

North Carolina  
Department of Environment and Natural Resources



Division of Waste Management

Michael F. Easley, Governor  
William G. Ross Jr., Secretary  
Dexter R. Matthews, Director

December 16, 2002

Mr. Judson Whitehurst, President  
C&D Landfill, Inc.  
802 Recycling Lane  
Greenville, North Carolina 27834

Subject: Solid Waste Permit No. 74-07  
C&D Landfill, Inc. Construction and Demolition(C&D) Landfill  
Highway 264, Pactolus Township, Greenville, Pitt County, North Carolina.  
Modification #3: PTO request for Cells 1 thru 8, Phase 1A

Dear Mr. Whitehurst:

The referenced revised PERMIT TO OPERATE is issued in accordance with N.C.G.S. 130A-294 and the N.C. Solid Waste Management Rules, 15A NCAC 13B, .0201(b)(1). Enclosed is attachment 1, which lists documents included in the Approved Plan. The approved facility description includes the area described in the attached legal description. Within the approved facility, the initial operating area is Phase 1A (Cells 1 thru 8, for the first five year phase) is permitted to receive construction and demolition waste as shown on Drawing 2 of 9 (Site Plans), consistent with drawings dated 10 November 2002 and received 12 November 2002.

This permit is for the operation of the first five-year phase (Phase 1A, Cells 1 thru 8) consistent with Drawing 2 of 9 Phase 1A excavation and Drawing 5 of 9 cross sections of the approved plans. At the end of the first five-year operational period, C&D Landfill, Inc. may apply for an expansion into and operation of the vertical phase, but will be subject to all rules in effect at that time. This permit is issued to C&D Landfill, Inc. as the owner and operator of the facility.

Please refer to the GENERAL Conditions of this permit for recordation procedures, the definition of the approved plan, and for general terms of the Solid Waste Permit. The CONSTRUCTION AND OPERATION conditions describe permitted fill areas, acceptable waste types, landfill operation, and requirements which must be satisfied prior to operation of the facility as a Construction & Demolition landfill. Specific requirements for groundwater monitoring and facility record keeping and reporting are described in the MONITORING AND REPORTING conditions.

1646 Mail Service Center, Raleigh, North Carolina 27699-1646  
Phone: 919-733-0692 \ FAX: 919-733-4810 \ Internet: [www.enr.state.nc.us/](http://www.enr.state.nc.us/)

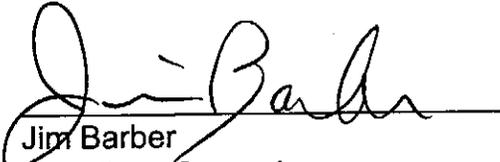
Mr. Whitehurst  
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Please review the Conditions of Permit thoroughly, especially the following specific conditions:

- A. In accordance with Monitoring and Reporting Requirement No. 13(e) groundwater quality monitoring wells must be installed and sampled prior to accepting waste at this landfill and on a semi-annual basis thereafter. Please consult with Ms. Ellen Lorscheider, Solid Waste Section Project Hydrogeologist at (919) 733-0692, Ext. 345 if you have any questions about long term groundwater monitoring at this site.

Again, please review the Conditions of Permit thoroughly and contact me if you have any questions or if you require further clarification. Mr. Chuck Boyette is the Solid Waste Section Waste Management Specialist for this area and can be contacted at the DENR Washington Regional Office by phone at (252) 946-6481. Jim Barber can be contacted at the Raleigh Central Office at (919) 733-0692 Extension 255.

Respectfully,

  
Jim Barber  
Permitting Supervisor  
Solid Waste Section

cc: Mark Fry  
Chuck Boyette  
John Tucker  
✓ Raleigh Central File: Pitt County; 74-07 Permit File

PERMIT NO.: 74-07  
DATE ISSUED(PTC): 04/26/01  
DATE ISSUED(PTO): 05/29/01  
MODIFICATION #3(PTO): 12/16/02

STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
DIVISION OF WASTE MANAGEMENT  
1646 MAIL SERVICE CENTER; RALEIGH, NC 27699-1646

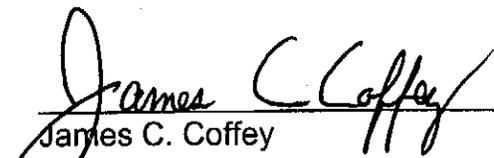
SOLID WASTE PERMIT

C&D LANDFILL INCORPORATED

is hereby issued a PERMIT TO OPERATE a

Construction and Demolition Landfill unit, PHASE 1A (Cells 1 thru 8)

located on the south side of Highway 264 in Pactolus Township, Pitt 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 facility is located and described by the legal description of the site included with this permit and further identified on the deed recorded for this property in Book: 1098 and Page(s): 156 - 158 in the Pitt County Register of Deeds for C&D Landfill, Inc..

  
James C. Coffey  
Section Chief  
Solid Waste Section  
Division of Waste Management

PERMIT NO.:	74-07
DATE ISSUED(PTC):	04/26/01
DATE ISSUED(PTO):	05/29/01
MODIFICATION #3(PTO):	12/16/02

SOLID WASTE PERMIT  
PERMIT TO OPERATE  
C&D LANDFILL INCORPORATED

A Construction and Demolition Debris Landfill Unit - PHASE 1A: CELLS 1 thru 8

**CONDITIONS OF PERMIT:**

GENERAL

1. This PERMIT TO OPERATE will be in effect for FIVE YEARS from the original date of issuance (29 May 2006) and will be reviewed, every five years in accordance with 15A NCAC 13B .0201(c), under rules in effect at the time of review. Modifications to the facility may be required in accordance with rules in effect at the time of review. This permit shall not be effective unless the PERMIT TO CONSTRUCT along with the certified copy is filed in the Register of Deeds Office, 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 shall be returned to the Solid Waste Section and shall have indicated on it the page, book number, date of recordation and the Register's seal. The permit to construct, issued 4/26/01, was recorded in Deed Book: 1162 and Pages: 0129 - 0138.

When this property is sold, leased, transferred or conveyed, 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.

2. The approved plan is described by Attachment 1, "List of Documents for Approved Plan". Where discrepancies may exist, the most recent submittal and the Conditions of Permit shall govern. Some components of the approved plan are reiterated in the Conditions of Permit.
3. This permit is not transferable.
4. This facility may receive waste that is generated within the service area described in the franchise application approved by Pitt County and includes the following counties: Pitt, Beaufort, Pamlico, Craven, Lenoir, Greene, Jones, Wayne, Wilson, Nash, Edgecombe, Halifax, Northampton, Bertie, Martin, Chowan, Washington, Tyrrell and Hyde.

5. This permit is for the operation of the C&D Landfill, Inc.(CDLI) Construction and Demolition(C&D) Landfill unit denoted as Phase 1A: CELLS 1 thru 8 in accordance with the approved site plan drawing 2 of 9 dated 9 March 2001(received 26 August 2002), and the as-built record drawing 2 of 9 dated 10 November 2002(received 12 November 2002). Groundwater monitoring wells MW-9s and MW-9d have been constructed and installed in accordance with the approved plans per certification document dated 2 December 2002 from David Garrett, P.G., P.E..
6. All sedimentation/erosion control activities will be conducted in accordance with the Sedimentation Control Act codified at 15 NCAC 4 and/or local programs delegated authority by the Div. of Land Resources. Native vegetation shall be established on the completed C&D landfill unit in accordance with 15A NCAC 13B .0505 (3)(b)(c).
7. The following requirements shall be met prior to and during operation of this C&D unit,(i.e. Prior to the issuance of a future PERMITS TO OPERATE):
  - a. C&D unit preparation shall be in accordance with the construction plan, sheet 2 of 9, and the conditions specified herein and construction shall be certified by the design engineer to be constructed in accordance with the approved plans.
  - b. C&D unit inspection shall be made by a representative of the Division of Waste Management (DWM) with the owner/operator.
  - c. Signs shall be posted at the entrance(at or near U.S. Highway 264) of the C&D Landfill Inc., in accordance with the Access and Safety Requirements under Operation Condition .0505(8).
  - d. Groundwater monitoring wells (see Monitoring and Reporting Requirements) shall be installed consistent with condition 13(a) thru (g). A baseline sampling for water quality shall be performed. Well construction records, soil boring logs and sample analysis results shall be submitted to the Section Hydrogeologist for review and approval prior to operation of the C&D unit.
  - e. Inspection and certification of the PHASE 1A subgrade, by the project hydrogeologist, to determine if subgrade conditions are consistent with the observations made during the initial site investigations and information provided in the site hydrogeology report. If conditions found are different than conditions stated in the hydrogeologic report or that would impact or have an effect on the proposed ground water monitoring system; then a revised ground watering monitoring plan will be required.

**OPERATION:**

8. This C&D unit is permitted to receive the following waste types:
- a. Land-clearing debris as defined in G.S. 130A-290, specifically, solid waste which is generated solely from land-clearing activities, such as stumps, trees, etc.;
  - b. Inert debris defined as solid waste which consists solely of material that is virtually inert, such as brick, concrete, rock and clean soil; and
  - c. Asphalt in accordance with G.S. 130-294(m).
  - d. Construction and demolition debris defined as solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures.

Yard trash as defined in G.S. 130A-290, shall not be disposed in the landfill area. However, yard trash, along with land-clearing debris, may be accepted for processing in the Yard Waste Composting Area or disposed of in a LCID landfill.

9. Operation of the C&D landfill unit shall conform to the operating procedures described in the approved plan, in accordance with Section .0505 of the Solid Waste Management Rules, and in accordance with the following requirements:

**Waste Acceptance and Disposal**

- a. The C&D unit shall accept only those solid wastes which it is permitted to receive as outlined in condition 8.
- b. No municipal solid waste, hazardous waste, or liquid waste shall be accepted for disposal in the C&D unit.
- c. The permittee shall implement a program for the C&D unit for detecting and preventing the disposal of MSW, hazardous or liquid wastes. The program shall include, at a minimum:
  - (I) Random inspections of incoming loads or other comparable procedures;
  - (ii) Records of any inspections;
  - (iii) Training of personnel to recognize hazardous and liquid wastes;
  - (iv) Development of a contingency plan to properly manage any identified hazardous, liquid or MSW wastes; The plan must address identification, removal, storage, and final disposition of waste.

**Cover Material Requirements**

- d. Operational soil cover of at least six inches shall be placed at least once per week or when the active area reaches ½ acre in size, or more often as necessitated by the nature of the waste, as to prevent the site from becoming a visual nuisance and to prevent fire, windblown materials, vectors, or excessive water infiltration.
  - (I) Alternate cover consisting of 6" of soil, ground mulch and sheetrock can be used in lieu of 6" of soil solely, as addressed in the demonstration documented by letter dated 10 October 2002;
  - (II) If one component of the three proposed is not available, then a 50% soil mixture shall be used at a minimum with the sheetrock or ground mulch and at no time will only ground mulch and sheetrock be used without soil;
  - (III) Soil borrow shall come from on-site property or the Lewis mine, adjacent to the site.

- e. Areas which will not have additional waste placed on them for 12 months or more, but where final termination of operations has not occurred, shall be covered with a minimum of one foot of soil cover [15A NCAC 13B .0505(3)(b)].
- f. After final termination of disposal operations at the C&D unit or major part thereof, or upon revocation of a permit, the fill areas shall be covered with at least two feet of suitable compacted earth [15A NCAC 13B .0505(3)(c)] or a cap as specified by the rules in effect at the time of closure.

#### Access and Safety

- g. The C&D unit shall be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the DWM to prevent unauthorized entry.
- h. An attendant shall be on duty at the CDLI landfill at all times while it is open for public use to ensure compliance with operational requirements.
- i. The access road from U.S. Highway 264 to the C&D unit shall be of all-weather construction and maintained in good condition.
- j. Dust control measures shall be implemented when necessary.
- k. Signs providing information on dumping procedures, the hours of operation, the permit number, and other pertinent information shall be posted at the entrance to the CDLI landfill.
- l. Signs shall be posted stating that no MSW, hazardous waste or liquid waste can be received in the C&D unit.
- m. Traffic signs or markers shall be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.
- n. The removal of solid waste from the facility is prohibited unless the owner/operator approves and the removal is not performed on the working face. If C&D recycling is to take place in the future; amendment of the operations plan shall be submitted to the Solid Waste Section for approval.
- o. Barrels and drums shall not be disposed of unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein, except fiber drums containing asbestos. Asbestos waste shall be managed in accordance with 40 CFR 61.
- p. 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.
- q. The concentration of explosive gases generated by the C&D unit shall not exceed:

- i. twenty-five percent of the lower explosive limit(1.25% of CH<sub>4</sub>) for gases in site structures (excluding gas control or recovery system components if necessary; and
- ii. One hundred percent of the lower explosive limit(5% CH<sub>4</sub>) for gases at the property boundary. Installation of permanent gas monitoring wells may be required in the future to demonstrate compliance.

#### Erosion and Sedimentation Control

- r. Adequate sedimentation and erosion control measures shall be practiced to prevent silt from leaving the site of the C&D unit.
- s. Adequate sedimentation and erosion control measures shall be practiced to prevent excessive on-site erosion.
- t. 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 C&D landfill unit development or as addressed in the approved Sedimentation and Erosion Control permit.

#### Drainage Control and Water Protection Requirements

- u. Surface water shall be diverted from the operational area.
  - v. Surface water shall not be impounded over or in waste.
  - w. A separation distance of at least four feet shall be maintained between the C&D waste and the groundwater table; as addressed in the site suitability application, hydrologic assessment section.
  - x. Solid waste(C&D) shall not be disposed of in water.
  - y. Leachate shall be contained on site or properly treated prior to discharge. An NPDES permit may be required prior to discharge of leachate to surface waters and or for land disturbing activities greater than one acre.
10. All pertinent landfill operating personnel will receive training and supervision necessary to properly operate this C&D landfill unit in accordance with G.S. 130A-309.25 and addressed by memorandum dated 29 November 2000.
  11. Ground water quality for the C&D landfill unit is subject to the classification and remedial action provisions referenced in Rule .0503 (2)(d) of 15A NCAC 13B.
  12. 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 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

13. Ground-water monitoring wells and monitoring requirements for the CDLI landfill unit:
- a. Monitoring well design and construction shall conform to the specifications outlined in, "North Carolina Water Quality Monitoring Guidance Document for Solid Waste Facilities-DRAFT" and water quality sampling and analysis shall be done in accordance with Construction and Demolition landfills and Closed Sanitary Landfills
  - b. A total of eleven locations for ground water wells(MW-1d, MW-1s, MW-2d, MW-2s, MW-4 thru MW-8 and MW-9s & MW-9d) and three surface water locations(SW-1, SW-2, & SW-3) [in accordance with the approved revised Groundwater Monitoring Plan dated March 2001, updated November 2002 from David Garrett, P.G., P.E.] as outlined on page 13 of the water quality monitoring plan located in the permit to construct application.
  - c. A geologist shall be in the field to supervise well installation. 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.
  - d. For each monitoring well constructed, a well completion record shall be submitted to DWM within 30 days upon completion.
  - e. Prior to the acceptance of any waste at the C&D unit, a baseline sampling event shall be completed and analysis submitted to the SWS Hydrogeologist.
  - f. Sampling equipment, procedures, and parameters shall conform to specifications outlined in the above-referenced guidance document,[Monitoring and Reporting Requirements, condition 13(a) pg. 9] or the current guidelines established by DWM at the time of sampling.
  - g. In order to determine ground-water flow directions and rates, each monitoring well shall be surveyed, and hydraulic conductivity values and effective porosity values shall be established for the screened intervals for each monitoring well.
  - h. The permittee shall sample the monitoring wells semi-annually or as directed by the SWS Hydrogeologist. In addition to the wells described in condition 13(b); surface water locations SW-1, SW-2 and SW-3 shall, as shown on the revised Groundwater Monitoring Plan dated 29 March 2001, updated 2 April 2001, also be sampled semi-annually as part of the monitoring system.
  - i. A readily accessible unobstructed path shall be initially cleared and maintained so that four-wheel drive vehicles may access the monitoring wells at all times.

14. The permittee 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.
15. The permittee shall maintain a record of the amount of solid waste received at the C&D unit, compiled on a monthly basis. Scales shall be used to weigh the amount of waste received.
16. On or before 01 August 2003, and each year thereafter, the permittee shall report the amount of waste received (in tons) at the C&D unit and disposed of in the C&D landfill unit to the Solid Waste Section and to all counties from which waste was accepted, on forms prescribed by the Section. This report shall include the following information:
  - a. The reporting period shall be for the previous year, beginning 01 July and ending on 30 June;
  - b. The amount of waste received and landfilled in tons, compiled on a monthly basis, and;
  - c. Documentation that a copy of the report has been forwarded to all counties from which waste was accepted.
17. All records shall be maintained on-site and made available to the SWS upon request, specifically records generated by conditions 10(c), 10(o), 9, 13,14, 15 & 16.

ATTACHMENTS  
C&D LANDFILL INC.  
List of Documents for the Approved Plan

SITE SUITABILITY:

1. Conceptual Construction Plans for site suitability review dated 15 December 2000 and received 19 December 2000.
2. PART 1 - SITE SUITABILITY APPLICATION for C&D Landfill Inc. dated December 2000 and received 19 December 2000.
3. Letter dated 21 December 2000 from Thomas B. Robinson, Pitt County Manager, indicating that the Pitt County Board of Commissioners approved the franchise for C&D Landfill Inc.
4. Letter dated 16 January 2001 from Berry Gray addressing zoning.
5. Response to hydrogeologic comments, letter dated 15 February 2001 and revised drawing F4.
6. Additional site suitability information transmitted to the Section via letter dated 20 February 2001 with the following items;
  - a. Revised facility boundary survey drawing
  - b. FEMA FIRM map for that portion of Pitt County with C&D Landfill located
  - c. Letter dated 29 December 2000 from David Brook with NC Department of Cultural Resources
  - d. Letter dated 29 January 2001 from Michael P. Schafale with the Div. Of Parks and Recreation, Natural Heritage Program
  - e. APPLICATION FOR FRANCHISE TO OPERATE CONSTRUCTION AND DEMOLITION DEBRIS (C&D) LANDFILL dated 23 October 2000
  - f. Certified copy of Pitt County Commissioners meeting minutes dated 10 January 2001 from Susan J. Banks
  - g. Certified copy of Pitt County Commissioners meeting minutes dated 20 February 2001 from Susan J. Banks
  - h. Letter dated 18 January 2001 from Traci Belch addressing zoning.
7. Memorandum dated 28 February 2001 from Cheryl Marks indicating that the hydrogeologic aspects of the C&D Landfill Inc. site met site suitability.
8. Letter dated 1 March 2001 from Thomas B. Robinson, Pitt County Manager, addressing Pitt County's position on the approval of a franchise for C&D Landfill Inc. to include certification from Susan B. Banks and additional copies of the board minutes.

#### PERMIT TO CONSTRUCT:

9. Initial construction plans and construction application dated March 2000 and received 6 April 2000.
10. Revised pages to the Water Quality Monitoring plan dated 2 April 2001, received 2 April 2001.
11. Memorandum dated 25 April 2001 from David Garrett to Cheryl Marks addressing monitoring well placement based on hydrogeologic modeling.
12. Erosion and Sedimentation Control approval letter from Pitt County dated 26 April 2001, received 26 April 2001.
13. Updated Construction Plans and Construction application dated 25 April 2001, received 16 May 2001.
14. Letter dated 7 May 2001 from Cheryl Marks approving the monitoring plan, as part of the Permit to Construct application.
15. Revised site plan for the construction of cells 1 thru 8 and revisions to the operating height of Phase 1A.
16. Letter dated 23 August 2002 addressing the proposed construction changes and operational changes for C&D Landfill Inc.
17. Plan sheet 3 of 9 indicating the locations of existing and new monitoring locations at the facility.

#### PERMIT TO OPERATE:

18. Certification letter dated 29 May 2001 from John Tucker addressing construction excavation limits for PHASE 1A - Cell 1.
19. Record drawings of as-built conditions dated 29 May 2001, received 29 May 2001 for Phase 1A Cell 1 construction.
20. Revised Operations Manual for C&D Landfill Inc. dated May 2001, received 29 May 2001.
21. Certification letter dated 3 August 2001, received 8 August 2001, from John Tucker addressing construction excavation limits for PHASE 1A - Cells 2 & 3.
22. Record drawings of as-built conditions dated 3 August 2001, received 8 August 2001 for Phase 1A Cells 2 & 3.
23. Record drawings of as-built conditions dated 10 November 2002, received 12 November 2002 for Phase 1A Cells 5,6,7 & 8.
24. Construction certification letter dated 11 November 2002 from John Tucker.
25. Well installation certification document dated 2 December 2002 with a updated groundwater monitoring plan dated November 2002 from David Garrett, P.G., P.E..
26. Revised monitoring well drawing dated 4 December 2002 for the addition of wells MW-9s and MW-9d.