



Facility Permit No: 34-AA-LCID  
Piney Hill Acres LCID Landfill, T&P  
Part 1 & 2 - Permit to Construct/Operate  
Doc Id No. 7046  
February 1, 2010  
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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

**LAND CLEARING AND INERT DEBRIS LANDFILL &  
TREATMENT AND PROCESSING FACILITY  
PERMIT NO. 34-AA-LCID**

David Lee Lawson LLC – Landowner  
David L. Lawson - Operator  
is hereby issued a

**PERMIT TO CONSTRUCT/OPERATE**

**PINEY HILL ACRES LCID LANDFILL FACILITY**

Located at 2081 Piney Grove Road (SR 1969) between SR 2015 and SR 2052, in Kernersville, 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.

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

1646 Mail Service Center, Raleigh, North Carolina 27699-1646  
Telephone 919-508-8400 \ Fax 919-733-4810 \ Internet <http://wastenotnc.org>

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## ATTACHMENT 1

### PART I: PERMITTING HISTORY

Permit Type	Date Issued	Document ID No.
Permit to Construct/Operate	May 15, 2001	
Permit to Construct/Operate	September 12, 2002	9238
Permit to Construct/Operate	February 1, 2010	7046

### PART II: LIST OF DOCUMENTS FOR THE APPROVED FACILITY PLAN

1. Original permit submittal document titled "Land Clearing and Inert Debris Landfill Application, Piney Hill Acres, 2081 Piney Grove Road, Kernersville, North Carolina" dated 15 January 2002 and prepared by Trigon Engineering Consultants, Inc. Original submittal documents include the application narrative, soil test pit records, Zoning Approval (dated 24 April 1997), Site Operations and Maintenance Plan, Property Deeds, and the Erosion Control Plan.
2. Fax transmittal from Trigon Engineering Consultants, Inc. dated 7 February 2002 showing the site within the East Belews Creek Watershed identified by the Natural Heritage Program as a significant natural area under private ownership.
3. Wetlands and Endangered Species Survey Report dated 25 April 2002 from Trigon Engineering Consultants, Inc. indicating that no endangered or threatened species or habitat would be affected by the proposed LCID landfill.
4. Letter dated 5 June 2002 issued by Forsyth County for Erosion Control Plan approval.
5. Submittal received 11 June 2002 from Trigon Engineering Consultants, Inc. including additional copy of the Wetlands and Endangered Species Survey (dated 25 April 2002), Development Permit from the Winston-Salem/Forsyth County Inspections Division (dated 6 June 2002), and letter dated 23 May 2002 from the NCDOT regarding the requirement of a driveway permit.
6. Revision to the original permit application submitted by Trigon Engineering Consultants, Inc dated 4 September 2002 including revised drawings 4, 5, 6, and 7 based on Winston-Salem/Forsyth County Development Permit limiting the size of the landfill footprint to 1.95 acres.

7. Letter dated May 13, 2003 from Trigon Engineering Consults, Inc. including modified drawings 6 and 7 and a new drawing #8 to support a request to allow excavation of base grades below the contours previously approved in September 2002.
8. Letter from Trigon Consults dated March 30, 2005, addressed to Tim Jewett, Solid Waste Section, requesting approval to excavate to a maximum depth of 12 feet below the lowest existing elevation along with a copy of Drawing 015-04-121-3 showing the location of the additional cut area, Cross-Section A-A' (Drawing 011-01-083-6) and Cross- Section B-B' (Drawing 011-01-083-7) demonstrating the bottom cut elevation of 810 feet.
9. *Land Clearing and Inert Debris Landfill, Operation Plan for Piney Hill Acres*. Submitted by Kleinfelder for David Lawson. Dated May 5, 2009. Revised October 14, 2009 to include Compost Permit. DIN 7700.
10. *Land Clearing and Inert Debris Landfill, Operation Plan for Piney Hill Acres*. Submitted by Kleinfelder. Prepared for David Lawson. Dated December 18, 2009. DIN 9277.

**PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY**

<b>Forsyth County, N.C. Register of Deeds</b>				
Book	Page	Acreage	Grantor	Grantee
2829	4180	15.709	David L. Lawson and Wife, Betty B. Lawson	David Lee Lawson, L.L.C.
		15.709	Total Facility Acreage	

#### **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 Construct shall expire on February 1, 2015. The Permit to Construct conditions are contained in Attachment 2 of this permit. The Permit to Operate shall expire February 1, 2015. The Permit to Operate conditions are contained in 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. 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 must be returned to the Division of Waste Management, within 30 (thirty) calendar days. If the Section does not receive the certified copy of the recorded permit within 30 calendar days of issuance of the permit, then and in that event, the permit is suspended and of no effect until the date the Section receives the certified copy of the recorded permit.
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 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 1: FACILITY SPECIFIC CONDITIONS**

1. Pursuant to the NC Solid Waste Management Rules (Rule) 15A NCAC 13B .0201(c) and (e), this permit approves construction of Area 2 of the Piney Hill Acres LCID Landfill and Treatment and Processing Facility.
2. The landfill is permitted for a total gross capacity of 554,380 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:

	<b>Acreage</b>	<b>Capacity</b>	<b>Status</b>
		(cubic yards)	
Area 1	1.950	157,300	Active
Area 2	4.475	397,080	Permitted
Totals	6.425	554,380	--

3. The following are required prior to receiving solid waste in new 4.475 acre Area 2:
  - a. Written certification from a North Carolina Registered Professional Engineer must be submitted to the Section certifying that the waste disposal unit(s) has been constructed in accordance with the approved plans.
  - b. A sign must be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566(16).
  - c. The disposal unit boundary must be accurately identified with permanent markers.
  - d. A site inspection and pre-operative meeting must be conducted by a representative of the Section. The permittee must notify the Section’s Environmental Senior Specialist and make arrangements for the site inspection and pre-operative meeting.
  - e. After completion of the requirements in subparagraphs a. through d. above, the Section Environmental Senior Specialist shall notify the Permitting Branch Supervisor by letter or email that the pre-operative requirements have been met

and that the unit(s) may commence receiving waste. The permittee will be copied on the notification and may begin receiving waste at that time.

## **EROSION AND SEDIMENTATION CONTROL REQUIREMENTS**

4. 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.
5. 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.
6. 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 Section -*

## **ATTACHMENT 3**

### **CONDITIONS OF PERMIT TO OPERATE**

#### **PART 2: FACILITY SPECIFIC CONDITIONS - LCID LANDFILL**

1. This Permit to Operate expires February 1, 2015. Pursuant to 15A NCAC 13B .0201(g), no later than October 1, 2014, 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. 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).
3. This Permit to Operate authorizes the continued operation of Area 1 at the LCID Landfill, and when the Permittee has complied with the conditions contained in Attachment 2, operation of Area 2 of the LCID landfill. Area 2 has a total of 397,080 cubic yards of

gross capacity in accordance with the approved plan referenced in Attachment 1, Part II, of this permit.

4. 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). Wooden pallets as defined in the NCGS Article 9, Chapter 130A-290(44a) are not permitted for disposal.
5. The proposed facility boundary remains the same as in the original permit.
6. This facility is permitted to receive waste generated within Forsyth County. 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. An annual report meeting the requirements of G.S. 130A-309.09D (b) shall be submitted by August 1st of each year for the previous July 1 through June 30.
7. The permanent markers that accurately delineate the waste disposal boundary must be maintained.
8. Excavation, grading and fill material side slopes must not exceed a ratio of three horizontal feet to one vertical foot (3:1).
9. Open burning of land clearing waste is prohibited. If a fire occurs, the permittee must provide oral 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 required sedimentation and erosion control measures must be installed and maintained to mitigate excessive on-site erosion and to prevent silt from leaving the site 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. Leachate must be properly managed on site using best management practices.

## **PART II - OPERATING CONDITIONS FOR LCID TREATMENT AND PROCESSING FACILITY**

21. 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.
22. 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.
23. A responsible individual trained in facility operations must be on-site at all times during all operating hours of the facility.
24. 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.
25. 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.
26. 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.
27. An annual report meeting the requirements of (G.S. 130A-309.09D (b)) 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;
28. The facility must manage all operations according to all applicable statutes and rules of the State of North Carolina.
29. The 100-foot buffer to property line shall be maintained free of waste and final product.
30. 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.
31. This facility is permitted to process land clearing waste, yard trash, untreated and unpainted wood , wooden pallets, uncontaminated soil, and inert debris such as unpainted rock, brick, concrete and concrete block and asphalt in accordance with NCGS 130-294(m). Waste acceptance requirements may be affected by future revisions and amendments to the NC General Statutes, or to the NC Solid Waste Management Rules.

*- End of Permit Conditions -*