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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

April 12, 2006

Mr. Paul Leek, Manager
Clay County
P.O. Box 118
Hayesville, NC 28904

Subject: Clay County Transfer Facility, Amendment of Permit # 22-02-T, Clay County

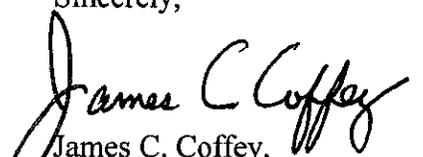
Dear Mr. Leek:

The Solid Waste Section hereby approves the amendment of the permit for the referenced transfer facility to allow the continued operation of the facility, in accordance with the approved construction plans.

Please note operational conditions outlined on pages 3 and 4 of the permit for this facility. The Waste Management Specialist for this facility is Mr. Jim Patterson and he can be reached in our Asheville Regional Office at (828) 296-4700.

If you have any questions or require assistance, please call me at (828) 296-4703.

Sincerely,


James C. Coffey,
Asheville Regional Engineer
Solid Waste Section

cc: Jim Patterson

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone 919-508-8400 \ FAX 919-733-4810 \ Internet <http://wastenotnc.org>



Facility Permit No:22-02-T
Clay County
Permit to Operate
Date of Original Issue: April 30, 1997
Permit Amendment V2: April 11, 2006
Page 1 of 4

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

**MUNICIPAL SOLID WASTE FACILITY
PERMIT NO. 22-02-T**

CLAY COUNTY
is hereby issued a

PERMIT TO OPERATE

**A MUNICIPAL SOLID WASTE MANAGEMENT FACILITY
TRANSFER FACILITY**

Located on Hilton Road (SR1148), approximately two miles southeast of Hayesville, Clay 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
CN = Edward F. Mussler III, C =
US, O = Division of Waste
Management, OU = Solid Waste
Section
I have reviewed this document
and I am approving this
document
2006.04.11 16:10:25 -04'00'

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

ATTACHMENT 1

List of Approved Documents

Part A. Permit History

Original permit Issued: April 30, 1997

Part B: Approved Documents

1. *Operations Plan: Solid Waste Transfer Station and Convenience Center.* Prepared by McGill Associates. Asheville, NC. Prepared for Clay County. March 2006.

-end of section-

**ATTACHMENT 2
PERMIT TO OPERATE
CONDITIONS OF PERMIT**

GENERAL:

1. This facility is permitted to receive solid waste as defined in G.S. 130A-290(35), except that hazardous and liquid wastes are prohibited from acceptance at this facility.
2. This facility may receive solid waste that is generated within Clay County, North Carolina and shall transport that waste to the Pine Bluff Landfill, Cherokee County, Georgia.
3. This permit shall be subject to review in accordance with 15A NCAC 13B .0201(e) on or before April 12, 2011. On or before January, 2011, the owner shall submit a request for review and shall update pertinent facility plans including the facility operation and waste screening plans.
4. If the performance and compliance history of this facility is determined to have been satisfactory by a review by the Division, and no permit revisions are required, a representative of the Section shall inspect the facility and issue an approval to continue operating for five (5) additional years under the terms and conditions of this permit. The Section representative shall notify the Permitting Branch Supervisor in writing, either by letter or e-mail, that the conditions have been met. The owner and operator shall be copied on the correspondence. The notification shall suffice as permission to operate as of the date of the notification.
5. This permit is not transferable.

OPERATION:

6. This permit is for operation of the transfer facility in accordance with the approved plans as described in Attachment 1, "List of Approved Documents". Any revisions or modifications to these plans shall be approved by the NC Solid Waste Section.
7. All sedimentation and erosion control activities shall be conducted in accordance with the Sedimentation and Pollution Control Act, 15A NCAC 4, and all applicable permits shall be secured prior to construction.
8. Floor drains, leachate collection devices, sanitary sewer connections or leachate storage tanks for the collection and disposal of wash down water and leachate shall be operational. The tipping floor shall have positive drainage away from the building entrance and toward the sump in the loading pit or a trench drain shall be installed along the entrance to the tipping floor and connected to the leachate collection system.

9. Operation of the facility shall occur in accordance with 15A NCAC 13B .0402, "Operational Requirements for Transfer Facilities", and the approved operations plan, Attachment 1, Document 1.
10. The owner or operator of a municipal solid waste management facility shall not knowingly dispose of, or accept for transfer for subsequent disposal, any type or form of municipal solid waste that is generated within the boundaries of a unit of local government that by ordinance:
 - a. Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.
 - b. Requires generators or collectors of municipal solid waste to recycle that type or form of municipal solid waste.
11. This facility shall be operated in a manner which is consistent with the State solid waste management plan and with the solid waste management plans that have been adopted by those units of local government served by the facility and approved by the Section.
12. Waste shall not be stored on the "tipping floor" after operating hours. Waste can be stored in transfer trailers, at the facility with covers in place, after operating hours, but no longer than 48 hours.
13. The "tipping floor" and "transfer trailer loading area" shall be maintained in a clean, sanitary condition after operating hours in accordance with the approved Operational Plan and shall be cleaned at least daily.
14. On or before 1 August of each year, the owner or operator shall report to the NC Solid Waste Section, for the previous year beginning 1 July and ending 30 June, the amount by weight of the solid waste that was received at the facility and disposed of in a landfill, incinerated, or converted to fuel. The report(s) shall indicate by weight and the COUNTY of origin of all solid waste. The owner or operator shall transmit a copy of the report to the county in which the facility is located and to each county in which waste originated.