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North Carolina
Department of Environment and Natural Resources

Division of Waste Management

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



July 10, 2002

Mr. & Mrs. H.D. Newbern III, Landowners
P.O. Box 277
Powells Point, North Carolina 27966
and
Mr. Horatio D.(Racy) Newbern IV, President
Soundside Recycling & Materials, Inc.
P.O. Box 176
Aydlett, North Carolina 27916

Subject: Soundside Recycling & Materials, Inc. C&D Facility
Permit # 27-05
Powells Point, Currituck County, North Carolina
Modification #5: Operation time extended by Currituck County.

Dear Mr. Newbern:

Enclosed is a amended Permit to Operate for the referenced solid waste management facility and the amended conditions for the above referenced facility. This modification addresses the extension of time give to Soundside to operate the recycling facility until 17 June 2005.

Please review the conditions of the permit carefully and if you have any questions or comments please contact Jim Barber at (910) 486-1541 in the Fayetteville Regional Office/ (919) 733-0692 Ext: 344 in the Raleigh Central Office or contact Chuck Boyette at (252) 946-6481.

Sincerely,

Jim Barber
Eastern Area Engineer
Solid Waste Section
cc: Jim Coffey
Mark Fry
Chuck Boyette
Raleigh Central File - Currituck County files (27-05)

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-733-0692 \ FAX: 919-733-4810 \ Internet: www.enr.state.nc.us/

AN EQUAL OPPORTUNITY \ AFFIRMATIVE ACTION EMPLOYER - 50% RECYCLED / 10% POST CONSUMER PAPER

FACILITY PERMIT NO: 27-05
ORIGINAL DATE ISSUED(PTC): 07/27/2000
ORIGINAL DATE ISSUED(PTO): 11/09/2000
DATE OF MODIFICATION #5(PTO): 07/10/2002

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

Mr. & Mrs. H.D. NEWBERN III (Landowners)
AND
SOUNDSIDE RECYCLING & MATERIALS, INC.(operator)

are hereby issued a PERMIT TO OPERATE a

SOLID WASTE MANAGEMENT FACILITY

for

CONSTRUCTION WASTE AND DEMOLITION WASTE SHINGLES

located at 7576 Caratoke Highway, Poplar Branch Township in Powells Point , Currituck 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 construction plan submitted and the permit application narrative.


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

Page 3

PERMIT NUMBER: 27-05
ORIGINAL DATE ISSUED(PTC): July 24, 2000
ORIGINAL DATE ISSUED(PTO): November 9, 2000
MODIFICATION #5 DATED(PTO): July 10, 2002
FACILITY NAME: SOUNDSIDE RECYCLING & MATERIALS, INC.
C&D FACILITY.
POWELLS POINT, CURRITUCK COUNTY, N.C.

CONSTRUCTION WASTE MATERIALS RECOVERY FACILITY

CONDITIONS OF PERMIT

1. This Permit to Operate is issued for a period not to exceed 17 June 2005, the time frame outlined by condition (3) in the "Special Use Permit" issued by Currituck County dated 16 June 2000 and amended by Letter dated 17 June 2002 from Currituck County. This permit is for the construction and operation of the Construction Waste Materials Recovery Facility and Demolition Waste Shingle transfer area as described in the approved plans and documents.
2. This facility shall be maintained and operated in accordance with all applicable Solid Waste Management rules, the approved operations plan prepared by Soundside Recycling & Materials, Inc(SRMI) and the Special Use Permit dated 16 June 2000 from the County of Currituck(enclosed and incorporated as part of this permit). Amendments or revisions to the Solid Waste Management Rules or violation of groundwater standards may necessitate the modification of the construction and operation plans or closure of this facility prior to this date. The operating and permit conditions are subject to revision at any time in the event that conditions arise which threaten the environment or public health, or that have the potential to threaten the environment or public health or as required by changes to the Special Use Permit issued by the County of Currituck.
3. Site preparation shall be in accordance with and maintained consistent with the approved site plan. The following requirements shall be met prior to and after receiving a "PERMIT TO OPERATE" from the Solid Waste Section:
 - a. Site inspection shall be made by representatives of the Solid Waste Section. By accepting this permit, the applicant allows the Solid Waste Section access to the site. Along with site access, the applicant grants the Solid Waste Section the ability to take photographs for documentation and enforcement purposes to insure compliance with Solid Waste Rules, operations plan and the Permit to Operate.
 - b. A revised site plan and/or revised operations plan shall be submitted if any changes are made to the facility during construction and during operations, that differ greatly from the approved application.
 - c. The permit number and the words "NO HAZARDOUS OR LIQUID WASTES ACCEPTED" shall be posted on an entrance sign with the phone number of the emergency contact.

Page 4

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FACILITY NAME: SOUNDSIDE RECYCLING & MATERIALS, INC.
C&D FACILITY.
POWELLS POINT, CURRITUCK COUNTY, N.C.

3. d. Storage area(s) for incoming construction waste and recovered materials shall be clearly identified at the site, consistent with Special Use Permit condition (4) - (3) on page 1.
4. The site shall be adequately secured by means of gates, chains, berms, fences, etc., to prevent unauthorized entry except when an operator is on duty. A sign shall be posted at the entrance to the facility containing the facility name, contact name and number, hours of operation, and permit number. An attendant shall be on duty at the site at all times while it is open for public use to assure compliance with operation requirements and to prevent entry of hazardous waste, demolition waste, municipal solid waste(MSW) and other unacceptable waste onto the site.
5. All earth-disturbing activities will be conducted in accordance with all applicable federal, state, and local requirements. Adequate erosion control measures shall be practiced to prevent silt from leaving the site in accordance with the Sedimentation Control Act, 15A NCAC 4. Temporary seeding shall be utilized as necessary to control erosion. If necessary, to prevent erosion, seeded slopes shall be covered with straw or similar material.
6. Water that comes in contact with construction waste materials or recovered materials(as listed on page 1 of the operations plan) shall be managed on-site to prevent contravention of surface or ground water standards. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L. Stormwater shall be managed in accordance with the approved plans.
7. Recovered materials shall be placed a minimum of two (2) feet above the seasonal high water table, if stored on the ground. The materials that are to be recovered and can be stored at this facility at this time are listed on page 1 of the approved operations plan. It is the Solid Waste Sections preference that recovered materials be placed in containers, if possible for storage prior to shipment off-site.
8. No materials will be tipped, stored, or stockpiled in standing water. Surface water shall be diverted from the operational area and not allowed to be impounded over or around waste or recovered materials.
9. Effective vector control measures shall be applied to control flies, rodents, insects, vermin, and any other potential vectors.

Page 5

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FACILITY NAME: SOUNDSIDE RECYCLING & MATERIALS, INC.
C&D FACILITY.
POWELLS POINT, CURRITUCK COUNTY, N.C.

10. Dust and odor control measures shall be utilized to minimize emissions.
11. Open burning of solid waste is prohibited.
12. Equipment shall be provided to control accidental fires or arrangements shall be made with the local fire protection agency to immediately provide fire-fighting services when needed. All employees shall be trained in fire prevention and emergency action procedures.
13. Fires and non-conforming waste incidents shall be reported to the Regional Waste Management Specialist within twenty-four (24) hours followed by a written notification to be submitted within fifteen (15) days.
14. The Materials Recovery Facility is permitted to receive:
 - a. "Construction" waste materials, as defined for this facility; waste or debris resulting solely from construction, remodeling, repair, of pavement, buildings and structures.
 - b. "Demolition Inert Debris" waste as defined for this facility in 15A NCAC 13B .0562(1); non-painted concrete, non-painted concrete block, non-painted brick, and uncontaminated earth.
 - c. "Used asphalt" as provided for under N.C.G.S. §130A-309(b); used asphalt or used asphalt mixed with dirt, gravel, rock, and concrete.
15. Construction waste shall be screened in accordance with the approved waste screening plan for detection and rejection of materials that are not suitable for recovery at this facility or that may pose a threat or potential threat to public health and safety, worker safety, or the environment.
16. Personnel at this facility shall receive training necessary to carry out the waste screening program. Adequate documentation of the waste screening program, including inspection sheets, employee training records, and contingency plans shall be maintained at the facility as part of the operating record.
17. Paint and similar liquid waste materials shall be managed and stored on site in a manner to prevent release to the environment and removed from the site for disposal in an approved facility in a timely manner.

Page 6

PERMIT NUMBER: 27-05
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FACILITY NAME: SOUNDSIDE RECYCLING & MATERIALS, INC.
C&D FACILITY.
POWELLS POINT, CURRITUCK COUNTY, N.C.

18. Unacceptable waste and non-processible waste shall be placed in containers as soon as possible and shall not remain on the tipping floor/picking area after operating hours. The unacceptable waste and non-processible waste shall be managed in accordance with Solid Waste Management Rules and the approved operations plan and disposed of at East Carolina Environmental Inc.(Permit # 08-03), Windsor, Bertie County, North Carolina thru the County of Currituck Transfer Station, the Middle Peninsula Landfill and Recycling in Glens, Virginia as described in the operations plan on page 2 or the John C. Holland Enterprises site (State of Va. Permit #280) located in Suffolk, Va.
19. Records shall be maintained for the amount of material received, materials processed, and materials removed from the facility.
20. Tabulated monthly summary weights of incoming construction waste, along with reused or recycled materials removed from the incoming construction waste, by-pass/unacceptable waste and non-recyclable waste removed for disposal shall be submitted to the Regional Waste Management Specialist in the Washington Regional Office for review on a quarterly basis at the following address:
Solid Waste Section
Washington Regional Office
1424 Carolina Ave.
Washington, N.C. 27889
Attn: Chuck Boyette
21. The management of new construction roofing shingles(i.e partial squares, tabs, trimmings) shall be in accordance with the operational plan.
22. Demolition shingles received shall be managed as outlined by request dated 12 March 2001 and said shingles shall be transferred to the referenced sites as identified in condition # 18. Shingles shall not be received for processing at the site unless an asbestos screening plan is submitted for review and approved by the Solid Waste Section along with the Health Hazards Branch of the Div. Of Epidemiology.
23. No grinding of shingles or other roofing products/roofing materials is allowed at this site unless it can be demonstrated the materials are new construction materials from new(present day) construction projects. No demolition materials as stated in condition #22 shall be processed(ground/shredded/pulverized) at this site.

Page 7

PERMIT NUMBER: 27-05
ORIGINAL DATE ISSUED(PTC): July 24, 2000
ORIGINAL DATE ISSUED(PTO): November 9, 2000
MODIFICATION #5 DATED(PTO): July 10, 2002
FACILITY NAME: SOUNDSIDE RECYCLING & MATERIALS, INC.
C&D FACILITY.
POWELLS POINT, CURRITUCK COUNTY, N.C.

24. The conditions stated in the "EXTENDED SPECIAL USE PERMIT GRANTED" from Currituck County dated 17 June 2002 shall be complied with and incorporated into this Permit to Operate as follows:
- a. The mulch sales storage area shall not exceed 6' in height, 30' in length and 15' in width;
 - b. No storage areas for construction waste shall exceed 15' in height.

ATTACHMENTS

1. Soundside Recycling & Materials original application and site drawing received 21 June 2000 that includes:
 - a. Special Use Permit from Currituck County dated 16 June 2000;
 - b. Letter from NHP addressing rare species, high quality natural communities dated 28 April 2000;
 - c. Letter from SHPO addressing archaeological, architectural and historic sites dated 4 May 2000;
 - d. FEMA FIRM map for Currituck County indicating that the proposed site is not in a 100 year floodplain;
 - e. "Letters of Intent" from end users (APL Plastics and Butler Paper Recycling);
 - f. Letter dated 4 January 2000 from the Lower Currituck VFD Inc.;
 - g. Deed for the property and plat map with metes and bounds along with Certification by Land Owner affidavits from H.D. and Marlene Newbern;
 - h. Letter of approval of revised plan dated 6 June 2000 from the Division of Land Resources/Land Quality Section;
 - i. Jarvisburg USGS Quad. Sheet and Jarvisburg, N.C. wetlands inventory map.

2. Modification #1: Request dated 12 March 2001 for the construction of a concrete pad and loading ramp for the transfer of shingles, along with a site plan locating the pad on the site.

3. Modification #2: Request dated 26 March 2002 for the addition to the operations plan to include John C. Holland Enterprises, State of Va. Permit #280, as a disposal site.

4. Modification #3: Letter dated 22 April 2002, received via fax on 23 April 2002, addressing Soundside's request for an extension of time to operate the recycling facility consistent with the Special Use Permit issued 16 June 2000.

5. Modification #4: Letter dated 3 June 2002, received via fax on 3 June 2002, addressing Soundside's request for an extension of time to operate the recycling facility consistent with the Special Use Permit issued 16 June 2000.

6. Modification #5: County of Currituck - EXTENDED SPECIAL USE PERMIT GRANTED dated 17 June 2002, received via fax on 10 July 2002, addressing Soundside's request for an extension of time to operate the recycling facility consistent with the Special Use Permit issued 16 June 2000, along with additional conditions placed in the Special Use Permit and added to the facility conditions in the PTO.



SOUND SIDE RECYCLING & MATERIALS, INC.

105 Windy Hill Ct. - Aydtett, NC 27916
Phone: 252-491-8719 - Fax: 252-491-5454

Fax Transmittal Form

To

Name: Jim Barber
Organization Name/Dept: NCDENR
Phone number: 919 733 0892
Fax number: 919 733 4810

- Urgent
- For Review
- Please Comment
- Please Reply

From

Horatio D. (Racy) Newbern
Phone: 252-491-8719
Fax: 252-491-5454
Email: soundside1@earthlink.net

Date sent: ~~4-10-02~~ 7-10-02
Pages sent: 2

Message:

**COUNTY OF CURRITUCK
EXTENDED SPECIAL USE PERMIT GRANTED**

On the date(s) listed below, the Board of Commissioners for the County of Currituck met and held a public hearing to consider the following application:

Applicant: H.D. Newbern IV

Property Location:

Tax Map: 110 Lots: 38 & 39

Proposed Use of the Property: Demolition landfill

Meeting Date: 6/17/02 - Board of Commissioners' Action

Having heard all the evidence and argument presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Currituck County Unified Development Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved subject to all applicable provisions of the Unified Development Ordinance and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning and Inspections Department.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. That the extended special use permit be valid until June 17, 2005 prior to which time the applicant must come back for renewal;
4. That the mulch sales storage area not exceed 6' in height, 30' in length and 15' in width;
5. That no demolition storage pile areas exceed 15' in height;

North Carolina
Department of Environment and Natural Resources



Division of Waste Management

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

June 5, 2002

Mr. & Mrs. H.D. Newbern III, Landowners
P.O. Box 277
Powells Point, North Carolina 27966
and

Mr. Horatio D.(Racy) Newbern IV, President
Soundside Recycling & Materials, Inc.
P.O. Box 176
Aydlett, North Carolina 27916

Subject: Soundside Recycling & Materials, Inc. C&D Facility
Permit # 27-05
Powells Point, Currituck County, North Carolina
Modification #4: Operation time extended by Currituck County.

Dear Mr. Newbern:

Enclosed is a amended Permit to Operate for the referenced solid waste management facility and the accompanying conditions for the above referenced facility. This modification addresses the extension of time give to Soundside to operate the recycling facility until 1 July 2002.

Please review the conditions of the permit carefully and if you have any questions or comments please contact Jim Barber at (910) 486-1541 in the Fayetteville Regional Office/ (919) 733-0692 Ext: 344 in the Raleigh Central Office or contact Chuck Boyette at (252) 946-6481.

Sincerely,


Jim Barber

Eastern Area Engineer
Solid Waste Section

cc: Jim Coffey

Mark Fry

Chuck Boyette

✓ Raleigh Central File - Currituck County files (27-05)

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-733-0692 \ FAX: 919-733-4810 \ Internet: www.enr.state.nc.us/

FACILITY PERMIT NO: 27-05
ORIGINAL DATE ISSUED(PTC): 07/27/2000
ORIGINAL DATE ISSUED(PTO): 11/09/2000
DATE OF MODIFICATION #4(PTO): 06/05/2002

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

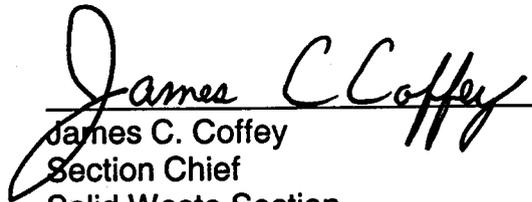
SOUNDSIDE RECYCLING & MATERIALS, INC.

is hereby issued a PERMIT TO OPERATE a
SOLID WASTE MANAGEMENT FACILITY

for

CONSTRUCTION WASTE AND DEMOLITION WASTE SHINGLES

located at 7576 Caratoke Highway, Poplar Branch Township in Powells Point , Currituck 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 construction plan submitted and the permit application narrative.


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

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ORIGINAL DATE ISSUED(PTC): July 24, 2000
ORIGINAL DATE ISSUED(PTO): November 9, 2000
MODIFICATION #4 DATED(PTO): June 5, 2002
FACILITY NAME: SOUNDSIDE RECYCLING & MATERIALS, INC.
C&D FACILITY.
POWELLS POINT, CURRITUCK COUNTY, N.C.

CONSTRUCTION WASTE MATERIALS RECOVERY FACILITY

CONDITIONS OF PERMIT

1. This Permit to Operate is issued for a period not to exceed 1 July 2002, the time frame outlined by condition (3) in the "Special Use Permit" issued by Currituck County dated 16 June 2000 and amended by Letter dated 3 June 2002 from Currituck County. This permit is for the construction and operation of the Construction Waste Materials Recovery Facility and Demolition Waste Shingle transfer area as described in the approved plans and documents.
2. This facility shall be maintained and operated in accordance with all applicable Solid Waste Management rules, the approved operations plan prepared by Soundside Recycling & Materials, Inc(SRMI) and the Special Use Permit dated 16 June 2000 from the County of Currituck(enclosed and incorporated as part of this permit). Amendments or revisions to the Solid Waste Management Rules or violation of groundwater standards may necessitate the modification of the construction and operation plans or closure of this facility prior to this date. The operating and permit conditions are subject to revision at any time in the event that conditions arise which threaten the environment or public health, or that have the potential to threaten the environment or public health or as required by changes to the Special Use Permit issued by the County of Currituck.
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 - a. Site inspection shall be made by representatives of the Solid Waste Section. By accepting this permit, the applicant allows the Solid Waste Section access to the site. Along with site access, the applicant grants the Solid Waste Section the ability to take photographs for documentation and enforcement purposes to insure compliance with Solid Waste Rules, operations plan and the Permit to Operate.
 - b. A revised site plan and/or revised operations plan shall be submitted if any changes are made to the facility during construction and during operations, that differ greatly from the approved application.
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C&D FACILITY.
POWELLS POINT, CURRITUCK COUNTY, N.C.

3. d. Storage area(s) for incoming construction waste and recovered materials shall be clearly identified at the site, consistent with Special Use Permit condition (4) - (3) on page 1.
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6. Water that comes in contact with construction waste materials or recovered materials(as listed on page 1 of the operations plan) shall be managed on-site to prevent contravention of surface or ground water standards. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L. Stormwater shall be managed in accordance with the approved plans.
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POWELLS POINT, CURRITUCK COUNTY, N.C.

10. Dust and odor control measures shall be utilized to minimize emissions.
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POWELLS POINT, CURRITUCK COUNTY, N.C.

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Solid Waste Section
Washington Regional Office
1424 Carolina Ave.
Washington, N.C. 27889
Attn: Chuck Boyette
21. The management of new construction roofing shingles(i.e partial squares, tabs, trimmings) shall be in accordance with the operational plan.
22. Demolition shingles received shall be managed as outlined by request dated 12 March 2001 and said shingles shall be transferred to the referenced sites as identified in condition # 18. Shingles shall not be received for processing at the site unless an asbestos screening plan is submitted for review and approved by the Solid Waste Section along with the Health Hazards Branch of the Div. Of Epidemiology.
23. No grinding of shingles or other roofing products/roofing materials is allowed at this site unless it can be demonstrated the materials are new construction materials from new(present day) construction projects. No demolition materials as stated in condition #22 shall be processed(ground/shredded/pulverized) at this site.

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 - i. Jarvisburg USGS Quad. Sheet and Jarvisburg, N.C. wetlands inventory map.
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4. Modification #3: Letter dated 22 April 2002, received via fax on 23 April 2002, addressing Soundside's request for an extension of time to operate the recycling facility consistent with the Special Use Permit issued 16 June 2000.
5. Modification #4: Letter dated 3 June 2002, received via fax on 3 June 2002, addressing Soundside's request for an extension of time to operate the recycling facility consistent with the Special Use Permit issued 16 June 2000.



Currituck County

Department of Planning and Inspections
Post Office Box 70
Currituck, North Carolina 27929
252-232-3055 / 252-232-3378
FAX 252-232-3026

MEMORANDUM

TO: Whom it may concern

FROM: Gary Ferguson, AICP
Planning Director

DATE: June 3, 2002

SUBJECT: Soundside Recycling Permit

This is confirm that Mr. Racy Newbern's County Zoning Permit to operate Soundside Recycling Center at 7576 Carstoke Highway, Poplar Branch Township in Powells Point, has been extended until July 1, 2002. The Currituck County Board of Commissioners will then act on his request to continue to operate this facility.

Should you have any questions or require more information, please call me at 252-232-3055, extension 262.

Cc: File

SOUNDSIDE RECYCLING & MATERIALS, INC.

105 Windy Hill Ct. - Aydlott, NC 27916
Phone: 252-491-8719 - Fax: 252-491-5454

Fax Transmittal Form

To

Name: Jim Barber
Organization Name/Dept: VL DENR
Phone number: 919 733 0892
Fax number: 919 733 4810

- Urgent
- For Review
- Please Comment
- Please Reply

From

Horatio D. (Racy) Newbern
Phone: 252-491-8719
Fax: 252-491-5454
Email: soundside1@earthlink.net

Date sent: 4-27-02
Pages sent: 2

Message:

North Carolina
Department of Environment and Natural Resources

Division of Waste Management

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



April 23, 2002

Mr. & Mrs. H.D. Newbern III, Landowners
P.O. Box 277
Powells Point, North Carolina 27966

and

Mr. Horatio D.(Racy) Newbern IV, President
Soundside Recycling & Materials, Inc.
P.O. Box 176
Aydlett, North Carolina 27916

Subject: Soundside Recycling & Materials, Inc. C&D Facility
Permit # 27-05
Powells Point, Currituck County, North Carolina
Modification #3: Operation time extended by Currituck County.

Dear Mr. Newbern:

Enclosed is a amended Permit to Operate for the referenced solid waste management facility and the accompanying conditions for the above referenced facility. This modification addresses the extension of time give to Soundside to operate the recycling facility until 31 May 2002.

Please review the conditions of the permit carefully and if you have any questions or comments please contact Jim Barber at (910) 486-1541 in the Fayetteville Regional Office/ (919) 733-0692 Ext: 344 in the Raleigh Central Office or contact Chuck Boyette at (252) 946-6481 for the pre-operational site inspection.

Sincerely,


Jim Barber

Eastern Area Engineer
Solid Waste Section

cc: Jim Coffey

Mark Fry

Chuck Boyette

Raleigh Central File - Currituck County files (27-05)

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-733-0692 \ FAX: 919-733-4810 \ Internet: www.enr.state.nc.us/

AN EQUAL OPPORTUNITY \ AFFIRMATIVE ACTION EMPLOYER -- 50% RECYCLED / 10% POST CONSUMER PAPER

FACILITY PERMIT NO: 27-05
ORIGINAL DATE ISSUED(PTC): 07/27/2000
ORIGINAL DATE ISSUED(PTO): 11/09/2000
DATE OF MODIFICATION #3(PTO): 04/23/2002

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

SOUNDSIDE RECYCLING & MATERIALS, INC.

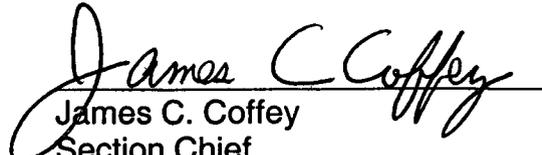
is hereby issued a PERMIT TO OPERATE a

SOLID WASTE MANAGEMENT FACILITY

for

CONSTRUCTION WASTE AND DEMOLITION WASTE SHINGLES

located at 7576 Caratoke Highway, Poplar Branch Township in Powells Point , Currituck 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 construction plan submitted and the permit application narrative.


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

Page 3

PERMIT NUMBER: 27-05
ORIGINAL DATE ISSUED(PTC): July 24, 2000
ORIGINAL DATE ISSUED(PTO): November 9, 2000
MODIFICATION #3 DATED(PTO): April 23, 2002
FACILITY NAME: SOUNDSIDE RECYCLING & MATERIALS, INC.
C&D FACILITY.
POWELLS POINT, CURRITUCK COUNTY, N.C.

CONSTRUCTION WASTE MATERIALS RECOVERY FACILITY

CONDITIONS OF PERMIT

1. This Permit to Operate is issued for a period not to exceed 31 May 2002, the time frame outlined by condition (3) in the "Special Use Permit" issued by Currituck County dated 16 June 2000. This permit is for the construction and operation of the Construction Waste Materials Recovery Facility and Demolition Waste Shingle transfer area as described in the approved plans and documents.
2. This facility shall be maintained and operated in accordance with all applicable Solid Waste Management rules, the approved operations plan prepared by Soundside Recycling & Materials, Inc(SRMI) and the Special Use Permit dated 16 June 2000 from the County of Currituck(enclosed and incorporated as part of this permit). Amendments or revisions to the Solid Waste Management Rules or violation of groundwater standards may necessitate the modification of the construction and operation plans or closure of this facility prior to this date. The operating and permit conditions are subject to revision at any time in the event that conditions arise which threaten the environment or public health, or that have the potential to threaten the environment or public health or as required by changes to the Special Use Permit issued by the County of Currituck.
3. Site preparation shall be in accordance with and maintained consistent with the approved site plan. The following requirements shall be met prior to and after receiving a "PERMIT TO OPERATE" from the Solid Waste Section:
 - a. Site inspection shall be made by representatives of the Solid Waste Section. By accepting this permit, the applicant allows the Solid Waste Section access to the site. Along with site access, the applicant grants the Solid Waste Section the ability to take photographs for documentation and enforcement purposes to insure compliance with Solid Waste Rules, operations plan and the Permit to Operate.
 - b. A revised site plan and/or revised operations plan shall be submitted if any changes are made to the facility during construction and during operations, that differ greatly from the approved application.
 - c. The permit number and the words "NO HAZARDOUS OR LIQUID WASTES ACCEPTED" shall be posted on an entrance sign with the phone number of the emergency contact.

Page 4

PERMIT NUMBER: 27-05
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ORIGINAL DATE ISSUED(PTO): November 9, 2000
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FACILITY NAME: SOUNDSIDE RECYCLING & MATERIALS, INC.
C&D FACILITY.
POWELLS POINT, CURRITUCK COUNTY, N.C.

3. d. Storage area(s) for incoming construction waste and recovered materials shall be clearly identified at the site, consistent with Special Use Permit condition (4) - (3) on page 1.
4. The site shall be adequately secured by means of gates, chains, berms, fences, etc., to prevent unauthorized entry except when an operator is on duty. A sign shall be posted at the entrance to the facility containing the facility name, contact name and number, hours of operation, and permit number. An attendant shall be on duty at the site at all times while it is open for public use to assure compliance with operation requirements and to prevent entry of hazardous waste, demolition waste, municipal solid waste(MSW) and other unacceptable waste onto the site.
5. All earth-disturbing activities will be conducted in accordance with all applicable federal, state, and local requirements. Adequate erosion control measures shall be practiced to prevent silt from leaving the site in accordance with the Sedimentation Control Act, 15A NCAC 4. Temporary seeding shall be utilized as necessary to control erosion. If necessary, to prevent erosion, seeded slopes shall be covered with straw or similar material.
6. Water that comes in contact with construction waste materials or recovered materials(as listed on page 1 of the operations plan) shall be managed on-site to prevent contravention of surface or ground water standards. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L. Stormwater shall be managed in accordance with the approved plans.
7. Recovered materials shall be placed a minimum of two (2) feet above the seasonal high water table, if stored on the ground. The materials that are to be recovered and can be stored at this facility at this time are listed on page 1 of the approved operations plan. It is the Solid Waste Sections preference that recovered materials be placed in containers, if possible for storage prior to shipment off-site.
8. No materials will be tipped, stored, or stockpiled in standing water. Surface water shall be diverted from the operational area and not allowed to be impounded over or around waste or recovered materials.
9. Effective vector control measures shall be applied to control flies, rodents, insects, vermin, and any other potential vectors.

Page 5

PERMIT NUMBER: 27-05
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ORIGINAL DATE ISSUED(PTO): November 9, 2000
MODIFICATION #3 DATED(PTO): April 23, 2002
FACILITY NAME: SOUNDSIDE RECYCLING & MATERIALS, INC.
C&D FACILITY.
POWELLS POINT, CURRITUCK COUNTY, N.C.

10. Dust and odor control measures shall be utilized to minimize emissions.
11. Open burning of solid waste is prohibited.
12. Equipment shall be provided to control accidental fires or arrangements shall be made with the local fire protection agency to immediately provide fire-fighting services when needed. All employees shall be trained in fire prevention and emergency action procedures.
13. Fires and non-conforming waste incidents shall be reported to the Regional Waste Management Specialist within twenty-four (24) hours followed by a written notification to be submitted within fifteen (15) days.
14. The Materials Recovery Facility is permitted to receive:
 - a. "Construction" waste materials, as defined for this facility; waste or debris resulting solely from construction, remodeling, repair, of pavement, buildings and structures.
 - b. "Demolition Inert Debris" waste as defined for this facility in 15A NCAC 13B .0562(1); non-painted concrete, non-painted concrete block, non-painted brick, and uncontaminated earth.
 - c. "Used asphalt" as provided for under N.C.G.S. §130A-309(b); used asphalt or used asphalt mixed with dirt, gravel, rock, and concrete.
15. Construction waste shall be screened in accordance with the approved waste screening plan for detection and rejection of materials that are not suitable for recovery at this facility or that may pose a threat or potential threat to public health and safety, worker safety, or the environment.
16. Personnel at this facility shall receive training necessary to carry out the waste screening program. Adequate documentation of the waste screening program, including inspection sheets, employee training records, and contingency plans shall be maintained at the facility as part of the operating record.
17. Paint and similar liquid waste materials shall be managed and stored on site in a manner to prevent release to the environment and removed from the site for disposal in an approved facility in a timely manner.

Page 6

PERMIT NUMBER: 27-05
ORIGINAL DATE ISSUED(PTC): July 24, 2000
ORIGINAL DATE ISSUED(PTO): November 9, 2000
MODIFICATION #3 DATED(PTO): April 23, 2002
FACILITY NAME: SOUNDSIDE RECYCLING & MATERIALS, INC.
C&D FACILITY.
POWELLS POINT, CURRITUCK COUNTY, N.C.

18. Unacceptable waste and non-processible waste shall be placed in containers as soon as possible and shall not remain on the tipping floor/picking area after operating hours. The unacceptable waste and non-processible waste shall be managed in accordance with Solid Waste Management Rules and the approved operations plan and disposed of at East Carolina Environmental Inc.(Permit # 08-03), Windsor, Bertie County, North Carolina thru the County of Currituck Transfer Station, the Middle Peninsula Landfill and Recycling in Glenss, Virginia as described in the operations plan on page 2 or the John C. Holland Enterprises site (State of Va. Permit #280) located in Suffolk, Va.
19. Records shall be maintained for the amount of material received, materials processed, and materials removed from the facility.
20. Tabulated monthly summary weights of incoming construction waste, along with reused or recycled materials removed from the incoming construction waste, by-pass/unacceptable waste and non-recyclable waste removed for disposal shall be submitted to the Regional Waste Management Specialist in the Washington Regional Office for review on a quarterly basis at the following address:
Solid Waste Section
Washington Regional Office
1424 Carolina Ave.
Washington, N.C. 27889
Attn: Chuck Boyette
21. The management of new construction roofing shingles(i.e partial squares, tabs, trimmings) shall be in accordance with the operational plan.
22. Demolition shingles received shall be managed as outlined by request dated 12 March 2001 and said shingles shall be transferred to the referenced sites as identified in condition # 18. Shingles shall not be received for processing at the site unless an asbestos screening plan is submitted for review and approved by the Solid Waste Section along with the Health Hazards Branch of the Div. Of Epidemiology.
23. No grinding of shingles or other roofing products/roofing materials is allowed at this site unless it can be demonstrated the materials are new construction materials from new(present day) construction projects. No demolition materials as stated in condition #22 shall be processed(ground/shredded/pulverized) at this site.

ATTACHMENTS

1. Soundside Recycling & Materials original application and site drawing received 21 June 2000 that includes:
 - a. Special Use Permit from Currituck County dated 16 June 2000;
 - b. Letter from NHP addressing rare species, high quality natural communities dated 28 April 2000;
 - c. Letter from SHPO addressing archaeological, architectural and historic sites dated 4 May 2000;
 - d. FEMA FIRM map for Currituck County indicating that the proposed site is not in a 100 year floodplain;
 - e. "Letters of Intent" from end users (APL Plastics and Butler Paper Recycling);
 - f. Letter dated 4 January 2000 from the Lower Currituck VFD Inc.;
 - g. Deed for the property and plat map with metes and bounds along with Certification by Land Owner affidavits from H.D. and Marlene Newbern;
 - h. Letter of approval of revised plan dated 6 June 2000 from the Division of Land Resources/Land Quality Section;
 - i. Jarvisburg USGS Quad. Sheet and Jarvisburg, N.C. wetlands inventory map.

2. Modification #1: Request dated 12 March 2001 for the construction of a concrete pad and loading ramp for the transfer of shingles, along with a site plan locating the pad on the site.

3. Modification #2: Request dated 26 March 2002 for the addition to the operations plan to include John C. Holland Enterprises, State of Va. Permit #280, as a disposal site.

4. Modification #3: Letter dated 22 April 2002, received via fax on 23 April 2002, addressing Soundside's request for an extension of time to operate the recycling facility consistent with the Special Use Permit issued 16 June 2000.


SOUND SIDE RECYCLING & MATERIALS, INC.

105 Windy Hill Ct. - Aydlott, NC 27916
Phone: 252-491-8719 - Fax: 252-491-5454

Fax Transmittal Form**To**

Name: Jim Barber
Organization Name/Dept: NCDENR
Phone number: 919 733 0892
Fax number: 919 733 4810

- Urgent
- For Review
- Please Comment
- Please Reply

From

Horatio D. (Racy) Newbern
Phone: 252-491-8719
Fax: 252-491-5454
Email: soundside1@earthlink.net

Date sent: 4-27-02
Pages sent: 2

Message:



Currituck County

Department of Planning and Inspections
Post Office Box 70
Currituck, North Carolina 27929
252-232-3055 / 252-232-3378
FAX 252-232-3026

April 22, 2002

Racy Newbern
PO Box 176
Aydlett NC 27916

Dear Mr. Newbern,

At the April 15, 2002, the Board of Commissioners granted a 30 day extension of your special use permit for a demolition landfill operation and mulch sales stockpile area located at 7565 Caratoke Highway, Tax Map 110, Lots 38 and 39. The permit will now expire on May 31, 2002. The extension was granted to allow staff to meet with you on site to discuss strategies in dealing with the operation. I will be contacting you soon to arrange a meeting.

If you have any questions, you may call me at 252-232-3055, ext. 262.

Respectfully Submitted,

Gary Ferguson
Planning Director

GF/t dg

491-5454

Kase

North Carolina
Department of Environment and Natural Resources
Division of Waste Management



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

March 28, 2002

Mr. & Mrs. H.D. Newbern III, Landowners
P.O. Box 277
Powells Point, North Carolina 27966
and
Mr. Horatio D.(Racy) Newbern IV, President
Soundside Recycling & Materials, Inc.
P.O. Box 176
Aydlett, North Carolina 27916

Subject: Soundside Recycling & Materials, Inc. C&D Facility
Permit # 27-05
Powells Point, Currituck County, North Carolina
Modification #2: Additional disposal facility added.

Dear Mr. Newbern:

Enclosed is a amended Permit to Operate for the referenced solid waste management facility and the accompanying conditions for the above referenced facility. This modification addresses the addition of the following disposal facility for Sidesound Recycling & Materials, Inc. to transport material to:

John C. Holland Enterprises
4801 Nonsemond Parkway
Suffolk, VA 23435
Phone: (757) 488-5616
Fax: (757) 488-5835

Please review the conditions of the permit carefully and if you have any questions or comments please contact Jim Barber at (910) 486-1541 in the Fayetteville Regional Office/ (919) 733-0692 Ext: 344 in the Raleigh Central Office or contact Chuck Boyette at (252) 946-6481 for the pre-operational site inspection.

Sincerely,

Jim Barber
Eastern Area Engineer
Solid Waste Section

cc: Jim Coffey Mark Fry
Chuck Boyette

✓ Raleigh Central File - Currituck County files (27-05)

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-733-0692 \ FAX: 919-733-4810 \ Internet: www.enr.state.nc.us/

FACILITY PERMIT NO: 27-05
ORIGINAL DATE ISSUED(PTC): 07/27/2000
ORIGINAL DATE ISSUED(PTO): 11/09/2000
DATE OF MODIFICATION #3(PTO): 03/28/2002

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

SOUNDSIDE RECYCLING & MATERIALS, INC.

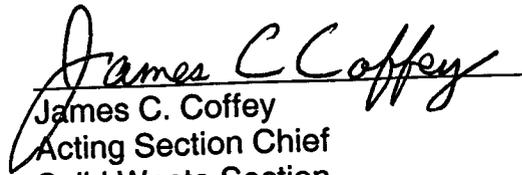
is hereby issued a PERMIT TO OPERATE a

SOLID WASTE MANAGEMENT FACILITY

for

CONSTRUCTION WASTE AND DEMOLITION WASTE SHINGLES

located at 7576 Caratoke Highway, Poplar Branch Township in Powells Point , Currituck 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 construction plan submitted and the permit application narrative.


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

Page 3

PERMIT NUMBER:

27-05

ORIGINAL DATE ISSUED(PTC):July 24, 2000

ORIGINAL DATE ISSUED(PTO):November 9, 2000

MODIFICATION #3 DATED(PTO):March 28, 2002

FACILITY NAME:

SOUND SIDE RECYCLING & MATERIALS, INC.

C&D FACILITY.

POWELLS POINT, CURRITUCK COUNTY, N.C.

CONSTRUCTION WASTE MATERIALS RECOVERY FACILITY

CONDITIONS OF PERMIT

1. This Permit to Operate is issued for a period not to exceed 1 May 2002, the time frame outlined by condition (3) in the "Special Use Permit" issued by Currituck County dated 16 June 2000. This permit is for the construction and operation of the Construction Waste Materials Recovery Facility and Demolition Waste Shingle transfer area as described in the approved plans and documents.
2. This facility shall be maintained and operated in accordance with all applicable Solid Waste Management rules, the approved operations plan prepared by Soundside Recycling & Materials, Inc(SRMI) and the Special Use Permit dated 16 June 2000 from the County of Currituck(enclosed and incorporated as part of this permit). Amendments or revisions to the Solid Waste Management Rules or violation of groundwater standards may necessitate the modification of the construction and operation plans or closure of this facility prior to this date. The operating and permit conditions are subject to revision at any time in the event that conditions arise which threaten the environment or public health, or that have the potential to threaten the environment or public health, or as required by changes to the Special Use Permit issued by the County of Currituck.
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 - b. A revised site plan and/or revised operations plan shall be submitted if any changes are made to the facility during construction and during operations, that differ greatly from the approved application.
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Page 4

PERMIT NUMBER:

27-05

ORIGINAL DATE ISSUED(PTC):July 24, 2000

ORIGINAL DATE ISSUED(PTO):November 9, 2000

MODIFICATION #3 DATED(PTO):March 28, 2002

FACILITY NAME:

SOUNDSIDE RECYCLING & MATERIALS, INC.

C&D FACILITY.

POWELLS POINT, CURRITUCK COUNTY, N.C.

3. d. Storage area(s) for incoming construction waste and recovered materials shall be clearly identified at the site, consistent with Special Use Permit condition (4) - (3) on page 1.
4. The site shall be adequately secured by means of gates, chains, berms, fences, etc., to prevent unauthorized entry except when an operator is on duty. A sign shall be posted at the entrance to the facility containing the facility name, contact name and number, hours of operation, and permit number. An attendant shall be on duty at the site at all times while it is open for public use to assure compliance with operation requirements and to prevent entry of hazardous waste, demolition waste, municipal solid waste(MSW) and other unacceptable waste onto the site.
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FACILITY NAME: SOUNDSIDE RECYCLING & MATERIALS, INC.
C&D FACILITY.
POWELLS POINT, CURRITUCK COUNTY, N.C.

10. Dust and odor control measures shall be utilized to minimize emissions.
11. Open burning of solid waste is prohibited.
12. Equipment shall be provided to control accidental fires or arrangements shall be made with the local fire protection agency to immediately provide fire-fighting services when needed. All employees shall be trained in fire prevention and emergency action procedures.
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POWELLS POINT, CURRITUCK COUNTY, N.C.

18. Unacceptable waste and non-processible waste shall be placed in containers as soon as possible and shall not remain on the tipping floor/picking area after operating hours. The unacceptable waste and non-processible waste shall be managed in accordance with Solid Waste Management Rules and the approved operations plan and disposed of at East Carolina Environmental Inc.(Permit # 08-03), Windsor, Bertie County, North Carolina thru the County of Currituck Transfer Station, the Middle Peninsula Landfill and Recycling in Glens, Virginia as described in the operations plan on page 2 or the John C. Holland Enterprises site (State of Va. Permit #280) located in Suffolk, Va.
19. Records shall be maintained for the amount of material received, materials processed, and materials removed from the facility.
20. Tabulated monthly summary weights of incoming construction waste, along with reused or recycled materials removed from the incoming construction waste, by-pass/unacceptable waste and non-recyclable waste removed for disposal shall be submitted to the Regional Waste Management Specialist in the Washington Regional Office for review on a quarterly basis at the following address:
Solid Waste Section
Washington Regional Office
1424 Carolina Ave.
Washington, N.C. 27889
Attn: Chuck Boyette
21. The management of new construction roofing shingles(i.e partial squares, tabs, trimmings) shall be in accordance with the operational plan.
22. Demolition shingles received shall be managed as outlined by request dated 12 March 2001 and said shingles shall be transferred to the referenced sites as identified in condition # 18. Shingles shall not be received for processing at the site unless an asbestos screening plan is submitted for review and approved by the Solid Waste Section along with the Health Hazards Branch of the Div. Of Epidemiology.
23. No grinding of shingles or other roofing products/roofing materials is allowed at this site unless it can be demonstrated the materials are new construction materials from new(present day) construction projects. No demolition materials as stated in condition #22 shall be processed(ground/shredded/pulverized) at this site.

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SOUND SIDE RECYCLING & MATERIALS, INC.

105 Windy Hill Ct. - Aydlott, NC 27916
Phone: 252-491-8719 - Fax 252-491-5454

Fax Transmittal Form

To

Name: Jim Barber
Organization Name/Dept: NCDENR
Phone number: 1-919-733-0692 ext: 344
Fax number: 1-919-733-4810

From

Horatio D. (Racy) Newbern
Phone: 252-491-8719
Fax: 252-491-5454
Email: soundside1@earthlink.net

- Urgent
- For Review
- Please Comment
- Please Reply

Date sent: 03/26/02
Pages sent: 1 page

Message:

To: Jim Barber

I need to add John C. Holland Enterprises to Soundside Recycling & Materials, Inc. permit for the destination of our by-pass material.

The address is John C. Holland Enterprises
4801 Nansmond Parkway
Suffolk, VA 23435
Phone: 1-757-488-5616
Fax: 1-757-488-5835

permit # 280

If you have any questions call Racy at 252-491-8719 or his cell phone at 252-202-5247

Thank you

APPROVED
DIVISION OF SOLID WASTE MANAGEMENT
DATE 3/28/02 BY JAB
PTD mod.#2



SOUND SIDE RECYCLING & MATERIALS, INC.

105 Windy Hill Ct. - Aydtett, NC 27916
Phone: 252-491-8719 • Fax: 252-491-5454

Fax Transmittal Form

To

Name: Jim Barber
Organization Name/Dept: NCDENR
Phone number: 1-919-733-0692 ext: 344
Fax number: 1-919-733-4810

From

Horatio D. (Racy) Newbern
Phone: 252-491-8719 252-202-5247
Fax: 252-491-5454
Email: soundside1@earthlink.net

- Urgent
- For Review
- Please Comment
- Please Reply

Date sent: 03/26/02
Pages sent: 1 page

Message:

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