

North Carolina
Department of Environment and Natural
Resources



Michael F. Easley, Governor
William G. Ross Jr., Secretary
Dexter R. Matthews, Director

February 21, 2002

LCIDN26-K Permit Doc Bennett
Road LCID Landfill (Crowell Site)

Mr. Steve Waters, Safety Director
APAC-Carolinas, Inc./Crowell Constructors Incorporated
1100 Robeson Street
Fayetteville, North Carolina 28305

Subject: Re-permitting Doc Bennett Road Land Clearing and Inert Debris Landfill
Fayetteville, Cumberland County, North Carolina
Permit # **26-K: Modification #1**

Dear Mr. Waters:

Enclosed please find a Solid Waste Permit, Conditions of the Solid Waste Permit, and a Certified Copy of the Solid Waste Permit for the above referenced Land Clearing & Inert Debris (LCID) landfill. This is a PERMIT TO CONSTRUCT, issued in accordance with Section .0201(b) and consistent with Section .0203 and .0563(6)(c) of the Solid Waste Management Rules 15A NCAC 13B. Phase I thru Phase V is approved for construction as shown on sheet 1 of 3 "Phasing Diagram 1" and "Cross Section Location Plan" sheet 1 of 1. Based on the plans submitted, no excavation is proposed within the landfill footprint limits. The issuance of this permit does not exempt an applicant from any local ordinances that may regulate a facility and the responsibility of compliance with any applicable ordinance lies with the permit holder.

Please note Condition No. 3, which states that this permit shall not be effective unless the certified copy is filed in the Register of Deeds office and the copy is returned to the Solid Waste Section, within thirty (30) working days, from date received, with the page and book number, date of recordation, and Register's seal.

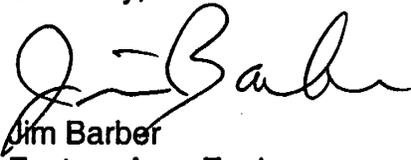
Also note Condition No. 9, which requires that a pre-operative meeting be held and that outlines the pre-operative conditions that need to be met prior to operation of the horizontal expansion, Phase I thru Phase V.

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-733-4996 \ FAX: 919-715-3605 \ Internet: www.enr.state.nc.us

Mr. Waters
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February 20, 2002

Please contact Ikie Guyton, Waste Management Specialist, when you are ready to schedule this meeting. Mr. Guyton can be reached in our Fayetteville Regional Office at (910) 486-1541. If you have questions about your permit, please contact me at (910) 486-1541 Ext: 225 or (919) 733-0692 Ext: 344.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Barber". The signature is fluid and cursive, with the first name "Jim" and last name "Barber" clearly distinguishable.

Jim Barber
Eastern Area Engineer
Solid Waste Section

cc: Jim Coffey
Mark Fry
Ikie Guyton
Raleigh Central File: Permit # 26-K: Doc Bennett Road; Cumberland County

CERTIFIED COPY OF SOLID WASTE PERMIT

I do hereby certify that the attached permit is an exact and true copy of Permit Number 26-K.

James C Coffey
James C. Coffey
Acting Section Chief
Solid Waste Section
Division of Waste Management

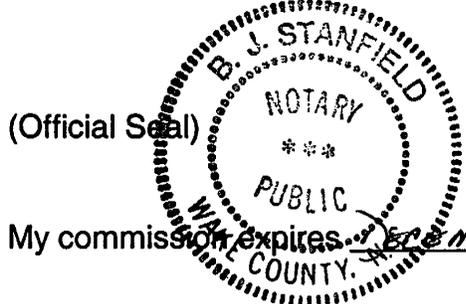
North Carolina
Wake County

I, B. J. STANFIELD, Notary Public for said County and State, do hereby certify

that JAMES C. COFFEY personally appeared before me

this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal, this the 22 day of FEBRUARY, 2002.



(Official Seal)

B. J. Stanfield
Notary Public

My commission expires DECEMBER 29, 2004.

PERMIT NUMBER: 26-K
ORIGINAL DATE ISSUED: 10/29/92
DATE MODIFIED (PTC/#1): 02/20/02

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
1646 MAIL SERVICE CENTER; RALEIGH, N.C. 27699-1646

SOLID WASTE PERMIT

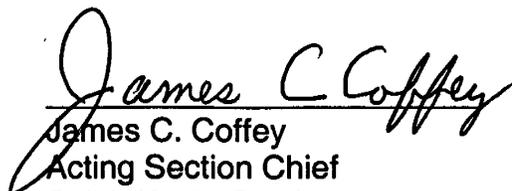
APAC-CAROLINAS/CROWELL CONSTRUCTORS

is hereby issued a PERMIT TO CONSTRUCT

PHASE I THRU PHASE V of a

LAND CLEARING AND INERT DEBRIS (LCID) LANDFILL

on property located south of Doc Bennett Road (N.C.S.R. 2212), in Fayetteville, Cumberland 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 in the permit application and the site drawings.


James C. Coffey
Acting Section Chief
Solid Waste Section
Division of Waste Management

PERMIT NUMBER: 26-K
ORIGINAL DATE ISSUED(PTC): 10/29/92
DATE MODIFIED (PTC/#1): 02/20/02
FACILITY NAME: APAC-CAROLINAS/CROWELL CONSTRUCTORS LAND
CLEARING & INERT DEBRIS LANDFILL (PHASE I THRU
PHASE V) - FAYETTEVILLE, CUMBERLAND COUNTY, N.C..

CONDITIONS OF PERMIT

1. This PERMIT TO CONSTRUCT is issued for the construction of the proposed LAND CLEARING AND INERT DEBRIS LANDFILL (PHASE 1 THRU PHASE V) in accordance with the approved plan sheet 1 of 1 dated 30 JULY 2001 (received as part of the permit submittal document dated 5 December 2001). This permit is for the construction of the PHASE I Thru PHASE V, as shown on sheet 1 of 1 "PHASING DIAGRAM 1", along with any infrastructure that is required by the rules; i.e. gate, sign, access road, and incidental grading of the PHASE I thru PHASE V to allow fro surface water management .
2. All earth disturbing activities will be conducted in accordance with all federal, state, and local requirements and consistent with the NPDES permits issued from the Division of Water Quality.
3. All sedimentation and erosion control activities shall be conducted in accordance with the Sedimentation Control Act 15A NCAC 4 and consistent with the approved mining permit (26-16) issued by the Division of Land Resources - Land Quality Section.
4. **This permit shall not be effective unless the certified copy is filed in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located.** The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Division of Solid Waste Management, within **THIRTY (30)** working days, from date received. Please send the recorded permit copy to:

SOLID WASTE SECTION
225 GREEN STREET; SUITE 601
FAYETTEVILLE, NORTH CAROLINA 28301
ATTN: JIM BARBER
5. When this property is sold, leased, conveyed, or transferred, the deed or other instrument of transfer shall 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 land clearing and inert debris landfill.

PERMIT NUMBER: **26-K**
ORIGINAL DATE ISSUED(PTC): 10/29/92
DATE MODIFIED (PTC/#1): 02/20/02
FACILITY NAME: APAC-CAROLINAS/CROWELL CONSTRUCTORS LAND
CLEARING & INERT DEBRIS LANDFILL (PHASE I THRU
PHASE V) - FAYETTEVILLE, CUMBERLAND COUNTY, N.C..

6. Waste shall be placed a minimum of four (4) feet above the seasonal high water table. Excavation at the site is not planned in accordance with the permit submittal document. Incidental grading can be performed to managed surface water at the site within PHASE I THRU PHASE V area. If grading or borrowing of soils outside of the proposed landfill footprint is necessary, then a as-built drawing can be produced and submitted with the Permit to Operate application.
7. This permit is not transferable.
8. The following requirements shall be met prior to the issuance of the **PERMIT TO OPERATE** and receiving solid waste at the site:
 - a. A site inspection and pre-operative meeting shall be conducted by a representative of the Solid Waste Section.
 - b. A sign shall be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566 (16).
 - c. Survey stakes/posts shall be installed to delineate the limits of PHASE I THRU PHASE.
 - d. Certification letter by a register engineer or the project engineer that the required site work was done in accordance with the approved plans and that the separation of four feet to seasonal high groundwater, as shown on the approved plans is consistent with Solid Waste Section Rules.
 - e. Site access controls shall be installed and operational.

NORTH CAROLINA
CUMBERLAND COUNTY

WARRANTY DEED

THIS DEED, made this _____ day of September, 19 77 by
WILLIAM W. CROWELL and wife, CAROLYN C. CROWELL
herein called Grantor, to CROWELL CONSTRUCTORS, INC.

herein called Grantee,

all of said State and County;

WITNESSETH THAT: Grantor, for ten dollars and other valuable considerations hereby acknowledged as paid and received, has bargained and sold, and by these presents does grant, bargain, sell and convey to Grantee, his heirs and assigns, certain land described as follows:

NORTH CAROLINA, CUMBERLAND COUNTY, TOWNSHIP OF ROCKFISH

BEGINNING at the northwest corner of the 25 acre tract of land described in deed to Lillian G. Murphy recorded in Book 960, Page 397, Cumberland County Registry, and running thence with the Southwest line of the Lisker Draughon property North 44 degrees 30 minutes West 1040.07 feet to a concrete monument; thence with another line of the Lisker Draughon property South 45 degrees 48 minutes West 1518.06 feet to a concrete monument, the northwest corner of the tract of land conveyed to Charles E. Perry by deed recorded in Book 409, Page 157, Cumberland County Registry; thence with the northern line of it South 86 degrees 07 minutes East 1686.41 feet to a concrete monument; thence with the line of Lillian G. Murphy North 15 degrees 59 minutes East 432.58 feet to the beginning point, containing twenty-five (25) acres, more or less.

And being the same property conveyed from Clara N. Bennett and husband, M. D. Bennett, to William W. Crowell, dated March 22, 1973, and recorded in Book 2377, Page 127, Cumberland County Registry.

TO HAVE AND TO HOLD, said land and all privileges and appurtenances thereto belonging, to Grantee, his heirs and assigns forever.

And Grantor covenants with Grantee that he is seized of said premises in fee and has right to convey in fee simple; that the same are free and clear of all encumbrances (except as may be hereinabove stated), and that he does hereby forever warrant and will forever defend the title to the same against the lawful claims of all persons whomsoever.

Wherever used herein, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders as the context may require.

IN TESTIMONY WHEREOF, Grantor has signed and sealed this deed.



William W. Crowell (SEAL)
William W. Crowell (SEAL)
Carolyn C. Crowell (SEAL)
Carolyn C. Crowell (SEAL)

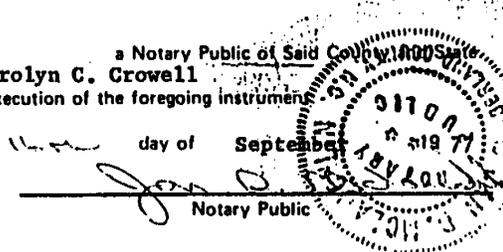
NORTH CAROLINA - CUMBERLAND COUNTY

I, John O. McLaughlin, a Notary Public of Said County, do hereby certify that William W. Crowell and wife, Carolyn C. Crowell personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal, this the _____ day of September, 19 77

My Commission Expires:

Commission Expires April 30, 1979



NORTH CAROLINA, CUMBERLAND COUNTY

The foregoing or annexed certificate of John O. McLaughlin Notary Public/Notaries Public is/are certified to be correct. This instrument was presented for registration and recorded in this Office at Book 2644 Page 357 This 15 day of March, 19 78 at 2:05 O'clock P.M.
By Cherry B. Rasmussen Deputy Register of Deeds
Marion Clark Register of Deeds

ATTACHMENTS

1. Permit submittal document with drawings dated 5 December 2001, received 7 December 2001. Included in this document are the following items;
 - a. Zoning consistency letter dated 5 March 2001
 - b. Mining permit 26-16 issued 22 February 1993
 - c. Site plans, construction and operational
 - d. Original solid waste permit 26-k

**APAC-CAROLINA, INC.
SANDHILLS DIVISION
FAYETTEVILLE OFFICE
P.O. BOX 53645
FAYETTEVILLE N.C. 28305-3645
PHONE (910) 485-2135
FAX (910)483-3586**



**N.C. DEPT. OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
1646 MAIL SERVICE CENTER
RALEIGH, N.C. 27699-1646
ATTN: JIM BARBER**

DEAR MR. BARBER,

**THANK YOU FOR YOUR ASSISTANCE WITH OUR EFFORTS TO REPERMIT DOC
BENNETT ROAD LAND CLEARING AND INERT DEBRIS LANDFILL IN FAYETTEVILLE,
N.C. PERMIT #26-K: MODIFICATION #1.**

**ENCLOSED PLEASE FIND THE CERTIFIED COPY OF THE PERMIT THAT HAS BEEN
FILED WITH THE REGISTER OF DEEDS OFFICE. ALSO BE ADVISED THAT A PRE-
OPERATIVE MEETING WAS HELD WITH IKIE GUYTON ON TUESDAY MARCH 19, 2002
PER THE SPECIFIED OPERATING CONDITIONS.**

ONCE AGAIN THANK YOU FOR YOUR HELP AND COOPERATION.

SINCERELY,

A handwritten signature in black ink, appearing to read "Steve Waters".

**STEVE WATERS
EHS MANAGER, APAC SANDHILLS DIVISION**

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APR 10 02

GEORGE E. TATUM
REGISTER OF DEEDS
CUMBERLAND CO., N.C.



PERMIT NUMBER: 26-K
ORIGINAL DATE ISSUED: 10/29/92
DATE MODIFIED (PTC/#1): 02/20/02

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
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SOLID WASTE PERMIT

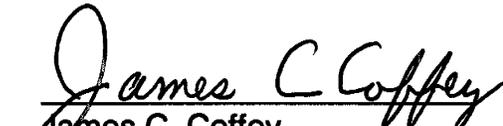
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James C. Coffey
Acting Section Chief
Solid Waste Section
Division of Waste Management

mail:
APAC - CAROLINA INC
ATTN: STEVE WATERS
PO BOX 53645
FAYETTEVILLE NC 28305



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