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March 14, 2008
Solid Waste Section
Asheville Regional Office

March 14, 2008

CERTIFIED MAIL
Return Receipt Requested
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Mr. Edward F. Mussler, III, P.E.
Division of Waste Management
Solid Waste Section
1646 Mail Service Center
Raleigh, NC 27699-1646

RE: Blue Ridge Paper Products, Landfill Number 6, Permit Number 44-06,
Permit To Operate, Landfill 6A Valley Fill and Vertical Expansion

Dear Mr. Mussler:

Attached is the certified original copy of the above, affixed with the Haywood County Registrar's seal and date, book and page numbers. The document was recorded by the Register of Deeds March 13, 2008.

Thank you for your time and consideration regarding this project. Should you have questions or desire additional information, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "James A. Giauque".

James A. Giauque
Waste Compliance & Landfill Supervisor
Blue Ridge Paper Products Inc.
giauqj@blueridgepaper.com
828-646-2028 Fax 828-646-6892

A handwritten signature in black ink, appearing to read "Paul Dickens".

Paul Dickens
Manager Environmental Affairs
Blue Ridge Paper Products Inc.
dickep@blueridgepaper.com
828-646-6141 Fax 828-646-6892

Attachments
File: mussler031408

Copy: Derric Brown

Environmental Group
175 Main Street • PO Box 4000
Canton, North Carolina 28716 • 828-646-2000

Raising Your Expectations



2008002931

HAYWOOD CO, NC FEE \$47.00
PRESENTED & RECORDED:

03-13-2008 11:31:34 AM

AMY R. MURRAY
REGISTER OF DEEDS
BY: REBECCA CEDRONE
ASSISTANT

BK: RB 730

PG: 2386-2397

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 HAYWOOD COUNTY AND SAID PROPERTY BEING OWNED BY BLUE RIDGE PAPER PRODUCTS, INC. AND FURTHER IDENTIFIED BY THE DEED RECORDED AS IDENTIFIED:

Landfill Property located and described in the Haywood County Registry: All of that certain 244.255 acres shown on plat entitled "Blue Ridge Paper Products, Inc.", Pin 8647766665, 1155 Incinerator Road and recorded in Book 472 at Page 1073.

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A LANDFILL EXISTS ON THE PROPERTY.

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 44-06 for the Blue Ridge Paper Products Industrial Solid Waste Landfill.



Larry Frost, Regional Engineer
Asheville Regional Office
Solid Waste Section
Division of Waste Management

North Carolina

Haywood County

I, Sharon F. Frizzell, Notary Public for Haywood County,

North Carolina, do hereby certify that Larry Frost, Regional Engineer 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 10th day of March, 2008.



Sharon F. Frizzell
NOTARY PUBLIC

My commission expires 7/16, 2010.

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.

Note to the Owner/Operator: 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.

ATTACHMENT 3

Part I- PERMITTING HISTORY

INDUSTRIAL WASTE LANDFILL FACILITY: PERMIT NO. 44-06	ISSUANCE DATE	DOCUMENT ID NO.
Original Permit: Phase I, area 6A East	April 29, 1994	
Amendment: Phase 2, Area 6A West	February 5, 2002	
Permit to Construct: Area 6A Valley Fill	December 12, 2006	
Permit to Operate: Area 6A West and Vertical Extension	March 7, 2008	4058

Part 2- LIST OF DOCUMENTS FOR THE APPROVED PLAN

NO.	APPROVED DOCUMENT NAME	DOCUMENT ID NO.
1.	<i>Landfill Stability Evaluation for the Vertical Expansion Area 6A-West, Blue Ridge Paper Products, Inc. Canton, North Carolina. Prepared by SME Engineers, Inc. Prepared for: Blue Ridge Paper Products, Inc. May 2006.</i>	4060
2.	<i>Construction Drawings, Landfill No. 6, Area A Valley Fill Construction. Prepared by SME Engineers, Inc. Prepared for Blue Ridge Paper Products, Inc. May 2006.</i>	
3.	<i>Contract Documents and Construction Specifications for Landfill 6-Area A Valley Fill Construction. Prepared by SME Engineers, Inc. Prepared for Blue Ridge Paper Products, Inc. May 2006.</i>	
4.	<i>Documentation Report, Construction of the Landfill No. 6-Area A Valley Fill. Prepared by SME Engineers, Inc. Prepared for Blue Ridge Paper Products, Inc. September 2007.</i>	3715
5.	<i>Blue Ridge Paper Products to be Acquired by Rank Group. News Release. Prepared by Blue Ridge Paper Products, Inc. June 2008.</i>	2953
6.	<i>Site: 1155 INCINERATOR RD., Property Details:. Haywood County Government GIS System. February 2008.</i>	4059
7.	<i>Champion Paper, Recorded Permit to Operate, Sanitary Landfill (No. 6 Areas A-G). Prepared by NC Department of Human Resource, Division of Health services. Dated March 1984.</i>	4102

Blue Ridge Paper Products Inc.
 Industrial Landfill
 Facility Permit No. 44-06
 Permit to Operate Phase 6A West
 and Vertical Extension
 March 7, 2008
 Page 4 of 10
 Document ID No.4058

Part 3 - PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Haywood County, N.C. Register of Deeds					
Book	Page	Grantee	Grantor	Tract	Acres
321	158	Champion International	Brantley M. Davis and wife Gladys S. Davis	1	
472	1073	Blue Ridge Paper Products	Champion International		244.255
Total Site Acreage					244.255

ATTACHMENT 4

Conditions of the Permit

General Facility Conditions

1. This permit shall expire March 7, 2013. Pursuant to 15A NCAC 13B .0201(e), no later than December 7, 2012, the owner or operator 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 (hereinafter "Section"). The application must be prepared in accordance with 15A NCAC 13B .0504(2), or a permit modification 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 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 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 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 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 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 landfill is permitted to receive solid waste generated solely by Blue Ridge Paper Products, Inc. as described in the approved plan and as defined in G.S. 130A-290 (a)(35) except where prohibited by North Carolina General Statutes Article 9 of Chapter 130A, and rules adopted by the Commission for Health Services.
10. This permit approves the operation of the Phase 6A West Landfill and Vertical Extension, the Facility Plan that defines the comprehensive development of the facility including the total industrial solid waste landfill capacity, the industrial solid waste stream, all onsite solid waste management facilities and related facility infrastructure in accordance with 15 NCAC 13B .0503-.0504. Blue Ridge Paper Products, Inc. shall submit an amendment to this permit pursuant to 15A NCAC 13B .0504 for any subsequent phase of development.
11. This facility permit is issued under the criteria set forth in 15A NCAC 13B .0504(g)(i) and (ii). Any facility changes that are in conflict with the criteria established may require a new permit. Modifications to the facility may be required in accordance with rules in effect at the time of review of the request.

Operation

12. Landfill operations shall be supervised by an individual certified under a management program approved by the Division. In addition:
 - a. A responsible individual certified in landfill operations shall be on-site during all operating hours.
 - b. All facility employees involved in the operation and maintenance of the landfill shall have completed annual training in the proper facility operation and maintenance.
13. The Industrial Solid Waste Landfill unit shall only receive the waste types that have been approved.
14. No other waste will be disposed in this landfill without approval from the Division. No hazardous, liquid, or infectious waste shall be accepted or disposed in the landfill.
15. The permittee shall actively employ a screening program for the Industrial Solid Waste Landfill unit that detects and prevents the disposal of MSW, hazardous, liquid or non-permitted wastes. At a minimum, the program shall include:

- c. Random inspections of incoming loads or other comparable procedures.
- d. Records of any inspections.
- e. Training of personnel to recognize hazardous and liquid wastes.
- f. Development of a contingency plan to properly manage any identified hazardous, liquid or MSW wastes.
- g. The plan must address identification, removal, storage and final disposition of unacceptable waste.

Cover Material Requirements

16. Solid waste shall be covered with a minimum of 6 inches of soil or an approved material of equivalent performance and thickness at least once per week or when the active area reaches 1/2 acre in size, 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. The Permittee may demonstrate to the Section alternate cover materials (ACM) and schedules of placement through the ACM program.
17. Areas that will not receive additional waste for 12 months or more, but where termination of operations has not occurred, shall be covered with a minimum of 1 foot of soil cover [15A NCAC 13B .0505(3)(b)] and stabilized with vegetative cover including the approved daily cover material.
18. Upon termination of disposal operations at the Industrial Solid Waste Landfill unit or revocation of a solid waste operational permit, all fill areas shall be covered with at least 2 feet of suitable compacted earth [15A NCAC 13B .0505(3)(c)] or other protective barrier system as specified by the rules or the permit in effect at the time of closure.

Access and Safety

19. The Industrial Solid Waste Landfill unit shall be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the DWM to prevent unauthorized entry.
20. The access road to the Industrial Solid Waste Landfill unit shall be of all-weather construction and maintained in good condition.
21. Signs shall be posted at the entrance of landfill and other areas of the landfill in accordance with the Access and Safety Requirements under Operation Condition .0505(8) as follows.
 - a. Signs shall be posted at the landfill entrance stating that municipal solid waste, hazardous waste or liquid waste cannot be disposed in the Industrial Solid Waste Landfill unit.
 - b. Signs at the landfill entrance shall provide information on receiving procedures, the hours of operation, the permit number, and other pertinent information to landfill operations.

- c. Traffic signs or markers shall be provided throughout the landfill as necessary to promote orderly traffic patterns to and from the discharge area, maintain safe operating conditions, and to designate areas restricted from general access.
22. Dust control measures shall be implemented when necessary.
23. Barrels and drums shall not be disposed in the landfill.
24. Open burning of solid waste is prohibited. Fires shall be reported to the Solid Waste Section by phone within 24 hours of an incident and written notification shall be submitted within 14 working days addressing the events at the site and future actions to be taken in the future to avoid and or mitigate potential fire hazards.
25. The concentration of explosive gases generated by the Industrial Solid Waste Landfill unit shall not exceed:
- a. 25% of the lower explosive limit for gases within on-site structures excluding gas control or recovery system components if necessary, and
 - b. 100% of the lower explosive limit for gases at the property boundary. Installation of permanent gas monitoring wells may be required in the future to demonstrate compliance.
26. Hydrogen sulfide (H₂S) will be tested (at a minimum semi-annually) as stated in the Operational plan while the site is operating and during post closure.

Erosion and Sedimentation Control

27. Sedimentation and erosion control measures shall be employed to prevent silt from leaving the Industrial Solid Waste Landfill unit site and to prevent excessive on-site erosion.
28. 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 the Industrial Solid Waste Landfill unit development or as addressed in the approved Sedimentation and Erosion Control permit. All sedimentation/erosion control activities shall be conducted in accordance with the Sedimentation Control Act codified at 15 NCAC 4. Native vegetation shall be established on the completed Industrial Solid Waste Landfill unit in accordance with 15A NCAC 13B .0505 (3)(b)(c).

Drainage Control and Water Protection Requirements

29. Surface water shall be diverted from the operational area.
30. Surface water shall not be impounded over or in waste.

31. Solid waste (Industrial Solid Waste) shall not be disposed in standing water.
32. Leachate shall be contained on site or properly treated prior to discharge. A NPDES permit may be required either prior to discharge of leachate to surface waters or for land disturbing activities greater than one acre.
33. 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 Industrial Solid Waste Landfill unit in accordance with all rules in effect at that time. At a minimum, the plan shall address the following:
 - a. Design of a final cover system as required by 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;
 - c. Surface water, ground water, and explosive gas monitoring.

Monitoring and Reporting Requirements

34. The following are requirements relating to groundwater monitoring for the Industrial Solid Waste Landfill facility:
 - a. The permittee shall sample the monitoring wells semi-annually or as otherwise directed in writing by the SWS Hydrogeologist.
 - b. The permittee shall sample the surface water on the same semi-annual schedule as the monitoring wells.
 - c. The permittee shall sample the leachate for the same parameters and same schedule as the surface and ground water sampling requirements.
 - e. A readily accessible, unobstructed, path shall be maintained so that monitoring wells may be accessed using four-wheel drive vehicles.
 - f. A licensed geologist shall be present to supervise the installation of groundwater monitoring wells. The exact locations, screened intervals, and nesting of the wells shall be established after consultation with the SWS Hydrogeologist at the time of well installation.
 - g. All well construction records and soil boring logs for new wells shall be submitted to the Solid Waste Section Hydrogeologist for review within 30 days of completion.
 - h. Each monitoring well shall be surveyed and hydraulic conductivity and effective porosity values shall be established for each screened interval in order to develop groundwater flow characteristics.
 - i. The owner or operator shall maintain a record of all monitoring events and analytical data. Reports of the analytical data for each water quality monitoring sampling event shall be submitted to DWM in a timely manner.

35. The owner or operator shall maintain a record of the amount of solid waste received at the Industrial Solid Waste Landfill unit, compiled on a monthly basis. Scales shall be used to weigh the amount of waste received.
36. On or before August 1 annually, the permittee shall report the tons of waste received and disposed in the Industrial Solid Waste Landfill fill unit to the Solid Waste Section on forms prescribed by the Section. Annual reporting information shall be as follows:
 - a. The reporting period shall begin the previous July 1 and end June 30.
 - b. The annual report shall list the amount of waste received and landfilled in tons and be compiled:
 - i) On a monthly basis.
 - ii) By specific waste type.
 - iii) By disposal location within the facility.
 - c. A copy of the report must be sent to the regional Waste Management Specialist by the date due on the prescribed annual report form.
37. All records required to be maintained by the owner or operator by regulation or permit shall be maintained on-site and made available to the SWS upon request.