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

SOLID WASTE MANAGEMENT FACILITY
Permit No. 22-02T

CLAY COUNTY
is hereby issued a

PERMIT TO CONSTRUCT/OPERATE

CLAY COUNTY TRANSFER FACILITY

Located at *1160 Hinton Center Road*, in 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 legal description of the site is identified on the deeds recorded for this property listed in Attachment 1, Part III of this permit.

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Edward F. Mussler, III, P.E.,
Permitting Branch Supervisor
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ATTACHMENT 1

PART I: PERMITTING HISTORY

1. A Permit to Operate was issued on April 30, 1997 for a transfer facility
2. On April 11, 2006 an amendment was made to the Permit for the five-year renewal of operations.
3. On April 13, 2011 an amendment was made to the Permit for the five-year renewal of operations.

Permit Type	**Date Issued**	**Document ID No.**
Permit to Operate	April 30, 1997	
Permit Amendment	April 11, 2006	5058
Permit Amendment	**April 13, 2011**	**13567**

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

NO.	**DOCUMENT DESCRIPTION**	**DOC. ID NO.**
1.	*Operations Plan: Solid Waste Transfer Stations and Convenience Center*. Prepared by: McGill Associates. Prepared for: Clay County. March 29, 2006.	5053
2.	*Operations Plan: Solid Waste Transfer Stations and Convenience Center*. Prepared by: McGill Associates. Prepared for: Clay County. March 29, 2006. Revised April 5, 2011.	13566

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Clay County, N.C. Register of Deeds				
Book	Page	Acreage	Grantee	PIN
N/A	N/A	UNK	Clay County	556000800164
N/A	N/A	UNK	Clay County	546900000000
N/A	N/A	UNK	Clay County	556000803319
N/A	N/A	UNK	Clay County	556000805363
N/A	N/A	UNK	Clay County	556000808992
N/A	N/A	UNK	Clay County	546900890570
		25.6±	Total Facility Acreage	

Notes:

1. Facility parcel references are from email data submitted by Mr. Jim Smith on April 12, 2011 (DIN 13601).

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 must be implemented in accordance with Attachment 2 of this permit. 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. (*Intentionally Blank*)

4. When this property is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer shall 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 solid waste management facility and a reference by book and page to the recordation of the permit.

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 application for permitting the facility including those identified in Attachment 1, Part II: "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 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.

- End of Section -

ATTACHMENT 2
CONDITIONS OF PERMIT TO CONSTRUCT

PART I – TRANSFER FACILITY SPECIFIC CONDITIONS
Not Applicable

PART II – MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS
Not Applicable

- End of Section-

ATTACHMENT 3
CONDITIONS OF OPERATING PERMIT

PART I - TRANSFER FACILITY SPECIFIC CONDITIONS

1. The Permit to Operate shall expire **April 13, 2016**. Pursuant to 15A NCAC 13B .0201(e), no later than **October13, 2015**, 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 facility is permitted to receive solid waste as defined in NCGS 130A -290 (35).
3. The facility must meet the requirements of 15A NCAC 13B.0105. In addition, the following, at a minimum, must not be accepted at the facility; hazardous waste, liquid wastes, regulated medical waste, sharps not properly packaged, regulated-asbestos containing material as defined in 40 CFR 61, PCB waste as defined in 40 CFR 761.
4. This facility is permitted to receive solid waste generated within Clay County. Waste must be transported to the Pine Bluff MSW Landfill Facility (Permit 028-039D[SL]) in Ball Ground, Georgia for disposal. Proposed changes to the service area and/or the disposal facility must be approved by the Section and will constitute a permit modification and be subject to the applicable permitting fee.
5. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, 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.
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.
7. The permittee must develop, and use, 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.
8. 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. Waste must only be deposited on a "tipping floor" or directly into a transfer container. Waste must not be stored on the "tipping floor" after operating hours.

c. Waste may be stored on-site, in leak proof transfer trailers, with watertight covers, a maximum of 24 hours except that a minimal amount of waste may be stored for a maximum of 72 hours when the facility is closed during a weekend or holiday. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.

d. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.

e. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter.

i) Fugitive dust emissions are prohibited.

ii) Windblown materials must be collected by the end of the day and no windblown material may be allowed to leave the facility boundary.

9. All water 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.

a. The leachate control system, such as floor drains, leachate collection devices, sanitary sewer connections and leachate storage tanks, must be operational during facility operations.

b. The tipping floor must drain away from the building entrance and into the leachate collection system.

10. 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.

11. 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.

12. 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 daily records are to be summarized into a monthly report for use in the required annual reports.

13. On or before August 1 annually, the Permittee must submit an annual facility report to the Solid Waste 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 completed report must be forwarded to the Regional Environmental Specialist for the facility by the date due on the prescribed annual facility report form.

d. 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 Specialist by the date due on the prescribed annual facility report form.

PART II- MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS

General Conditions

14. Wastes received and product stored shall be maintained in containers or reasonably sized piles with adequate fire breaks and lanes in accordance with the approved operational plans and the pertinent rules.

15. Surface water shall be diverted from all operational and storage areas to prevent standing water in operational areas and under or around storage piles. Water that comes in contact with solid waste shall be contained on-site or properly treated prior to discharge.

16. These areas shall be operated and maintained with sufficient dust control measures to minimize airborne emissions and to prevent dust from becoming a nuisance or safety hazard.

17. These areas shall be operated and maintained in a manner so as to minimize odors, prevent the creation of a nuisance, potential health hazard, or a potential fire hazard.

18. Effective vector control measures shall be applied as necessary to control flies, rodents, insects, or vermin.

19. The facility must manage all operations according to all applicable statutes and rules of the State of North Carolina.

Operational Conditions – White Goods

20. The facility is permitted to receive white goods as defined in North Carolina General Statute Article 9, Chapter 130A-290(44).

21. The facility must manage white goods according to the Operation Plan included in Attachment I, Part II, "List of Documents for the Approved Plan". This document is included in the approved plan. Any revisions to the approved plan shall be approved by the North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

22. White goods collection areas shall provide for the proper removal of chlorofluorocarbon refrigerants.

Operational Conditions – Tires

23. The facility is permitted to receive tires and scrap tires as defined in North Carolina General Statute Article 9, Chapter 130A-309.53(6) & (7).

24. Scrap tire collection areas shall be operated in accordance with the requirements of 15A NCAC 13B, Rule .1107.

25. The facility must manage tires according to the Operation Plan included in Attachment I, Part II, "List of Documents for the Approved Plan". This document is included in the approved plan. Any revisions to the approved plan shall be approved by the North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

- End of Permit Conditions -