



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

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

**LAND CLEARING AND INERT DEBRIS TREATMENT AND PROCESSING
FACILITY
PERMIT NO. 34-18-TP**

HERBERT G. MYERS, Sr., AND MARTY LEE MYERS
are hereby issued a

PERMIT TO CONSTRUCT/OPERATE

MYERS TREATMENT AND PROCESSING FACILITY

Located at 7775 Shallowford Road (north side), between Dorse Road and Pilot View Drive, west of the Town of Lewisville, Forsyth County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The legal description of the site is identified on the deeds recorded for this property listed in Attachment 1, Part III of this permit.

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

ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit Type	Date Issued	Document ID No.
Permit to Construct/Operate	June 10, 2004	9095
Permit to Construct/Operate	January 6, 2010	7048

PART II: LIST OF DOCUMENTS FOR THE APPROVED FACILITY PLAN

1. Original permit submittal document titled "Permitting and Operations Manual, Myers Land Clearing and Inert Debris Landfill, Permit No.: FC 34-90-05" dated April 2002 and prepared by Allied Design, Inc. Original submittal documents include the application narrative, Zoning Approval (dated 8 November 2001), design drawings, and site Operations Plan.
2. Revision to the original permit application submitted by Allied Design, Inc. dated 23 June 2003 including revised drawings C1, C2, C3, and C4 and a revised Section IV (Operations Plan) of the "Permitting and Operations Manual."
1. Letter dated 15 September 2003 from Allied Design Inc. with an attached letter from Soil Scientist, Richard Ferris, addressing evaluation of depth to groundwater.
1. Phase 1A Closure Plan Drawing (Dwg. C5), submitted by Allied Design, Inc. and dated 25 September 2003, received 26 September 2003.
2. Building Permit from the Winston-Salem/Forsyth County Inspections Division dated 20 February 2004 submitted via Letter of Transmittal from Allied Design, Inc.. Received 18 March 2004.
3. Letter dated 19 March 2004 from Allied Design, Inc. including a copy of the recorded Reclamation Agreement with the City of Winston Salem/Forsyth County and a copy of a letter from the City of Winston-Salem Inspections Division indicating that a new special use permit was not required.
4. Fax dated 23 April 2004 from Allied Design, Inc. showing application for a Watershed Protection Permit and Sediment and Erosion Control Plan approval from the Winston-

Salem/Forsyth County Inspections Division (NC Div. of Land Quality delegated program). Approvals dependent upon issuance of NCDENR permit.

5. Letter dated 21 May 2004 from Allied Design, Inc. including a map of test pit locations investigated to verify partial closure of the old demolition area under the proposed reclamation facility and a set of color photos to verify documentation of closure area.
6. *“Permitting and Operations Manual,” Myers Land Clearing and Inert Debris Landfill, Permit No. 34-18-TP.* Prepared by: Allied Design, Inc. March 2009. DIN 7047

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Forsyth County, N.C. Register of Deeds				
Book	Page	Acreage	Grantor	Grantee
1682	3766	0.944	Gail M. & George W. Baroil	Herbert G. Myers Sr., and Marty Lee Myers
1665	0463- 0465	15	Gail M. & George W. Baroil	Herbert G. Myers Sr., and Marty Lee Myers
		15.944	Total Facility Acreage	

PART IV: GENERAL PERMIT CONDITIONS

1. This permit shall expire January 6, 2015. Pursuant to 15A NCAC 13B .0201(g), no later than October 6, 2015, the owner or operator must submit a request to the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (“Section”) for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.
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. (Intentionally Blank)

5. By receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
6. Operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of the Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit; and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.
7. This permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment I, Part II “List of Documents for Approved Plan,” and which constitute the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.
8. This permit may be transferred only with the approval of the Section, through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g) the permittee shall notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.
9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for a General or Individual NPDES Stormwater Discharge Permit. Issuance of this permit does not remove the permittee’s responsibilities for compliance with any other local, state or federal rule, regulation or statute.

- End of Section -

ATTACHMENT 2

CONDITIONS OF PERMIT TO CONSTRUCT

PART I - GENERAL FACILITY CONDITIONS

This Section is not applicable to this Permit issued (January 6, 2010)

ATTACHMENT 3

CONDITIONS OF PERMIT TO OPERATING

PART I - OPERATING CONDITIONS

1. This “treatment and processing facility” is permitted to receive land clearing waste, concrete, brick, concrete block, uncontaminated soil, gravel and rock, untreated and unpainted wood and pallets and yard trash. Waste acceptance requirements may be affected by future revisions and amendments to the NC General Statutes, or to the NC Solid Waste Management Rules.
2. Only materials specifically listed in the permit application may be managed at this facility without adequate testing and prior approval of the Division of Waste Management. Should materials begin to compost, generate heat in excess of 110 degrees Fahrenheit, resulting in a change in physical appearance of the ground material, it will be necessary to obtain a compost permit for this operation.
3. A responsible individual trained and certified in facility operations must be on-site at all times during all operating hours of the facility, in accordance with G.S. 130A-309.25.
4. The permittee must develop, and use, a training and screening program at the facility for detecting and preventing unauthorized wastes from being accepted at the facility.
5. The facility must not cause nuisance conditions.
 - a. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.

- b. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter.
 - i) Fugitive dust emissions are prohibited.
 - ii) Windblown materials must be collected by the end of the day and no windblown material may be allowed to leave the facility boundary.

- 6. 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.

- 7. Copies of this permit, the approved plans and all records required to be maintained by the permittee must be maintained at the facility, unless otherwise approved by the Section, and made available to the Section upon request during normal business hours.

- 8. The permittee must maintain a record of the amount of solid waste received at the facility, including daily records of waste received and origins of the loads. The daily records are to be summarized into a monthly report for use in the required annual reports.

- 9. An annual report shall be submitted by August 1st of each year for the previous July 1 through June 30. The report shall include, at a minimum, the following:
 - a. The facility name, address and permit number;
 - b. The total quantity in tons and type of waste received at the facility during the reporting year;
 - c. The total quantity in tons and type of waste processed during the reporting year;
 - d. The total quantity in tons and type of material produced at the facility, by product classification, during the reporting year;
 - e. The total quantity in tons and type of materials removed for use or disposal from the facility, by product classification, along with a general description of the market if for use during the year covered by the report;

10. This facility shall be operated in such a manner that 75% of materials received shall be treated or processed and distributed within 12 months of receipt.
11. Wastes received and product stored shall be maintained in reasonably sized piles with adequate fire breaks and lanes in accordance with the approved operational plans and the pertinent rules.
12. Surface water shall be diverted from all operational and storage areas to prevent standing water in operational areas and under or around storage piles. Water that comes in contact with solid waste shall be contained on-site or properly treated prior to discharge.
13. These areas shall be operated and maintained in a manner so as to minimize odors, prevent the creation of a nuisance, potential health hazard, or a potential fire hazard.
14. The facility must manage all operations according to all applicable statutes and rules of the State of North Carolina.
15. The 100-foot buffer to property line shall be maintained free of waste and final product.
16. This facility shall be operated in a manner which is consistent with the State solid waste management plan and with the solid waste management plans that have been adopted by those units of local government served by the facility and approved by the Section.
17. 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.
18. All earth disturbing activities must be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4) and consistent with any other local, state or federal requirements.
19. 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 402 and 404 of the Clean Water Act, as amended.
20. Modifications to the approved sedimentation and erosion control activities require approval by the North Carolina Land Quality Section. The Section must be notified of any sedimentation and erosion control plan modifications.

- End of Permit Conditions-