



Facility Permit No.: 28-03
Part 1 - Permit to Construct
Dare County C&D Landfill
March 10, 2010
Doc. ID: 9251
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NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Division of Waste Management

Beverly Eaves Perdue
Governor

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Director

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Secretary

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

CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL
Permit No. 28-03

Dare County
is hereby issued a

PERMIT TO CONSTRUCT

DARE COUNTY CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL
CELL 4 LATERAL EXPANSION

located west of US Highway 264 approximately 2.4 miles south of the intersection of US Highway 64/264 in Dare 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 of the site or the property map contained within the approved application document.

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

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

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ATTACHMENT 1

PART I: PERMIT HISTORY

Permit Type	Date Issued
Original Issue Permit to Construct (PTC) and Permit to Operate (PTO)	November 15, 1995
Permit Modification (PTO) – Cell2a	December 28, 1998
Permit Amendment (PTO) – Cells 1 and 2	March 14, 2000
Permit Amendment (PTC) – Cell 1	October 30, 2001
Permit Modification (PTC) – Cells 1 and 2	June 24, 2002
Permit Modification (PTO) – Cell 2	December 20, 2002
Permit Modification (PTO) – Cells 1 and 2	June 27, 2003
Permit Amendment (PTO) – Cells 1 and 2	May 5, 2005
Permit Amendment (PTC) – Cell 3a	July 22, 2005
Permit Modification (PTO) – Cell 3a	March 17, 2006
Permit Modification (PTO) – Cell 3 Expansion	December 18, 2006
Permit Amendment (PTC) – Cell 4	March 10, 2010

PART II: LIST OF DOCUMENTS FOR APPROVED PLAN

1. - 28. See *Facility Permit No 28-03, Part 2 – Permit to Operate*. December 18, 2006. Permit Modification: Cell 3 Expansion (Doc ID 628).
29. *Dare County Construction and Demolition Debris Landfill Cell No. 4 Permit To Construct Application*. Prepared by: Camp Dresser & McKee. Raleigh, NC. January 27, 2009; revised through December 21, 2009 (Doc ID 9831).
30. *Dare County Construction and Demolition Debris Landfill Phase No. 4 Expansion, Erosion and Sediment Control Permit Application*. Prepared by: Camp Dresser & McKee. Raleigh, NC. December, 2009. Approved by: Division of Land Resources, Land Quality Section. February 18, 2010 (Doc ID 9831).

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Dare County, N.C. Register of Deeds				
Book	Page	Grantee	Grantor	Acres
530	733 - 735	Dare County, North Carolina	The Prudential Insurance Company of America	
Plat Cabinet C	Slide 32 B	Survey		836.2
				Total Site Acreage: 836.2 acres

PART IV: GENERAL PERMIT CONDITIONS

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management (the Division), 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 Construct shall expire eighteen (18) months from the issuance date of the Permit to Construct, September 10, 2011, as per the North Carolina Solid Waste Management Rules (the Rule) 15A NCAC 13B .0534(b)(2)(H) if construction of Cell 4 is not commenced. A Modification to the Permit to Construct for the facility will be required in accordance with rules in effect at the time of review of the request and shall be subject to a permit modification fee.
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 sanitary landfill and a reference by book and page to the recordation of the permit.
5. By beginning construction or receiving waste 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 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, "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 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

1. This permit approves the Facility Plan (Attachment 1, Part II, Document No. 29) that defines the comprehensive development of the C&DLF facility including the estimates of gross capacity of the entire C&DLF, the estimates of gross capacity each of the five (5) phases of development of the C&DLF, the solid waste stream to be received, the areas served by the facility, all onsite solid waste management facilities and related facility infrastructure in accordance with the Rule 15 NCAC 13B .0537.
2. The landfill is permitted to dispose solid waste that meets the definition provided in North Carolina General Statutes Chapter 130A-290(a)(35) and to accept for disposal solid waste in accordance with the Rule 15 NCAC 13B .0542 (c), (d), &(e) which is generated in Dare County, as approved by the Dare County Commissioner on August 2, 2004, except as otherwise prohibited by North Carolina General Statutes Article 9 of Chapter 130A and rules adopted by the Commission for Health Services.
3. This facility shall conform to the specific conditions set forth in this permit and the provisions of the Rule 15A NCAC 13B .0534(b)(2).
4. The permittee shall submit an amendment to this permit pursuant to the Rule 15A NCAC 13B .0533(a)(2) for any subsequent phase of development.
5. A copy this permit and the approved plans shall be maintained at the facility.

Facility Construction Conditions

6. This permit to construct is issued for the Dare County C&DLF facility under the criteria set forth in accordance with Rule 15A NCAC 13B .0533(a)(2) for a subsequent expansion of Cell 4 (11.3 acres) as shown on the drawing Sheet No. SD-2 in the approved Document 29 (Attachment 1, Part II). The C&DLF facility has a total permitted gross design volume of 1,571,800 cubic yards (measured from the top of the protective cover to the top of final cover). Development of Cell 4 shall only be in accordance with the Section approved plans and the requirements stipulated in Rules .0531 - .0547. The construction of Cell 4 is permitted for approximately:
 - a. 11.3 acres,
 - b. 326,900 cubic yards of total gross volume (from the top of the protective cover to the top of final cover), and

- c. 106,750 tons of wastes over the 3.5-year planning period. The cumulative waste tonnage for the period is based on an average of 98.4 tons per day and a 310 working day per year.
7. Additional conditions and revisions of the approved documents or changes during construction of Cell 4 require approval by the Section in accordance with Rule 15A NCAC 13B .0534(a)(4).
8. Prior to construction of Cell 4, all sedimentation and erosion control activities shall be constructed and conformed to the requirements shown on drawing Sheet Nos. C-3, D-1, and D-2 in Document 29 (Attachment 1, Part II), the approved Erosion and Sediment Control Plan in Document 30 (Attachment 1, Part II), the Sedimentation Pollution Control Law (15A NCAC 04), and any required NPDES permits. During the course of construction Cell 4, the permittee must implement, but not limited to, the following sedimentation and erosion control activities:
 - a. All sedimentation and erosion control activities shall be conducted by installing and maintaining adequate structures and measures to manage the run-on and run-off generated by the 24-hour, 25-year storm event, to prevent silt from leaving the site, and to prevent excessive on-site erosion.
 - b. Provisions for a vegetative ground cover sufficient to restrain erosion must be accomplished within 30 working days or 120 calendar days upon completion of any phase of C&DLF development.
9. Modifications in sedimentation and erosion control activities must be approved by the NCDENR, Division of Land Resources, Land Quality Section. Upon receiving the approval letter, the permittee shall notify the Section of any sedimentation and erosion control modifications.
10. The permittee shall conduct a preconstruction meeting, on site, prior to initiating construction of Cell 4 at the site and periodic construction progress meetings, as needed. The permittee shall notify the Section 10 days prior to said meeting.
11. Prior to construction of Cell 4, all piezometers, groundwater monitoring wells (GW-6 & GW-7), and borings, located within the proposed cell footprint, shall be properly abandoned by over-drilling first (exception of non-cased borings) and sealed with grout in accordance with the Rule 15A NCAC 2C .0113(b)(1), titled "Abandonment of Wells":
 - a. In areas where soil is to be undercut, wells should not be grouted to pre-grade land surface, but to the proposed base grade surface to prevent having to cut excess grout and possibly damaging the wells.

- b. Well abandonment record(s) (a completed GW-30 form) for each piezometer, ground-water monitoring well and boring shall be certified by the permittee's geologist and submitted to the Section in accordance with 15A NCAC 02C.0114(b).
12. The permittee's geologist shall be in the field to supervise of installing ground-water monitoring wells (GW-16 & GW-17) and gas probes (M-1 through M-12) as shown on the drawing Sheet No. 1 in the approved Water Quality Monitoring Plan (Attachment 1, Part II, Document 29). Any modifications to the approved monitoring plans shall be submitted to the Section Hydrogeologist for review and approval. Documentation of all changes to the approved plan shall be submitted with the well construction records.
13. After well completion, provide a scaled as-built map depicting the location of the new ground-water monitoring wells and gas probes; existing ground-water monitoring wells, and abandoned piezometer / ground-water monitoring wells (completed GW-30 form). Additionally, for each well constructed, a well construction record (completed GW-1 form), well schematic, boring log, and a description of well development activities shall be submitted, along with the aforementioned as-built drawings to the Section at the same time as the results of the initial sampling event or within 30 days upon completion of any new wells.
14. The permittee shall implement the approved construction quality assurance (CQA) in accordance with the Rule 15A NCAC 13B. 0541 and the approved CQA Plan [Section 6 – Compacted Fill (Base Pad)] and the drawing Sheet D-2 (Document 29, Part II, Attachment 1) during the course of constructing the 5-feet-thick Cell 4 base pad.
15. Prior to receiving waste at any unit of this facility, a Permit to Operate must be obtained from the Section in accordance with the Rule 15A NCAC 13B .0201(b).

Pre Operational Conditions

16. The following requirements shall be met prior to operation of this facility:
 - a. Site preparation (grading and placement of fill to maintain 5-foot vertical separation between waste and the existing ground surface, etc) has occurred in accordance with the approved plans.
 - b. A written CQA report including as-built drawings in accordance with the Rule 15A NCAC 13B.0541(c) & (d) and the approved CQA plan shall be submitted to the Section for review.

- c. The permittee shall arrange for a site inspection by a representative of the Section for the purpose of demonstrating that the facility construction is consistent with approved plans and specifications.
- d. Prior to waste disposal in any new unit or cell, the permittee shall contact the appropriate regional Solid Waste Management Specialist to determine whether the Section chooses to hold a pre-operative meeting with key landfill personnel and representatives of the Section.
- e. Ground water monitoring wells and gas probes shall be installed, and surface water sampling locations shall be established. A baseline sampling event for background water quality shall be completely performed in accordance with 15A NCAC 13B. 0544(b)(1)(D). Well construction records and sampling results shall be submitted to the Section Hydrogeologist for review and approval prior to issuing the Permit to Operate.
- f. The permittee shall completely implement and install site access, security, signs, and safety requirements in accordance with 15A NCAC 13B. 0542(j).
- g. The permittee shall completely construct and install all required and approved measures, devices, and structures to prevent soil erosion, control sedimentation, manage surface water drainage, and to protect surface waterbody in accordance with 15A NCAC 13B. 0542(k) & (l).

- End of Permit Conditions -