



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

**MUNICIPAL SOLID WASTE LANDFILL
PERMIT NO. 08-03**

REPUBLIC SERVICES of North Carolina, LLC,
a wholly owned subsidiary of Republic Services, Inc,
d.b.a. EAST CAROLINA REGIONAL LANDFILL
is hereby issued a

PERMIT TO CONSTRUCT

**MUNICIPAL SOLID WASTE LANDFILL
PHASE 5 – CELLS 13 AND 14**

Accessed via NCSR 1225 (Republican Road), north of Windsor, Bertie 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 facility is described by the legal description and of the site or the property survey map contained within the approved application.

Edward F. Mussler, III, P.E.,
Permitting Branch Supervisor
Permitting Branch

ATTACHMENT 1

PART I: Permitting History

Issuance	Date
Original Issue (PTC)	August 6, 1993
Original Issue (PTO)	October 8, 1993
Modification 1 (PTO)	December 2, 1994
Amendment 1 (PTO)	April 18, 1997
Amendment 2 (PTO)	November 8, 2000
Modification 2 (PTO) –Sludge Solidification	June 3, 2003
Amendment 3 (PTO) Cell 10	September 23, 2003
Modification 3 (PTO)	February 19, 2004
Amendment 4 (PTO & PTC) New Rate & Size	June 17, 2005
Amendment 5 (PTC) Cells 11 and 12	July 14, 2005
Amendment 6 (PTO) Cell 11A – Lower End	March 28, 2006
Amendment 7 (PTO) Cell 11B	June 15, 2006
Amendment 8 (PTO) Cell 12	June 17, 2008
Amendment 9 (PTC) Phase 5, Cells 13 & 14	February 9, 2009

PART II: List of Documents for the Approved Plan

1. *The Bertie County Solid Waste Disposal Franchise Ordinance*, February 20, 1996, amended October 17, 2000.
2. Correspondence, David A. Reed of Williams Mullen to William Hodges of Hodges Harbin, Newberry & Tribble, RE: Republic Services of North Carolina, LLC. June 10, 2005.
3. *Articles of Merger of East Carolina Environmental, Inc. and Upper Piedmont Environmental, Inc. into Republic Services of North Carolina, LLC*. Filed April 24, 2001, recorded in the Bertie County Register of Deeds Book 840, Page 853, 7 pages, June 2, 2005.
4. Title Insurance issued by Chicago Title Insurance Company or Richmond, Va. Issued to Republic Services of North Carolina, LLC, a North Carolina Limited Liability Company. Effective date May 12, 2005
5. *Permit Renewal Application, Phase 2, East Carolina Regional Landfill, Bertie County, North Carolina, for East Carolina Environmental, Inc.* Prepared by: Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. May 14, 1996, as amended through August 20, 1996. 2 Volumes.
6. *Design Hydrogeological Report, Phase II (Cells 8 and 9), East Carolina Regional Landfill, Bertie County, North Carolina.* Prepared for: Hodges, Harbin, Newberry &

- Tribble, Inc. Macon, Ga. Prepared by: Law Engineering and Environmental Services, Inc. Greenville, SC. March 12, 1996 as revised through September 10, 1996.
7. Drawings entitled *East Carolina Regional Landfill-Phase 2, Construction Plans, East Carolina Environmental, Inc., Windsor, North Carolina*. Prepared by: Hodges, Harbin, Newberry & Tribble, Inc. Macon, Ga. May 14, 1996, as amended through August 20, 1996. 20 Sheets.
 8. Drawings Entitled *Construction of Cell No. 9. East Carolina Regional MSW Landfill, East Carolina Environmental, Inc. Bertie County, North Carolina. January 2000*. Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. January 2000. Revised through March 21, 2000. 7 sheets.
 9. *Design Hydrogeologic Report. Phase 3 (Cells 9-10). East Carolina Regional Landfill. Bertie County, North Carolina*. Prepared for: HHN&T, Macon, Ga. Prepared by: Bunnell-Lammons Engineering, Inc. Greenville, SC. January 25, 2000. February 27, 2000 Addendum incorporated. As Revised March 22, 2000. BLE Project Number J98-1001-18.
 10. Drawings Entitled *Phase 3 Engineering Plans. East Carolina Regional MSW Landfill. East Carolina Environmental, Republic Services of North Carolina, LLC. Bertie County, North Carolina, June 2001*. Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. June 2001. 18 sheets.
 11. *Site Hydrogeologic Report. Expanded East Carolina Regional MSW Landfill. Bertie County, North Carolina*. Prepared for: HHN&T, Macon, Ga. Prepared by: Bunnell-Lammons Engineering, Inc. Greenville, SC. July 16, 1998. Revised April 11, 2003. BLE Project Number J96-1001-03.
 12. *Site Application and Facility Plan. Expanded East Carolina Regional MSW Landfill. Bertie County, North Carolina. For Republic Services of North Carolina, LLC..* Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. June 2003. As amended October 2003.
 13. *Permit to Construct. Expanded East Carolina Regional MSW Landfill. Bertie County, North Carolina. For Republic Services of North Carolina, LLC*. Prepared by: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. April 2004.
 14. *Permit Application For Phase 4 Construction Permit. East Carolina Regional Landfill, Bertie County, North Carolina. For Republic Services of North Carolina, LLC, dba East Carolina Environmental*. Prepared By: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. May 2005 as revised through June 2005. 2 volumes.
 15. *Design Hydrogeologic Report. Phase 4 (Cells 11-12). East Carolina Regional MSW Landfill. Bertie County, North Carolina*. Prepared for: HHN&T, Macon, Ga. Prepared by: Bunnell-Lammons Engineering, Inc. Greenville, SC. January 7, 2005. Revised June 3, 2005. BLE Project Number J04-1001-46.
 16. *Design Hydrogeologic Report. East Carolina Regional Landfill. Phase 5, Permit No.08-03. Bertie County, North Carolina. Prepared for: Republic Services of NC, LLC*. Prepared by: Golder Associates NC, Inc. Project No. 063-66507.203. July 2007. Revised December 2007.
 17. *Permit Application For Phase 5 Construction Permit. East Carolina Regional Landfill, Bertie County, North Carolina. For Republic Services of North Carolina,*

- LLC, dba East Carolina Environmental. Prepared By: Hodges, Harbin, Newberry and Tribble, Inc. Macon, GA. April 2008 as revised through January 26, 2008. 2 Volumes. DIN 5961*
18. *Conceptual Design (Facility Plan Revision of Phases 5, 6 and 7), Expanded East Carolina Regional MSW Landfill. Bertie County, North Carolina. Prepared for Republic Services of North Carolina, LLC. January 2004, Revised January 2009. Prepared by Hodges, Harbin, Newberry and Tribble, Inc. Macon, Ga. January 2009. DIN 6629*

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Description	Deed Book	Page No.	Acreage	Grantor
Addington	704	315	469.10	Addington Environmental, Inc
Powell	705	49	1.28	Powell
Cherry	716	677	100.43	Cherry
Weyerhauser	725	655	50.00	Weyerhauser
Smallwood	706	898	41.78	Smallwood
Articles of Merger	840	853	n/a	East Carolina Environmental

Total Site Acreage = 662.59 Acres

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 construct shall expire on February 9, 2014. The permit to construct must be implemented in accordance with Attachment 2 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. [Intentionally Blank]

4. When this property is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer must 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 Municipal Solid Waste Landfill (MSWLF) 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 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. If 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 identified in Attachment 1, Part II "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. The 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 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.

- 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 (d)(1), this permit approves construction for the East Carolina Regional Landfill (MSWLF).
 - a. The initial, substantial, construction authorized by this Permit to Construct must commence within 18 months from the issuance date of this permit. If substantial construction does not begin within 18 months from the issuance date of this permit, then the permittee must obtain a permit modification from the Section prior to construction, comply with the conditions of the approval and submit a Municipal Solid Waste landfill permit modification fee. Substantial construction includes, but is not limited to, issuance of construction contracts, mobilization of equipment on site, and construction activities including installation of sedimentation and erosion control structures.
 - b. Construction of all solid waste management units within this facility must be in accordance with the pertinent approved plans and only for those phases of development approved for construction as described in Attachment I, Part II List of Documents for Approved Plan.
 - c. The permittee must conduct a preconstruction meeting prior to initiating construction of any unit/cell and must notify the Section at least 10 days prior to the meeting.
 - d. Modifications or revisions of the approved documents or changes during construction of any landfill unit/cell require approval by the Section, and may constitute a permit modification and be subject to a permitting fee.

GEOLOGIC, GROUND WATER AND MONITORING REQUIREMENTS

2. Prior to issuing the Permit to Operate, samples from new ground water monitoring wells and surface water stations must be sampled for the Appendix I constituent list.
3. Prior to construction of the phase or cell(s) within the phase, all piezometers, borings, and groundwater monitoring wells within the footprint must be properly abandoned in accordance with 15A NCAC 2C .0113 (b)(1), entitled "Abandonment of Wells."
4. In areas where soil is to be undercut, abandoned piezometers, monitoring wells and borings must not be grouted to pregrade land surface, but to the proposed base grade surface to prevent having to cut excess grout and possible damage the wells.

5. A Licensed Geologist must report any pertinent geological feature(s) exposed during phase or cell excavation. Prior to placing any landfill liner, the geologist must submit to the Section hydrogeologist a written report that includes an accurate description of the exposed geological feature(s) and effect of the geological feature(s) on the design, construction, and operation of the cell, phase, or unit.
6. A Licensed Geologist must supervise installation of groundwater monitoring wells and surface water sampling stations.
7. Any modification to the approved water quality monitoring, sampling, and analysis plan must be submitted to the Section Hydrogeologist for review.
8. [Intentionally Blank]
9. Within 30 days of completed construction of each new groundwater monitoring well, a well construction record (GW-1 form), typical well schematic, boring log, field log and notes, and description of well development activities must be submitted to the Section.
10. The permittee must provide a plan sheet-sized, scaled topographical map, showing the location and identification of new, existing, and abandoned wells and piezometers after installation of groundwater monitoring wells,.
11. Well abandonment records (GW-30 form) for each decommissioned piezometer, boring, and groundwater monitoring well must be certified by a Licensed Geologist in accordance with rule .1623(b)(2)(I) and submitted to the Section in accordance with 15A NCAC 2C .0114 (b).

EROSION AND SEDIMENTATION CONTROL REQUIREMENTS

12. All required sedimentation and erosion control measures must be installed and operable to mitigate excessive on-site erosion and to prevent silt from leaving the area of the landfill unit during the service life of the facility.
13. 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.
14. 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 .

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

PART II: MUNICIPAL SOLID WASTE LANDFILL SPECIFIC CONDIITONS

16. This permit authorizes the construction of Phase 5, Cells 13 and 14, at the Municipal Solid Waste Landfill consisting of 24.6 acres and 3,854,000 cubic yards of gross capacity in accordance with the approved plan referenced in Attachment 1, Part II, of this permit.
- a. Gross capacity is the measured volume between the top of the protective cover and the top of final cover.
 - b. Areas identified as future cells are deemed suitable for preparation of a permit application in accordance with Solid Waste Rule 15A NCAC 13B .1618(a)(1). The permittee must submit an application for a Permit to Construct in compliance with applicable rules and statutes before commencement of construction in those future areas.
 - c. This permit approves the Facility Plan (Revised January 2009, DIN 6629) that defines the comprehensive development of the facility including the total municipal solid waste (MSW) landfill capacity, the MSW waste stream, all onsite solid waste management facilities and related infrastructure in accordance with 15 A NCAC 13 B .1619. The landfill approved for development is summarized below:

Area	Acres	Gross Capacity cu yds
Phase 1 – Cells 3, 4, 5 and 6	27.8	2,140,000
Phase 2 – Cells 7 and 8	22.2	2,114,000
Phase 3 – Cells 9 and 10	21.3	4,013,000
Phase 4 – Cells 11 and 12	24.8	5,200,000
Phase 5 – Cells 13 and 14	24.6	3,854,000
Phase 6 – Cells 15 and 16	19.6	4,129,000
Phase 7 – Cells 17	8.5	2,750,000
Totals	148.8	24,200,000

17. The following conditions must be met prior to operation of the Phase 5 area:
- a. The Permittee must obtain a Permit to Operate the Phase 5 area from the Section in accordance with 15A NCAC 13B .0201(d).
 - b. Site preparation must be in accordance with the approved plans and the conditions of the permit.

- c. Construction Quality Assurance (CQA) documentation as well as a certification by the project engineer that the landfill was built in accordance with approved plans and the conditions of the permit must be submitted to the Section for review and approval.
- d. Prior to waste disposal in any new cell/unit, the permittee must contact the appropriate regional environmental specialist and permitting engineer to determine whether the Section chooses to hold a pre-operative meeting with key landfill personnel and representatives of the Section.
- e. The edge of the waste footprint must be identified with a permanent physical marker.

PART III: CONSTRUCTION AND DEMOLITION DEBRIS UNIT SPECIFIC CONDITIONS

Not applicable

PART IV: LAND CLEARING AND INERT DEBRIS UNIT SPECIFIC CONDITIONS

Not applicable

PART V: YARD WASTE UNIT SPECIFIC CONDITIONS

Not applicable

PART VI: MISCELLANEOUS TREATMENT AND PROCESSING UNIT SPECIFIC CONDITIONS

Not applicable

- End of Permit Conditions -