NCDENR

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
SOLID WASTE SECTION

INDUSTRIAL SOLID WASTE LANDFILL FACILITY
Permit No. 44-06

Evergreen Packaging New Zealand Limited, Evergreen Packaging Inc., and
Blue Ridge Paper Products, Inc., D/B/A Evergreen Packaging
Are all hereby issued a

PERMIT TO OPERATE
LANDFILL NO. 6, AREA A, VALLEY FILL & VERTICAL EXPANSION
PERMIT TO CONSTRUCT
LANDFILL NO. 6, AREA D SOUTH

Located on Incinerator Road (SR 1550) in Canton, Haywood 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.

DN: cn=Edward F. Mussler III, P.E., o=Solid Waste Section, ou=Permitting Branch, email=ed.mussler@ncdenr.gov, c=US
Reason: I am approving this document
Date: 2009.10.27 10:25:46 -04'00'

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

ATTACHMENT 1

PART I: PERMITTING HISTORY

1. On February 5, 2002 an amendment was made to the Permit to Operate for the operation of Area A West.
2. On December 12, 2006 an amendment was made to the Permit to Construct for the addition of Area A Valley Fill.
3. On March 7, 2008 an amendment was made to the Permit to Operate for the vertical expansion over Area A West.
4. On July 17, 2009 an amendment was made to the Permit to Construct for the addition of Area D South. This permit activity also recognizes the change in ownership of Blue Ridge Paper Products, Incorporated. On June 14, 2007 Blue Ridge Paper Products, Inc. was purchased by Evergreen Packaging, Inc. a wholly owned subsidiary of Evergreen Packaging New Zealand Limited a wholly owned subsidiary of Carter Holt Harvey Limited.
5. On October 27, 2009 a modification was made to the Permit to Construct for changes in the sub-drainage features, north containment berm and the leachate force main tie-in.

Permit Type	**Date Issued**	**DOC ID**
Original Permit to Operate	March 28, 1984	4104
Permit Amendment	February 5, 2002	
Permit Amendment	December 12, 2006	785
Permit Amendment	March 7, 2008	4058
Permit Amendment	July 17, 2009	7823
Permit Modification	**October 27, 2009**	**8791**

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

Industrial Solid Waste Landfill Unit

NO.	APPROVED DOCUMENT NAME	DOC ID
1.	*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.	4060
2.	*Construction Drawings, Landfill No. 6, Area A Valley Fill Construction.* Prepared by SME Engineers, Inc. Prepared for Blue Ridge Paper Products, Inc. May 2006.	
3.	*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.	
4.	*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.	3715
5.	*Blue Ridge Paper Products to be Acquired by Rank Group.* News Release. Prepared by Blue Ridge Paper Products, Inc. June 2008.	2953
6.	*Site: 1155 INCINERATOR RD., Property Details:.* Haywood County Government GIS System. February 2008.	4059
7.	*Champion Paper, Recorded Permit to Operate, Sanitary Landfill (No. 6 Areas A-G).* Prepared by NC Department of Human Resource, Division of Health services. March 1984.	4102
8.	*Operations Manual for Landfill No. 6 Area A West*. Prepared by: Sevee & Maher Engineers, Inc. Prepared for: Blue Ridge Paper Products, Inc. May 2006.	5119
9.	*Permit to Construct Landfill No. 6D-South: Volume I*. Prepared by: Sevee & Maher Engineers, Inc. Prepared for: Blue Ridge Paper Products, Inc. November 2008.	6267
10.	*Permit to Construct Landfill No. 6D-South: Volume II*. Prepared by: Sevee & Maher Engineers, Inc. Prepared for: Blue Ridge Paper Products, Inc. November 2008.	6268
11.	*Response to Comments: Engineering Technical Review – Permit to Construct*. Prepared by: Sevee & Maher Engineers, Inc. Prepared for: Blue Ridge Paper Products, Inc. April 24, 2009.	7372
12.	*Environmental Monitoring Plan – Landfill No. 6*. Prepared by: Sevee & Maher Engineers, Inc. Prepared for: Blue Ridge Paper Products, Inc. May 5, 2009.	7423
13.	*Permit Modification Request – Landfill No. 6 Area D-South*. Prepared by: Sevee & Maher Engineers, Inc. Prepared for: Blue Ridge Paper Products, Inc. October 12, 2009.	8755
14.	*Engineering Technical Review – Permit to Construct, Response to October 19, 2009 Review Comments*. Prepared by: Sevee & Maher Engineers, Inc. Prepared for: Blue Ridge Paper Products, Inc. October 20, 2009.	8790

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Haywood County, N.C. Register of Deeds				
Book	Page	Grantor	Grantee	Acres
472	1073	Champion International	Blue Ridge Paper Products	244.3±
				Total Site Acreage: 244.3±

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(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct shall expire on December 17, 2010. The Permit to Construct must be implemented in accordance with Attachment 2 of this permit. The Permit to Operate shall expire March 13, 2013. 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 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 solid waste management facility 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 1, "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 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 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

1. The initial, substantial, construction authorized by this Permit to Construct must commence within 18 months from the issuance date of this permit. If substantial construction does not begin within 18 months from the issuance date of this permit, then the permit to construct shall expire. Substantial construction includes, but is not limited to, issuance of construction contracts, mobilization of equipment on site, and construction activities including installation of sedimentation and erosion control structures. The permittee may reapply for the permit to construct prior to the expiration date. The re-application will be subject to the statutes and rules in effect on that date and may be subject to additional fees.

2. Construction of all solid waste management units within this facility must be in accordance with the pertinent approved plans and only for those phases of development approved for construction as described in Attachment I, Part II List of Documents for the Approved Plan.

3. The permittee must conduct a preconstruction meeting at the facility prior to initiating construction of any unit/cell and must notify the Section at least 10 days prior to the meeting.

4. Modifications or revisions of the approved documents or changes during construction of any landfill unit/cell require approval by the Section, and may constitute a permit modification and be subject to a permitting fee.

Geologic, Ground Water and Monitoring Requirements

5. Prior to issuing the Permit to Operate, samples from new ground water monitoring wells and surface water stations shall be sampled for the constituent list approved in the June 2009 Environmental Monitoring Plan.

6. Prior to construction of the phase or cell(s) within the phase, all piezometers, borings, and groundwater monitoring wells within the footprint must be properly abandoned in accordance with 15A NCAC 2C .0113 (b)(1), entitled “Abandonment of Wells.”

7. In areas where soil is to be undercut, abandoned piezometers, monitoring wells and borings must not be grouted to pregrade land surface, but to the proposed base grade surface to prevent having to cut excess grout and possibly damage the wells.

8. A Licensed Geologist must report any pertinent geological feature(s) exposed during phase or cell excavation. Prior to placing any landfill liner, the geologist must submit to the Section hydrogeologist a written report that includes an accurate description of the exposed geological feature(s) and effect of the geological feature(s) on the design, construction, and operation of the cell, phase, or unit.

9. A Licensed Geologist must supervise installation of groundwater monitoring wells and surface water sampling stations.

10. Any modification to the approved water quality monitoring, sampling, and analysis plan must be submitted to the Section Hydrogeologist for review.

11. Within 30 days of completed construction of each new groundwater monitoring well, a well construction record (GW-1 form), typical well schematic, boring log, field log and notes, and description of well development activities must be submitted to the Section.

12. The permittee must provide a plan sheet-sized, scaled topographical map, showing the location and identification of new, existing, and abandoned wells and piezometers after installation of groundwater monitoring wells.

13. Within thirty (30) days of the completed permanent abandonment of a ground-water monitoring well, the well abandonment record (GW-30 form) and any additional information included in the abandonment record) must be submitted to the Section. The well abandonment records must be submitted to the Solid Waste Section in accordance with 15A NCAC 2C .0114(b) and be certified by a Licensed Geologist.

Erosion and Sedimentation Control Requirements

14. 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.

15. 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.

16. 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.

17. 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.

PART II: INDUSTRIAL SOLID WASTE LANDFILL UNIT SPECIFIC CONDITIONS

18. Pursuant to the NC Solid Waste Management Rules (Rule) 15A NCAC 13B .0201(c) and (d)(1), this permit approves construction of Industrial Landfill No. 6 Area D South as described in Attachment I, Part II List of Documents for the Approved Plan.

19. The following conditions must be met prior to operation of Area D South:

    a. The Permittee must obtain a Permit to Operate for Area D South from the Section in accordance with 15A NCAC 13B .0201(d).

    b. Construction Quality Assurance (CQA) documentation as well as a certification by the project engineer that the landfill was built in accordance with approved plans and the conditions of the permit must be submitted to the Section for review and approval.

    c. The Permittee must contact the appropriate regional environmental specialist and permitting engineer to determine whether the Section chooses to hold a pre-operative meeting with key landfill personnel and representatives of the Section.

    d. The edge of the waste footprint must be identified with permanent physical markers.

    e. The Financial Assurance instrument for approved Closure and Post-closure Care costs must be submitted to the Section.

PART III: MISCELLANEOUS SOLID WASTE MANAGEMENT SPECIFIC CONDITIONS
Not Applicable

- End of Section -

ATTACHMENT 3
CONDITIONS OF OPERATING PERMIT

PART I: GENERAL FACILITY CONDITIONS

1. The Permit to Operate shall expire March 7, 2013. Pursuant to 15A NCAC 13B .0201(e), no later than December 7, 2012, the owner or operator must submit a request to the Section for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.

2. 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.

3. The edge of the waste footprint for all disposal units must be identified and maintained with permanent physical markers.

Operational Requirements

4. This facility is permitted to receive solid waste generated by Blue Ridge Paper Products, Inc. as described in the approved plan and as defined in G.S. 130-290 (a)(35), except where prohibited by the N. C. General Statues Article 9 of Chapter 130A, and the rules adopted by the Commission for Health Services.

5. 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 to ensure compliance with operational requirements.
   b. All pertinent landfill-operating personnel must receive training and supervision necessary to properly operate the landfill units in accordance with G.S. 130A-309.25 and addressed by memorandum dated November 29, 2000.

6. The use of different alternative daily cover requires approval, prior to implementation, by the Solid Waste Section. Requests for alternative daily cover approval must include a plan detailing the comprehensive use and a demonstration of the effectiveness of the alternative daily cover. The plan must be developed according to Section guidelines. Plans which are approved by the Section will be incorporated into, and made a part of, the approved documents listed in Attachment 1.

7. The facility must maintain records for all solid waste materials accepted as alternative cover material and used as alternate daily cover. The records must include: the date of receipt, weight of material, general description of the material, identity of the generator and transporter, and county of origin. Such records must be made available to the Solid Waste Section upon request.

Monitoring and Reporting Requirements

8. Groundwater, surface water, and methane monitoring locations must be established and monitored as identified in the approved plans.

9. 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.

10. Ground water monitoring wells and surface water sampling locations must be sampled for Appendix I constituents at least semi-annually according to the specifications outlined in the approved water quality monitoring plan and the current policies and guidelines of the Section in effect at the time of sampling.

11. Reports of the analytical data for each monitoring event must be submitted to the Section within 120 days of the respective sampling event. Analytical data must be submitted in a manner prescribed by the Section. Records of all groundwater, surface water, and leachate analytical data must be kept as part of the permanent facility record.

12. The four independent samples which comprise the initial baseline sampling event must be collected from each groundwater monitoring well and the report must be submitted to the Section within six months after issuance of the Permit to Operate.

13. Untreated leachate must be sampled and analyzed at least semi-annually concurrently with the groundwater water and surface water sampling, one sample per event. The leachate must be analyzed for all Appendix I constituents, pH, specific conductance, BOD, COD, nitrates, sulfates, and phosphates. Test results must be submitted to the Section along with groundwater and surface water test results. In the event leachate is recirculated, additional leachate sampling may be required.

14. A readily accessible unobstructed path must be cleared and maintained so that four-wheel vehicles may access monitoring well locations at all times.

15. A field log book which details all development, sampling, repair, and all other pertinent activities associated with each monitoring well and all sampling activities associated with

each surface water and leachate sampling location must be kept as part of the permanent facility record.

16. All well construction records and soil boring logs for new wells must be submitted to the Solid Waste Section Hydrogeologist for review within 30 days of completion.

17. 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.

18. The owner or operator must maintain a record of the amount of solid waste received at the landfill unit, compiled on a monthly basis. Scales must be used to weigh the amount of waste received.

19. On or before August 1 annually, the Permittee must submit an annual facility report to the Solid Waste 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 specific waste type.
        iii) By disposal location within the facility.

    c. A measurement of volume utilized in the landfill cells must be performed during the second quarter of the calendar year. The date and volumes, in cubic yards, must be included in the report.

    d. The amount of waste, in tons from scale records, disposed in landfill cells from July 30, 1992 through the date of the annual volume survey must be included in the report.

    e. The completed report must be forwarded to the Regional Waste Management Specialist for the facility by the date due on the prescribed annual facility report form.

    f. 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 Regional Waste Management Specialist by the date due on the prescribed annual facility report form.

PART II: INDUSTRIAL SOLID WASTE LANDFILL UNIT SPECIFIC CONDITIONS

20. This permit approves the continued operation of Area A West, Vertical Expansion and Valley Fill of the Industrial Solid Waste Landfill No. 6, as well as the onsite environmental management and protection facilities as described in the approved plans.

21. The following table lists the estimated gross capacity, acreage and status details for the landfill units. Gross capacity is defined as the calculated volume from the elevation of initial waste placement to the top of the final cover.

Unit	Acres	Gross capacity (cubic yards)	Status
Area B-Upper	4.1	Data not available	Completed
Area B-Lower	6.7	Data not available	Completed
Area C-Upper	6.8	Data not available	Completed
Area C-Lower	8.9	Data not available	Completed
Area F	4.6	Data not available	Completed
Area G	2.0	Data not available	Completed
Area H	5.4	Data not available	Completed
Area A-East	14.7	1,541,000	Completed
Area A-West	15.0	1,623,000	Operational
Area D-South	11.3	1,000,000	Future
Total	43.0	4,164,000*	

*Note: Only includes operational and future capacities.

22. The following, at a minimum, must not be accepted for disposal at the facility: hazardous waste, yard trash, liquid wastes, regulated medical waste, sharps not properly packaged, PCB waste as defined in 40 CFR 761, and wastes banned from disposal in North Carolina by G.S. 130A-309.10(f).

23. The leachate collection system must be maintained in accordance with the leachate management plan. The plan shall include provisions for periodic cleaning and visual inspection. Documentation of the inspections, and cleaning and monitoring must be included in the operating records of the facility and provided to the Department upon request.

24. Closure or partial closure of any landfill unit must be in accordance with the Closure Plans described in the approved plans. Final Closure Plans must be submitted to the Division at least 90 days prior to implementation.

Post-closure Requirements

25. Landfill No. 6, Areas A-East, B, C, F, G and H have been constructed and closed according the approved plan. Post-closure maintenance and monitoring of the landfill unit must be conducted in accordance with the approved plans and the N.C. Solid Waste Management Rules.

26. The permittee must maintain the integrity and effectiveness of the cap system, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and prevent surface water from impounding over waste and run-on and run-off from eroding or otherwise damaging the cap system. In addition, a vegetative cover of native grasses must be maintained and mowed regularly.

27. Post-closure use of the property is subject to review and approval by the Division and must not disturb the integrity of the cap system, or the function of the monitoring systems. The Division may approve any other disturbance if the owner or operator demonstrates that disturbance of the cap system, including any removal of waste, will not increase the potential threat to human health or the environment.

28. The permittee must maintain a record of all monitoring events and analytical data. Reports of the sampling events and analytical data must be submitted to the Section in a timely manner.

29. Any proposed expansion to the closed landfill units will be considered a new landfill for purposes of Solid Waste Management permitting.

PART III: MISCELLANEOUS SOLID WASTE MANAGEMENT SPECIFIC CONDITIONS
Not Applicable

-End of Conditions-