



### ATTACHMENT 3

#### PART I: PERMITTING HISTORY

<b>Permit Type</b>	<b>Date Issued</b>
PTC Issued (T&P Reclamation Pad) to MRR off High Point, LLC	13 March 2003
PTC Issued (C&D Landfill) for Phase 1	14 May 2003
PTO Issued (Phase 1 Cell A, and Reclamation Pad)	10 February 2004
PTO (Operations Plan, Service Area, Cells 2 and 3)	09 December 2004
New Permit-PTO (Ownership Change to WCA of High Point, LLC, and Operate Cells 4 & 5)	28 December 2007

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

##### **PERMIT TO CONSTRUCT**

1. Document titled "Volume One, Site Application, Section I, WCA of North Carolina, LLC, Construction and Demolition Debris Landfill, High Point, North Carolina," dated June 2002 and revised 24 January, 5 March, and 1 April 2003 prepared by Joyce Engineering, Inc.
2. Document titled "Volume One, Site Application, Section II - Hydrogeologic Report and Groundwater Monitoring Plan, WCA of North Carolina, LLC Construction and Demolition Debris Landfill, High Point, North Carolina," dated June 2002 and revised 24 January, 5 March, and 1 April 2003 prepared by Joyce Engineering, Inc.
3. Document titled "Volume Two, Construction Plan Application, WCA of North Carolina, LLC Construction and Demolition Debris Landfill, High Point, North Carolina," dated June 2002 and revised 24 January, 5 March, and 1 April 2003 prepared by Joyce Engineering, Inc.
4. Faxed material dated 12 February 2003 from the City of High Point containing certified copy of the minutes of the City Council Meeting of June 17, 2002 approving the facility franchise agreement.
5. Faxed material dated 12 February 2003 from Joyce Engineering, Inc. containing a copy of the service area map referenced in the approved franchise agreement. Two full size maps of the service area received 13 February 2003.
6. Faxed material dated 19 February 2003 from Joyce Engineering, Inc. containing information submitted to the City of High Point for its review of the franchise agreement and local government approval of the C&D facility.
7. Sediment and Erosion control plan approval from the City of High Point dated 25 February 2003.
8. Instrument of Combination dated 30 May 2003 and submitted by Coggin, Blackwood & Brannan, Attorneys at Law making the five (5) previous parcels of land into one single tract of land for permitting purposes.

## **PERMIT TO OPERATE**

9. Letter dated 22 December 2003 from Joyce Engineering, Inc. addressing as-built certification for the reclamation pad area of the facility, including a drawing titled “As Built Survey for a Portion of MRR of High Point.”
10. Letter dated 22 December 2003 submitted by MRR Southern, LLC as a follow up to a previous telephone conversation requesting a “temporary” permit to operate in order to conduct processing equipment tests with a nominal amount of waste material. Equipment testing was conducted on 30 December 2003 with a representative of the Solid Waste Section on site.
11. Letter dated 21 January 2004 from Joyce Engineering, Inc. providing hydro geologic subgrade inspection certification and well abandonment records for ten piezometers and one water well. Cover letter was replaced by an additional letter dated 29 January 2004 that addressed weathered bedrock encountered in the central portion of Cell A.
12. Letter dated 29 January 2004 from Joyce Engineering, Inc. addressing as built surveys for the reclamation pad and for Phase 1 - Cell A of the C&D Landfill. Three drawings were included: “Comparison of As-Built Grades to Permitted Base Grades,” “As Built Survey for a Portion of WCA of North Carolina, LLC,” and “As Built Survey Phase II for a Portion of WCA of North Carolina, LLC.”
13. Letter dated 13 January 2004 and received 2 February 2004 from “Pat” Curran, Manager of the Health Hazards Control Unit, Epidemiology Section, Division Of Public Health, NC Division of Health and Human Services. Letter addresses the Unit’s review of MRR of High Point’s Operation Plan for the proposed Reclamation Center.
14. Letter dated 2 December 2004 from David Garrett, P.G., P.E. Engineering and Geology certifying that the base grades for Cells 2 and 3 of Phase 1 were constructed according to the approved plan. Letter includes an as-built survey drawing showing the limits of construction
15. Letter dated 18 April 2006 from David Garrett, P.G., P.E. Engineering and Geology certifying that the base grades for Cells 4 and 5 of Phase 1 were constructed according to the approved plan. Letter includes an as-built survey drawing showing the limits of construction.
16. Series of correspondence relating to ownership, name and properties [Document Id Nos. RCO826, RCO827, RCO3177, RCO3196, RCO3246].

PART III PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

<b>Guilford County, N.C. Register of Deeds</b>		
Book	Page	Tax Reference
5248	914	Tax No. 18-523-1-1
5350	1568	Tax No. 18-523-1-1
5018	273	Tax No. 18-523-1-2
5248	914	Tax No. 18-523-1-3
5759	1144	Tax No. 18-523-1-4
5248	911	Tax No. 18-523-1-5
5830	2290-2292	Combination Instrument
Plat Book 150	96-97	Recombination Plat Map
Total Acreage		149.83 acres

- End of Section -

## ATTACHMENT 4 CONDITIONS OF PERMIT

### **General Conditions for the C&D Landfill**

1. This permit shall expire 10 February 2009, five years after the permit to operate was originally issued to MRR of High Point, LLC. Pursuant to 15A NCAC 13B .0201(e), no later than 10 October 2008 the permittee must submit an application for amendment or modification to the permit for review to the North Carolina Department of Environment and Natural Resources (DENR), Division of Waste Management (DWM), Solid Waste Section (Section). The application must be prepared in accordance with 15A NCAC 13B .0533, as applicable.
2. The persons to whom this permit is issued (“permittee”) are the owners and operators of the solid waste management facility.
3. The permit shall not be effective until the certified copy of this permit which shows current ownership and references legal descriptions for all land within the solid waste management facility boundary is recorded in 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 Section within 30 calendar days of issuance of this permit. 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 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 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 shall 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 Attachments 1 and 3, “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 and through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules.
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.
10. This permit approves the operation of Cells 4 and 5 and the continued operation of Cells 1, 2, and 3 of Phase 1. Operation of any C&D landfill future phases or cells requires written approval of the Section and must be constructed in accordance with the applicable statutes and rules.
11. This facility is permitted to receive solid waste generated within the following counties: Guilford Forsyth, Davidson, and Randolph Counties and the municipalities contained within those counties as described in the Franchise Agreement issued by the City of High Point.
12. The landfill has a total permitted disposal capacity of approximately 4,865,035 cubic yards of total gross capacity in approximately 47.4 acres. Total gross capacity is defined as the volume measured from the bottom of waste through the top of final cover.

Phase/Cell	Phase 1 (current permit)	Phases 2 through 7
Size, acres	12.5	34.9
Permitted Capacity, cy	767,240	4,097,795

13. The permitted annual waste disposal rate is approximately 98,600 tons per year. This rate is approximately 315 tons per day, 6 days per week as identified in the approved plan and consistent with the approved franchise granted by the City of High Point amended 12 December 2006.
14. Financial assurance as required by state rules and statutes must be established with proof submitted to the Division by July 1, 2008, in accordance with 15A NCAC 13B .0547 (2). The financial assurance must be continuously maintained for the duration of the facility in accordance with the applicable rules and statutes.

**Operational Conditions for the C&D Landfill**

15. The permittee must not knowingly dispose of C&D waste that is generated within the boundaries of a unit of local government that by ordinance:
  - a. Prohibits generators or collectors of C&D waste from disposing of that type or form of C&D waste.
  - b. Requires generators or collectors of C&D waste to recycle that type or form of C&D waste.

16. The facility operator must complete an approved operator training course in compliance with G.S. 130A-309.25.
  - a. A responsible individual certified in landfill operations must be on-site during all operating hours of the facility at all times while open for public use to ensure compliance with operational requirements.
  - b. All pertinent landfill-operating personnel must receive training and supervision necessary to properly operate the C&D landfill unit in accordance with G.S. 130A-309.25 and addressed by memorandum dated November 29, 2000.
17. The C&D landfill units are permitted to receive the following waste types:
  - a. "Construction or demolition debris" as defined in G.S. 130A-290 (a)(4) means solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures, but does not include inert debris, land-clearing debris or yard debris.
  - b. "Inert debris" as defined in G.S. 130A-290(a)(14) means solid waste that consists solely of material such as concrete, brick, concrete block, uncontaminated soil, rock, and gravel.
  - c. "Land-clearing debris" as defined in G.S. 130A-290(a)(15) means solid waste that is generated solely from land-clearing activities, such as stumps and tree trunks.
  - d. "Asphalt" in accordance with G.S. 130-294(m).
18. Those wastes listed in 15A NCAC 13B .0542(e) must not be accepted for disposal including but not limited to municipal solid waste, liquid or industrial wastes, and yard trash.
19. Asbestos waste must be managed in accordance with 40 CFR 61. Disposal of asbestos waste must be in accordance with 15 NCAC 13B .0542(c).
20. The Permittee must actively employ a training and screening program at the facility prepared in accordance with Section .0544(e) for detecting and preventing the disposal of excluded or unauthorized wastes. At a minimum, the program must include:
  - a. Random inspections of incoming loads or other comparable procedures.
  - b. Records of any inspections.
  - c. Training of personnel to recognize hazardous, liquid, and other excluded waste types.
  - d. Development of a contingency plan to properly manage any identified hazardous, liquid, MSW, asbestos, or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.
21. All sedimentation/erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated there under at 15A NCAC 4.

22. A closure and post-closure plan must be submitted for approval at least 90 days prior to closure or partial closure of any landfill unit. The plan must include all steps and measures necessary to close and maintain the C&D unit in accordance with all rules in effect at that time. At a minimum, the plan must address the following:
- a. Design of a final cover system in accordance with 15 NCAC 13B .0543(c), or the solid waste management rules in effect at the time of closure;
  - b. Construction and maintenance/operation of the final cover system and erosion control structures; and
  - c. Surface water, ground water, and explosive gas monitoring.

### **Monitoring and Reporting Requirements**

23. The following are groundwater monitoring requirements for the C&D landfill facility:
- a. Groundwater and surface water monitoring locations must be established as identified in the approved plans.
  - b. The owner or operator must sample the monitoring wells semi-annually or as otherwise directed in writing by the Section Hydrogeologist.
  - c. A licensed geologist must be present to supervise the installation of groundwater monitoring wells. The exact locations, screened intervals, and nesting of the wells must be established after consultation with the SWS Hydrogeologist at the time of well installation.
  - d. All well construction records and soil boring logs for new wells must be submitted to the Section Hydrogeologist for review within 30 days of completion.
24. Copies of this permit, the approved plans, and all records required to be maintained by the permittee must be maintained at the facility and made available to the Section upon request during normal business hours.
25. The owner or operator must maintain a record of the amount of solid waste received at the C&D units compiled on a monthly basis. Scales must be used to weigh the amount of waste received.
26. On or before August 1 of each year, the Permittee must submit an annual facility report to the Section, on forms prescribed by the Section.
- a. The reporting period shall be for the previous year beginning July 1 and ending June 30.
  - b. The annual facility report must list the amount of waste received and landfilled in tons and be compiled:
    - i) On a monthly basis.
    - ii) By county, city or transfer station of origin.
    - iii) By specific waste type.

- iv) By disposal location within the facility.
  - v) By diversion to alternative management facilities.
- c. A measurement of the volume utilized in the C&D cells must be performed during the first or second quarter of the calendar year. The date and volumes in cubic yards must be included in the report.
- d. The amount of C&D waste in tons from scale records disposed in landfill cells since 10 February 2004 through the date of the annual volume survey must be included in the report.
- e. The tons of C&D waste recycled, recovered, or diverted from disposal.
- f. The completed report must be forwarded to the Environmental Senior Specialist for the facility by the date due on the prescribed annual facility report form.
- g. A copy of the completed report must be forwarded to each county manager for each county from which waste was received at the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Environmental Senior Specialist by the date due on the prescribed annual facility report form.

**Miscellaneous Unit Specific Conditions- Reclamation Pad**

27. The permittee must actively employ a training and screening program at the facility for detecting and preventing unauthorized wastes including asbestos containing material or material suspected to contain asbestos from being placed on the reclamation pad. At a minimum, the program must include:
- a. Random inspections of incoming loads or other comparable procedures.
  - b. Records of any inspections.
  - c. Training of personnel to recognize hazardous, liquid, and other excluded waste types.
  - d. Development of a contingency plan to properly manage any identified hazardous, liquid, MSW, or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.
28. Construction waste placed on the reclamation pad must be sorted each operating day, and no waste shall remain on the pad after operating hours unless covered by tarp to prevent leaching by rainfall.
- a. Only an amount of waste sufficient to begin sorting operations the next day may be left on the reclamation pad.
  - b. In the event the sorting process is not operational, then waste may not be deposited on the reclamation pad and must be diverted directly to the landfill unit.

- c. Except for wood, concrete and aggregate, recoverable materials must be placed in containers. Recovered materials placed in containers must be removed from the site once the container is full. A limit of approximately 150 cubic yards of wood may be stockpiled at any time.
  - d. Non-recyclable materials must be securely placed in containers or trucks, and disposed in the on- site C&D Landfill at the end of the operating day.
29. If demolition waste is to be sorted and recycled, then an asbestos screening plan must be submitted to the Division of Epidemiology of the Department of Health and Human Services for approval and the approved plan forwarded to the Section for inclusion in the operations plan for the facility. Otherwise, asbestos containing material or material suspected to contain asbestos must not be placed on the reclamation pad.
30. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter emanating from materials on the reclamation pad.
- a. Fugitive dust emissions are prohibited.
  - b. Windblown materials must be collected at the end of the day and no material may be allowed to leave the facility boundary.
31. Appropriately sized containers for receipt of sorted wastes materials must be on-site when waste is placed on the reclamation pad for sorting.
32. Waste must not be placed on the reclamation pad during inclement weather unless run-off control measures are installed. Run-off from the reclamation pad must be collected and properly disposed.
33. Documentation of delivery of all recovered material to valid end-users/processors/recyclers must be maintained in the facility operating record.
34. Material processing, shredding and grinding operations shall only occur in compliance with any local ordinance or special use permit.

- End of Permit Conditions -

I do hereby certify that the attached PERMIT TO OPERATE, PERMIT NO. 41-01, issued to WCA Waste Systems, Inc. and WCA of High Point, LLC, is an exact and true copy of the original PERMIT TO OPERATE, PERMIT NO. 41-16, for the WCA OF HIGH POINT, LLC, Construction and Demolition Landfill and Reclamation Pad. WCA of High Point, LLC, is the Owner of Record of the land on which the landfill facility is located.

\_\_\_\_\_  
Edward F. Mussler, III, P.E.,  
Permitting Branch Supervisor  
Solid Waste Section  
Division of Waste Management

North Carolina

\_\_\_\_\_ County

I, \_\_\_\_\_, Notary Public for \_\_\_\_\_ County,

North Carolina, do hereby certify that Edward F. Mussler, Supervisor of the Permitting Branch,

Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me

this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal,

This the \_\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_.

OFFICIAL SEAL

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires \_\_\_\_\_, 20\_\_\_\_.

**Note to Register of Deeds: This certified original permit shall be recorded by the Register of Deeds and indexed in the grantor index under the name of the land owner. The certified original affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Permitting Branch Supervisor, Division of Waste Management, Solid Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646.**

**NOTE: THE SPACE ABOVE IS FOR THE REGISTER OF DEEDS USE**

THIS PAGE IS PROVIDED FOR RECORDATION PURPOSES. THE ENTIRE DOCUMENT, INCLUDING THIS PAGE, SHOULD BE RECORDED IN THE GRANTOR INDEX UNDER THE NAME OF THE LANDOWNER FOR THE PARCEL OF PROPERTY LOCATED IN GUILFORD COUNTY AND SAID PROPERTY BEING OWNED BY WCA OF HIGH POINT, LLC, AND FURTHER IDENTIFIED BY THE RECORDED DEEDS AND INSTRUMENTS LISTED BELOW

<b>GUILFORD COUNTY, N.C. REGISTER OF DEEDS</b>		
<b>BOOK</b>	<b>PAGE</b>	<b>TAX REFERENCE</b>
5248	914	TAX NO. 18-523-1-1
5350	1568	TAX NO. 18-523-1-1
5018	273	TAX NO. 18-523-1-2
5248	914	TAX NO. 18-523-1-3
5759	1144	TAX NO. 18-523-1-4
5248	911	TAX NO. 18-523-1-5
6611	2456	Certificate of Name Change to WCA of High Point, LLC
5830	2290-2292	Combination Instrument for above properties
Plat 150	96-97	Plat Map of Combined Properties
<b>TOTAL ACREAGE</b>		<b>149.83 ACRES</b>

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A LANDFILL EXISTS ON THE PROPERTY. RECORDATION OF THE SANITARY LANDFILL PERMIT AND INDEXING IN THE GRANTOR INDEX UNDER THE NAME OF THE LAND OWNER IS REQUIRED BY N.C.G.S. 130A-301(a).