



Facility Permit No: 33-F
Barnhill Contracting Company LCID Landfill
Permit to Operate
July 27, 2010
Doc ID No. 11232
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North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

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Secretary

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

LAND CLEARING AND INERT DEBRIS (LCID) LANDFILL
Permit No. 33-F

BARNHILL CONTRACTING COMPANY

is hereby issued a

PERMIT TO OPERATE

BARNHILL CONTRACTING COMPANY LCID LANDFILL
PHASES 1 THROUGH 3

Located at 10826 NC Highway 97 West, northeast of Rocky Mount, Edgecombe 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 No. 1 of this permit.

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

ATTACHMENT 1

PART I: PERMITTING HISTORY

| Permit | Date Issued | Doc ID |
|--|------------------|--------|
| Permit to Construct and Operate, Phase 1 | October 29, 1998 | 11215 |
| Permit to Operate, Phases 1-3 | July 27, 2010 | 11232 |

Note – It appears some permitting history may be missing from the files

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *LCID Permit Application, Barnhill Contracting Company.* August 1998, revised through October 1998.
2. *LCID Permit Renewal Application, Barnhill Contracting Company.* Prepared by Appian Consulting Engineers, PA, Rocky Mount, NC. September 2009, revised through June 2010. Doc ID 11231.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

| Edgecombe County, N.C. Register of Deeds | | | |
|---|---------|---------------------------------|-----------------------------|
| Book | Page | Grantee (sold to) | Grantor (sold from) |
| 889 | 272-275 | Barnhill Contracting Company | Hugh H. Battle et al |
| | | | Total Acreage: 111.54 acres |

Note – The actual disposal area is approximately 10.66 acres. The Parcel number for the property is 386194509600.

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(e), a land clearing and inert debris solid waste management facility permit may be combined in two parts: a Permit to Construct and a Permit to Operate. The Permit to Operate shall expire July 27, 2015. 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 must 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 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 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 identified in Attachment 1, "List of Documents for Approved Plan," which constitutes 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 must 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

(Not Applicable)

**ATTACHMENT 3
 CONDITIONS OF PERMIT TO OPERATE**

PART I: FACILITY SPECIFIC CONDITIONS

1. This Permit to Operate expires July 27, 2015. Pursuant to 15A NCAC 13B .0201(g), no later than March 27, 2015, the owner or operator must submit a request to the Section for permit review and must submit updated facility plans meeting the requirements of Rule 0.565 and .0566.
2. Pursuant to 15A NCAC 13B .0201(c) and (e), this permit approves continued operation of Phases 1 through 3 of the Barnhill Contracting Company LCID Landfill.
3. The landfill is permitted for a total gross capacity of 274,273 cubic yards. Gross capacity is the measured volume between the bottom of waste and the top of final cover. Development of the landfill is approved as summarized below:

| Phase | Acres | Gross Capacity (cy) |
|---------|-------|--|
| Phase 1 | 10.66 | Currently Filled – 123,020 cy Remaining capacity – 151,253 cy |
| Phase 2 | * | |
| Phase 3 | * | |
| Total | 10.66 | 274,273 |

Note – Phase 2 and 3 are vertical expansions over Phase 1.

4. This facility must conform to the operational requirements of the NC Solid Waste Management Rules, 15A NCAC 13B .0566, and to the operational plan required by 15A NCAC 13B .0565(4).
5. This facility is permitted to receive land clearing waste; yard trash; untreated and unpainted wood; uncontaminated soil; inert debris such as unpainted rock, brick, concrete, and concrete block; and asphalt in accordance with NCGS 130-294(m).
6. This facility is permitted to receive waste generated within Nash, Edgecombe, and Halifax Counties. Proposed changes to the service area must be submitted to the Section for review prior to any changes in accordance with Condition No. 10 of this Attachment
7. The permittee must maintain permanent markers that accurately identify the edge of the approved waste disposal boundary.

8. Fill operations must be contained within the approved elevation contours as shown on the approved application drawings. Excavation, grading and fill material side slopes must not exceed a ratio of three horizontal feet to one vertical feet (3:1).
9. Open burning of land clearing waste is prohibited. If a fire occurs, the permittee must provide verbal notification to the Section within 24 hours of the occurrence followed by a written report of the details of the fire within 10 working days of the occurrence. The report must include the cause, the location(s) on the premises, the dimensions and volume of material involved, a description of emergency response activities with results, and a description of mitigation measures implemented to reduce or eliminate conditions leading to the fire. Other conditions may be required based on the severity or nature of the fire.
10. Revisions to the design or operation of the facility or changes to the facility service area must be submitted to the Section for review and approval prior to the implementation of any changes. Revisions or changes that require modification to the permit will be subject to the appropriate permitting fee.
11. Amendments or revisions to the NC General Statutes or to the NC Solid Waste Management Rules or any violation of ground water standards may necessitate modification of the approved design or operation plans, waste acceptance requirements or may require closure of the facility.

Cover Material Requirements

12. Solid waste must be covered with 1-foot of suitable soil cover at least once per month or when the active area reaches 1 acre in size, whichever occurs first, or more often when necessary to prevent the site from becoming a nuisance or to mitigate conditions associated with fire, windblown materials, vectors or excessive water infiltration.
13. The facility must maintain a supply of cover material adequate to cover the working face in case of an emergency or fire, at all times.
14. Vegetative ground cover sufficient to control erosion must be established within 30 (thirty) working days upon completion of any phase of LCID landfill development or as addressed in the approved Sedimentation and Erosion Control permit.
15. Within 120 calendar days after completion of the final disposal operations, the disposal area must be closed and covered with a minimum of 1-foot of suitable soil cover sloped to allow surface water runoff in a controlled manner. However, for ditches with depths greater than 6 inches and widths less than 3 feet located on the landfill, at least 2 feet of soil is required between the bottom elevation of the ditches and the waste mass.

Drainage Control and Water Protection Requirements

16. 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. All required sedimentation and erosion control measures must be installed and operable to mitigate excessive on-site erosion and to prevent silt from leaving the area of the landfill unit during the service life of the facility.
17. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.
18. Solid waste must be placed a minimum of four feet above the seasonal high water table.
19. Solid waste must not be disposed in standing water. Surface water must be diverted away from the operational area and must not be impounded over or in waste.
20. Wastes must not be disposed within the 100 year floodplain.
21. Leachate must be properly managed on site using best management practices.
22. Facility construction, operations or practices must not cause or result in a discharge of pollution, dredged material, and/or fill material into waters of the state in violation of the requirements under Sections 401 and 404 of the Clean Water Act, as amended.
23. Modifications to the approved sedimentation and erosion control activities require approval by the North Carolina Land Quality Section. The permittee must notify the Section of any sedimentation and erosion control plan modifications.

- End of Permit Conditions -