events. Waste must not be placed in ponded water.
17. The facility must not cause nuisance conditions.
 - a. The tipping floor and transfer trailer loading area must be maintained in a clean, sanitary condition at all times and must be cleaned at least daily in accordance with the approved Operational Plan.
 - b. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.

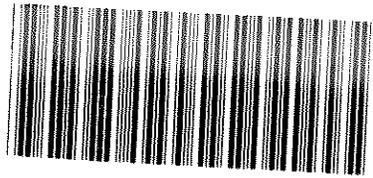
- c. Control measures must be utilized to minimize and eliminate visible fugitive dust emissions and blowing litter. Windblown materials must be collected by the end of the day and no windblown material may be allowed to leave the facility boundary.
18. Open burning of solid waste is prohibited. Fires must be reported to the Regional Waste Management Specialist within 24 (twenty-four) hours of the occurrence with a written notification to be submitted within 15 (fifteen) calendar 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. Fire lanes must be maintained and passable at all times. Dimensions of the fire lanes must be coordinated with the Fire Marshall having jurisdiction over the site.
19. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated under 15A NCAC 4.
20. 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.
21. Copies of this permit, the approved plans and all records required to be maintained by the permittee must be maintained at the facility, unless otherwise approved by the Section, and made available to the Section upon request during normal business hours.
22. The permittee must maintain a record of the amount of solid waste received at the facility, including daily records of waste received and origins of the loads. Scales must be used to weigh the amount of waste received. The permittee must maintain a record of the amounts of waste transported out of the facility for disposal, amounts of materials transported out of the facility for recovery and recycling, and amounts of waste or material with any other final disposition, to be compiled on a monthly basis. The daily records are to be summarized into a monthly report for use in the required annual reports.
23. On or before August 1 annually, the Permittee must submit an annual facility report to the 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 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 receiving disposal facility.
 - v. By diversion to alternative management facilities.
 - c. The tons of C&D waste recycled, recovered or diverted from disposal including a description of how and where the material was ultimately managed must be included in the report.
 - d. The completed report must be forwarded to the Regional Environmental Senior Specialist for the facility by the date due on the prescribed annual facility report form.
 - e. A copy of the completed report must be forwarded to each county manager for each county from which waste was received the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Senior Specialist by the date due on the prescribed annual facility report form.
24. Processing of materials, shredding, or grinding must not take place at the facility unless approval has been granted under the special use permit and a revised operations plan has been submitted to the Section.
25. Financial assurance as required by state rules and statutes must be established with proof submitted to the Division within 30 calendar days of the issuance of this permit. The financial assurance must be continuously maintained for the duration of the facility in accordance with the applicable rules and statutes. The financial assurance amount is calculated based on a maximum incoming rate of 700 tons per week and the maximum amount of materials to be stored onsite. The financial assurance amount must be increased if the actual average incoming rate is more than 700 tons per week.

PART II: MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS

(Not applicable)

- End of Permit Conditions -



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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

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