



Facility Permit No: 1908-TIRE-COLL-2010  
Metro Energy Corp. Scrap Tire  
Collection and Processing Facility  
Permit to Construct and Operate  
June 14, 2011  
Doc ID No. DIN14130  
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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

**SCRAP TIRE COLLECTION AND PROCESSING  
PERMIT NO. 1908-TIRE-COLL-2010**

**METRO ENERGY CORP.**  
is hereby issued a

**PERMIT TO CONSTRUCT  
AND OPERATE  
SCRAP TIRE COLLECTION AND PROCESSING FACILITY**

Located at 3313 Bowers Store Road, Silk Hope, Chatham 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 listed in Attachment No. 1 of this permit.

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

**ATTACHMENT 1**

**PART I: PERMITTING HISTORY**

<b>Permit</b>	<b>Date</b>
Original Issuance Permit to Construct [DIN10352]	April 26, 2010
Original Issuance Permit to Operate [DIN14010]	May 26, 2011
Administrative Modification [DIN14130] <i>Modified: Annual reporting date in Attachment 3, Part I, Condition No. 8 from March 1 to 15 August to be consistent with reporting requirements for all solid waste facilities; changed reference in added wording to Attachment 3, Part I, Condition No. 1(c) regarding financial assurance is subject to the annual inflation rate; incorrect statutory reference in Attachment 2, Part I, Condition No. 4.</i>	June 14, 2011

**PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN**

1. *Permit Application for Scrap Tire Collection and Processing Facility.* Prepared by: Metro Energy Corp., Chapel Hill, NC. January 15, 2011 [DIN 10027], revised March 18, 2011 [DIN 10131].
2. *Emergency Response Plan.* Prepared by: Metro Energy Corp., Chapel Hill, NC. May 18, 2011 [DIN 14005].

**PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY**

<b>PIN</b>	<b>Book</b>	<b>Page</b>	<b>Acreage</b>	<b>Grantor</b>	<b>Grantee</b>
9703 00 46 8629	1507	1237	1.0	Robert and Phebe Roberson	Metro Energy Corp.
<b>Total Site Acreage:</b>			<b>1.0</b>		

#### **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.
  - a. The Permit to Construct shall expire in 180 days at the close of business October 25, 2010.
  - b. The permittee must comply with the conditions contained in Attachment 2 of this permit before a Permit to Operate can be issued for the facility.
2. The persons to whom this permit is issued ("permittee") are the owners and operators of the solid waste management facility.
3. [This condition is not applicable.]
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 scrap tire collection and processing facility with a reference by book and page to the recordation of the permit.
5. By beginning construction or receiving scrap tires 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 (d), this permit approves construction of the Metro Energy Corp. scrap tire collection and processing facility.
2. The facility is permitted for a maximum total storage and processing capacity of (i) 1,200 whole tires and (ii) containerized storage of 10 tons or approximately 25 cubic yards of processed tire shreds.
3. Development of the facility is approved as shown in the approved operation plans and drawings listed in Attachment 1 List of Approved Documents except as modified by permit condition.
4. Any expansion or modification of the facility will require application for a permit to construct and operate and appropriate permitting fees prior to the initiation of construction or operation as required under *NCGS 130A-295.8* et seq.

### **CONDITIONS FOR PERMIT TO OPERATE**

5. The facility is not authorized for operation until the permittee demonstrates to the Section that the facility has been constructed in accordance with the approved documents shown in Attachment 1. In addition to the other conditions contained in this permit and the NC Solid Waste Rules, the following requirements must be met prior to the issuance of a Permit to Operate:
  - a. Site preparation must be in accordance with the approved site plan and the conditions specified herein, and construction must be certified to be constructed in accordance with the approved plans.
  - b. The permittee must arrange with a representative of the Section for a site inspection with the permittee when facility construction is complete in accordance with this permit to construct. The permittee must demonstrate during the site inspection that the facility was constructed in accordance with this permit and approved documents.
  - c. The application for a Permit to Operate must demonstrate that the conditions of this permit are satisfied and Financial Assurance as required by state rules and statutes is established with proof submitted to the Division in accordance with *NCGS 130A-295.2.(f)*. The financial assurance must be continuously maintained for the duration of the facility in accordance with the applicable rules and statutes.
  - d. Proof of ownership of the property on which the facility is constructed or legal right-of-entry and agreement in which the property owner acknowledges shared responsibility for the operation of the facility.
  - e. The amount of initial financial assurance required for this facility is as follows:

For whole tires: 1,200 tires/90 tires/ton x \$200/ton =	\$2,700
For tire shreds: 10 tons x \$200/ton =	<u>\$2,000</u>
Total Financial Assurance:	\$4,700

6. Prior to operation, the permittee must acquire and maintain all other permits, licenses and authorizations necessary to properly operate the facility. All other permits, licenses and authorizations must be maintained current during the term of the Permit to Operate.

#### **EROSION AND SEDIMENTATION CONTROL REQUIREMENTS**

7. 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.
8. 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.
9. 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 facility is permitted to store prior to processing not more than 1,200 tires and not more than 10 tons of shredded tires at any time. These quantities are based on the financial assurance for closure and clean up provided in the amount of \$4,700.
  - a. Subsequent adjustments to the tire storage amount and/or financial assurance amounts must be submitted to the Section for review and approval.
  - b. Financial assurance for closure and clean-up must remain in force during the operation of this site in accordance with 15A NCAC 13B .111. Metro Energy Corporation must submit to the Division for review and approval any subsequent changes in the instrument or the provider of financial assurance at least one-hundred-twenty (120) days prior to any requested change.
  - c. The financial assurance instrument must be renewed annually with verification submitted to the Division by 15 August of each year *and is subject to the annual rate of inflation as approved by the Division.*
2. A minimum of seventy-five percent (75%) of tire derived products must be properly disposed or marketed on an annual basis. Adjustments to this percentage to allow additional amounts of storage or adjustments to allow additional length of storage time must be submitted to the Section for review and approval.
3. Operation of the facility must conform to the permitting and operating procedures described in the approved plan and in accordance with the conditions contained in this permit.
  - a. This facility must be maintained and operated in accordance with the North Carolina Solid Waste Management Rules.
  - b. Material processing, shredding and grinding operations may only occur in compliance with any applicable local ordinance or special use permit.
  - c. Amendments or revisions to the Solid Waste Management Rules or violations of standards may necessitate the modification of the construction and operation plans of this facility.
  - d. The operating and permit conditions are subject to revision or revocation at any time the operations either threaten or have the potential to adversely affect the environment or public health and safety.
  - e. Within 30 days after termination of operations at the site or a major portion thereof or upon revocation of this permit, all scrap tire and scrap tire derived products must be removed to a permitted solid waste management facility approved to manage scrap tires.

- f. Adequate fire protection measures must be in place and fire prevention procedures must be practiced at all times in accordance with the most current fire safety survey as required by Solid Waste Rule .1107(2)(f). Equipment must be provided to control accidental fires or arrangements must be made with the local fire protection agency to immediately provide fire-fighting services when needed.
  - g. Control measures and practices must be employed to prevent any pollutants from contaminating surface water, groundwater, and soil.
  - h. A sign identifying the name of the facility and the Solid Waste Permit Number must be erected and maintained at the entrance of the facility.
4. The Division may require additional actions be taken by the permittee to mitigate any condition that threatens or may become injurious to public health or environment.
  5. A trained and knowledgeable operator must be on-site during operating hours to assure that operations are in accordance with this permit and the approved Operating Plan.
    - a. All operating personnel must receive training and supervision necessary to properly operate the facility including the approved waste screening procedures.
    - b. Employee training must include the procedures contained in the Emergency Preparedness Manual that must be kept readily available to employees at all times.
  6. The facility must not cause nuisance conditions.
    - a. Effective vector control measures must be applied at all times to control any potential vectors including mosquitoes, flies, rodents, insects, and other vermin.
    - b. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter emanating from waste materials.
      - i) Fugitive dust emissions are prohibited.
      - ii) Windblown materials must be collected by the end of the day and no windblown material is allowed to leave the facility boundary.
    - c. Fires and other incidents that do not conform to the normal operating conditions authorized by this permit 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.
  7. Except in circumstances involving the immediate protection of human life, health or the environment, changes in operations or facility construction are not authorized unless submitted in writing to and approved by the Division.

8. On or before August 1 annually, the Permittee must submit to the Division and to Chatham County an annual report that summarizes the information. The report must be submitted on a form approved by the Division. The reporting period shall be for the previous year beginning July 1 and ending June 30. At a minimum, the following information must be included:
- i) The facility name, address and permit number,
  - ii) The time period covered by the report;
  - iii) The total quantity and type of scrap tires or processed tires received at the facility during the reporting period;
  - iv) The total quantity and type of scrap tires or processed tires shipped from the facility during the reporting period;
  - v) The quantity of scrap tires or processed tires shipped to each receiving facility identified by name and address during the reporting period;
  - vi) The total quantity and type of scrap tires or processed tires located at the facility on June 30.

*- End of Permit Conditions -*