



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

**MUNICIPAL SOLID WASTE FACILITY PERMIT
PERMIT NO. 13-04**

BFI WASTE SYSTEMS OF NORTH AMERICA, INC.,
a wholly owned subsidiary of Allied Waste Industries, Inc.
is hereby issued a

PERMIT to OPERATE
the
CHARLOTTE MOTOR SPEEDWAY LANDFILL V
Cell 2G

located at Morehead Road, Concord, Cabarrus 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 located and described by the legal description found in the approved application.

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

ATTACHMENT 3

PERMITTING HISTORY

Permit Type	Date Issued
Original Issue (PTC)	April 1, 1991
Original Issue (PTO)	August 22, 1992
Amendment 1 (Cell B)	September 16, 1993
Permit Renewal (Facility Plan & 2A-2E)	April 25, 1995
Transition Plan Approval (Cell 1A)	May 23, 1996
Amendment 2 (PTC) Vertical Expansion	December 17, 2001
Amendment 3 (PTO) Vertical Expansion/Cell 2L	August 21, 2002
Amendment 4 (PTC) 2F, 2G, & 2H	July 14, 2006
Amendment 5 (PTO) 2F	July 12, 2007
Amendment 6 (PTO) 2G	October 7, 2008

Part I List of Documents for the Approved Facility Plan

Documents 1-10 listed in previous permits.

11. *Permit Modification Application, Facility, Engineering and Erosion Control Drawings, and CQA and Operations Plans for the Charlotte Motor Speedway Landfill V, NCDENR Permit No. 1304 Concord, North Carolina.* Prepared by: ESP Associates and Almes & Associates, Inc. Prepared for: BFI Waste Systems of North America, Inc. May 7, 2004. As amended through December 6, 2005, NCDENR hydro comments and responses by ESP Associates Inc., and NCDENR Engineering comments answered by BFI Waste Systems of North America Inc. and ESP Associates Inc. through March 16, 2006.
 - a. Site Suitability Update for BFI Waste Systems of North America, Inc, CMS Landfill V – Lateral Expansion Phase 2 Expansion (Cells 2F, 2G & 2H) and Phases 3, 4, & 5. Prepared by: ESP Associates, P.A. Prepared for: BFI Waste Systems of North America, Inc. May 6, 2004.
 - b. Revised Plans for NCDENR – Division of Solid Waste Management, Hydrogeologic Comments prepared by Almes & Associates, Inc., and ESP Associates, P.A., December 20, 2005.
 - c. Response to Comments prepared by ESP Associates, P.A., November 2005
 - d. Revised Plan Sheets for Application to Construct. Prepared by: ESP Associates, P.A. December 20, 2005.
12. Certified Copy of Franchise Ordinance from Benne C. Hutson of Helms Mulliss Wicker with attached “An Ordinance Renewing A Nonexclusive Franchise to BFI of North America, Inc.” from the City of Concord dated February 10, 2005.
13. *Final Certification Report, Construction Quality Assurance Services, Volumes I and II, Cell 2F Construction, Charlotte Motor Speedway Landfill V.* Prepared for: Allied Waste. Prepared by: ACC of North Carolina, LLC. May 2007.

14. *Final Certification Report, Construction Quality Assurance Services, Cell 2G Construction, Soil Component Construction, Charlotte Motor Speedway Landfill V, Cabarrus County, North Carolina.* Prepared for: Allied Waste. Prepared by: ACC of North Carolina, LLC. July 22, 2008.
15. *Final Certification Report, Construction Quality Assurance Services, Cell 2G Construction, Geosynthetic Component Construction, Charlotte Motor Speedway Landfill V, Cabarrus County, North Carolina.* Prepared for: Allied Waste. Prepared by: ACC of North Carolina, LLC. August 19, 2008.

Part II Construction and Demolition Landfill Conditions
(NOT APPLICABLE)

Part III Land Clearing and Inert Debris Landfill Conditions
(NOT APPLICABLE)

Part IV Yard Waste Conditions
(NOT APPLICABLE)

Part V Miscellaneous Treatment and Processing Facilities Conditions
(NOT APPLICABLE)

- End of Section -

ATTACHMENT 4 CONDITIONS OF PERMIT TO OPERATE

Part I General Facility Conditions

1. This permit shall expire July 12, 2012. Pursuant to 15A NCAC 13B .0201(e), no later than March 12, 2012, the permittee must submit an application for amendment or modification to the permit for review to the North Carolina Department of Environment and Natural Resources (Department), Division of Waste Management (Division), Solid Waste Section (Section). The application must be prepared in accordance with 15A NCAC 13B .1600, as applicable.
2. The person(s) to whom this permit is issued (“permittee”) are the owner(s) and operator(s) of the solid waste management facility.
3. (Intentionally Blank)
4. (Intentionally Blank).
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 must 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 permit application for the facility including those identified in Attachment 1 and Attachment 3, “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 and 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 shall 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.

10. Additional conditions and revision of the approved documents or changes during the operation of the landfill require approval by the North Carolina Solid Waste Section.
11. On or before August 1 annually, the Permittee shall report the amount of tons waste received at this facility and disposed of in the landfill units to the Solid Waste Section and to all counties from which waste was accepted on forms prescribed by the Section. This annual report shall include the following information:
 - a. The reporting period shall be for the previous year beginning July 1 and ending June 30.
 - b. The annual report shall 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, and
 - v) By diversion to alternative management facilities.
 - c. A measurement of the volume utilized in the MSW cells shall be performed during the second quarter of the calendar year. The date and volume, in cubic yards, shall be included in the report.
 - d. The completed report shall be forwarded to the Regional Waste Management Specialist for the facility. A copy of the completed report shall be forwarded to the County Manager of each county from which waste was received.
 - e. The facility shall maintain records for all solid waste materials accepted as alternative cover material and used as alternate daily cover. The records shall include: the date of receipt, weight of material, general description of the material, identity of the generator and transporter, and county of origin. Such records shall be made available to the Section upon request.
12. Ground water quality at this facility is subject to the "Classifications and Water Quality Standards Applicable to the Groundwater of North Carolina", 15A NCAC 2L. This includes, but is not limited to, provisions for detection monitoring, assessment, and corrective action.

Part II Municipal Solid Waste Landfill Conditions

Specific Conditions

13. The facility is approved for a total gross capacity of approximately 61,531,035 cubic yards including development of the constructed Cell 2G and to be constructed 2H; Phases 3, 4 and 5; and the existing permitted landfill in accordance with the Division approved plans.

14. Landfilling operation is approved in accordance with the Solid Waste Management Rules, approved plan and these permit conditions for Cell 2G. This Permit only authorizes the operation Cell 2G for MSW disposal consisting of 14 acres.
15. A Permit to Construct remains in effect for Cell 2H. Operation of Cell 2H may not commence until application is made for and a Permit to Operate is issued for the specific use of this cell.
16. Franchise and Site Suitability approval is in effect for Phases 3, 4 and 5 for approximately 15,386,000 cubic yards of capacity. However, application for a Permit to Construct is required prior to the initiation of construction activities for those phases.
17. The dimensions of Cells 2G and 2H are as follows:

Cell	Acres	Gross Capacity		Approximate Service Years
		Cubic Yards	Tons*	
2G	14.0	2,223,947	1,779,158	1.2
2H	13.5	1,777,450	1,421,960	1.0
Totals	27.5	4,001,397	3,201,118	2.2

**Based on 0.8 tons per cubic yard as presented on page 5, Section 3.0 of the approved Permit Modification application dated May 2004 with approved amendments.*

18. This permit approves operation of Cell 2G consistent with the final contours as shown on Drawing No. FC-7 contained in the "Permit Modification Application" revision date December 2005.
19. This landfill is permitted to receive solid waste generated within the City of Concord, Cabarrus County, the State of North Carolina, and the following counties in the State of South Carolina: Cherokee, York, Lancaster, Chesterfield and Chester and serve the associated populations except as may be prohibited by North Carolina General Statutes Article 9 of Chapter 130A and rules adopted by the Commission for Health Services.
20. The franchise issued for this facility by the City of Concord provides for an average annual disposal rate of 120,000 tons per month not to exceed a maximum of 140,000 tons per month.

Monitoring and Reporting

21. Groundwater monitoring at this unit must be performed in compliance with the appropriate requirements of 15A NCAC 13B .1630 through .1637 and the approved monitoring plan.
22. A readily accessible unobstructed path shall be cleared and maintained so that four-wheel drive vehicles may access monitoring well locations at all times.

23. A field log book that details all development, sampling, repair, and all other pertinent activities associated with each monitoring well and all sampling activities associated with each surface water and leachate sampling location shall be kept as part of the permanent facility record.
24. Records of all groundwater, surface water and leachate analytical data shall be kept as part of the permanent facility record.
25. Reports of the analytical data for each water quality sampling event shall be submitted to the Section within 60 days of the respective sampling event. Analytical data shall be submitted in a manner prescribed by the Section.
26. The four independent samples that comprise the initial baseline sampling event shall be collected from each groundwater monitoring well and the report shall be submitted to the Section within six months after issuance of the Permit to Operate.
27. Untreated leachate shall be sampled and analyzed at least semi-annually concurrently with the ground and surface water sampling. The leachate shall be analyzed for all Appendix I constituents, pH, specific conductance, BOD, COD, sulfates, nitrates, and phosphates. Test results shall be submitted to the Section along with ground and surface water test results. In the event leachate is recirculated, additional leachate sampling may be required.

Operational Conditions

28. The landfill unit shall conform to all operating requirements described in the approved plans, 15A NCAC 13B .1626, and the conditions specified herein.
29. The use of alternative daily cover requires approval, prior to implementation, by the Solid Waste Section. Requests for alternative daily cover approval must include a plan detailing the comprehensive use and a demonstration of the effectiveness of the alternative daily cover. The plan shall be developed according to Section guidelines. Plans that are approved by the Section will be incorporated into and made a part of the permit.
 - a. The use of automobile shedder fluff mixed with soil, petroleum contaminated soil, tarps and foundry sand as alternate daily cover is approved when used as per the approved demonstration project reports.
30. The use of leachate recirculation as a leachate management tool requires written approval by the Solid Waste Section prior to implementation.
 - b. Requests for leachate recirculation approval must include a comprehensive management plan developed according to Section guidelines and be consistent with the approved operation plan.

- c. Plans, which are approved by the Section, will be incorporated into, and made a part of, the approved documents found in Attachment 3.
 - d. If approved, only leachate originating from the unit shall be recirculated in the unit and the unit must comply with the design requirements contained in Solid Waste Rule 15A NCAC 13B .1624.
31. The landfill facility is permitted to co-dispose of wastewater treatment sludge generated within the facility's approved service area, and subject to the terms and procedures of the approved plan.
32. Closure or partial closure of any MSWLF unit shall be in accordance with the Closure Plans described in the approved plans and 15A NCAC 13B .1629. Final Closure Plans shall be submitted to the Division at least 90 days prior to implementation. Closure and Post-closure plans, including financial instruments shall be updated annually pursuant to 15A NCAC 13 B .1628.
33. Waste boundary posts will be installed marking the edge of the waste footprint.

- End of Section -

Part III Construction and Demolition Debris Unit

(NOT APPLICABLE)

Part IV Land Clearing and Inert Debris Unit

(NOT APPLICABLE)

Part V Yard Waste Unit

(NOT APPLICABLE)

Part VI Miscellaneous Treatment and Processing Unit

(NOT APPLICABLE)

- End of Section