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

CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL
Permit No. 74-07

C&D LANDFILL, INC.
is hereby issued a

PERMIT TO CONSTRUCT
C&D LANDFILL, PHASE 2
AND

PERMIT TO OPERATE
C&D LANDFILL, PHASE 1, CELLS 1-8
A CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL

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Located at 802 Recycling Lane, east of Greenville, 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 legal description of the site is identified on the deeds recorded for this property listed in Attachment No. 1 of this permit.

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

ATTACHMENT 1

PART I: PERMITTING HISTORY

Issuance	Date
Original Issue Permit to Construct, Phase 1A	April 26, 2001
Original Issue Permit to Operate, Phase 1A, Cell 1	May 29, 2001
Permit to Operate, Phase 1A, Cells 1, 2, & 3	August 9, 2001
Permit to Construct, Phase 1A & 1B, Cells 1 through 8	November 12, 2002
Permit to Operate, Phase 1A & 1B, Cells 1 through 6	November 18, 2002
Permit to Operate, Phase 1, Cells 1 through 8	December 16, 2002
Permit to Construct, Phase 2	July xx, 2009
Permit to Operate, Phase 1, Cells 1 through 8	July xx, 2009

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1. In 2001, site suitability was approved for the Phase 1 disposal area. The C&D Landfill was permitted to operate Phase 1 on a parcel consisting of 34 acres.
2. In February 2008, site suitability was approved for the Phase 2 disposal area. The Phase 2 landfill adds approximately 126 acres to the landfill property northwest of the Phase 1 property.
3. In 2009, the Phase 1 and Phase 2 property was combined into one parcel.

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *Part 1 - Site Suitability Application for C&D Landfill Inc*. dated December 2000.

2. Additional site suitability information dated 20 February 2001.

3. Memorandum dated 28 February 2001 from Cheryl Marks indicating that the hydrogeologic aspects of the C&D Landfill Inc. site met site suitability.

4. Initial construction plans and construction application dated March 2000 and received 6 April 2000.

5. Revised pages to the Water Quality Monitoring plan dated 2 April 2001.

6. Memorandum dated 25 April 2001 from David Garrett to Cheryl Marks addressing monitoring well placement based on hydrogeologic modeling.

7. Updated Construction Plans and Construction application dated 25 April 2001.

8. Letter dated 7 May 2001 from Cheryl Marks approving the monitoring plan, as part of the Permit to Construct application.

9. Revised site plan for the construction of cells 1 thru 8 and revisions to the operating height of Phase 1A.

10. Letter dated 23 August 2002 addressing the proposed construction changes and operational changes for C&D Landfill Inc.

11. Revised Operations Manual for C&D Landfill Inc. dated May 2001.

12. Certification letter dated 3 August 2001 from John Tucker addressing construction excavation limits for Phase 1A - Cells 2 & 3.

13. Record drawings of as-built conditions dated 3 August 2001 for Phase 1A Cells 2 & 3.

14. Record drawings of as-built conditions dated 10 November 2002 for Phase 1A Cells 5, 6, 7 and 8.

15. Construction certification letter dated 11 November 2002 from John Tucker.

16. Well installation certification document dated 2 December 2002 with a updated groundwater monitoring plan dated November 2002 from David Garrett, P.G., P.E..

17. Revised monitoring well drawing dated 4 December 2002 for the addition of wells MW-9s and MW-9d.

18. *Part 1 – Site Suitability Application for C&D Landfill, Inc. Phase 2.* Prepared by John A. K. Tucker and David Garrett, Raleigh, NC. August 2003.

19. *Permit to Construct Application, Phase 2, Site Characterization, Facility Plan, and Hydrogeologic Report.* Prepared by David Garrett and John Tucker, Raleigh, NC. February 2008, revised through May 2009. Doc ID 7680 and 7686.

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PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Pitt County, N.C. Register of Deeds				
Book	Page	Grantee	Grantor	Acres
1098	156	C&D Landfill, Inc.	Ed A. Whitehurst, Sr.	34.21
2624	762	C&D Landfill, Inc.	EJE Recycling Disposal, Inc, et al	125.93
Map Book 72	29	Recombined survey		
				Total Site Acreage: 160.14 acres

PART IV: GENERAL CONDITIONS

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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 July xx, 2014. The Permit to Construct must be implemented in accordance with Attachment 2 of this permit. The Permit to Operate shall expire July xx, 2014. 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. This permit shall not be effective until the certified copy of this permit which 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 beginning construction or receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.

6. Construction and operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of 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 identified in Attachment 1, "List of Documents for Approved Plan," that constitutes 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. 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 National Pollutant Discharge Elimination System (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 -

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ATTACHMENT 2
CONDITIONS OF PERMIT TO CONSTRUCT

PART I: FACILITY SPECIFIC CONDITIONS

1. Pursuant to the NC Solid Waste Management Rules (Rule) 15A NCAC 13B .0201(c) and (d)(1), this permit approves construction of Phase 2 consisting of approximately 23 acres with a projected operating capacity of 1,046,156 cubic yards of airspace.

2. 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 re-apply 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.

3. 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.

4. Prior to construction of any portion of Phase 2B, an updated wetlands delineation and wetlands documentation for the 13 acre Phase 2B disposal area must be submitted for approval to the Section.

5. 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 ten (10) days prior to the meeting.

6. 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.

7. The following conditions must be met prior to operation of Phase 2A, 2B, and 2C:

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

b. Construction Quality Assurance (CQA) documentation and 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.

Geologic, Ground Water and Monitoring Requirements

8. Prior to issuing the Permit to Operate, samples from new ground water monitoring wells and surface water stations shall be sampled for the Appendix I constituent list.

9. 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.”

10. 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.

11. 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.

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

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

14. 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

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notes, and description of well development activities must be submitted to the Section. Each monitoring well and gas probe must be surveyed for location and elevation.

15. The permittee must submit to the Section 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.

16. 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 Section consistent with 15A NCAC 2C .0114(b) and be certified by a Licensed Geologist.

17. All forms, reports, maps, plans, and data submitted to the Section must include an electronic copy.

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Erosion and Sedimentation Control Requirements

18. 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.

19. 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.

20. 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.

21. 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.

- End of Section-

ATTACHMENT 3
CONDITIONS OF PERMIT TO OPERATE

PART I: OPERATING CONDITIONS

1. The Permit to Operate shall expire July xx, 2014. Pursuant to 15A NCAC 13B .0201(g), no later than March xx, 2014, 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. This permit approves the continued operation of Phase 1 of the C&D Landfill, as well as the onsite environmental management and protection facilities as described in the approved plans. Operation of Phase 2 requires written approval of the Section after documentation has been submitted that the area has been constructed in accordance with applicable statutes and rules.

3. The following table lists the dimensions and details for the C&D landfill units, both existing and planned. Total gross capacity is defined as the volume measured from the bottom of waste through the top of final cover. The estimated remaining life of the landfill, Phase 1 and 2 is approximately 15 years from May 2009, as stated in Attachment 1, Part II, Document 18.

C&D Phase	Acres	Gross Capacity (cubic yards)
Phase 1	15	842,000
Phase 2A	10	313,044
Phase 2B	13	386,045
Phase 2C	*	347,067
Total	38	1,888,156

*Phase 2C consists of fill over Phases 2A and 2B

4. The facility is approved to accept approximately 300 tons per calendar day of C&D waste, in accordance with the franchise approved by the Pitt County Board of Commissioners. Maximum variance shall be in accordance with NCGS 130A-294(b1)(1).

5. The facility is permitted to receive solid waste generated within the following North Carolina counties: Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chatham,

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Chowan, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hyde, Johnston, Jones, Lenoir, Martin, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Sampson, Tyrrell, Vance, Wake, Warren, Washington, Wayne, and Wilson. This service area corresponds to the counties that are within a 100 mile radius of the facility, in accordance with the franchise approved by the Pitt County Board of Commissioners.

6. The landfill is permitted to receive the following waste types:

   a. "C&D solid waste" as defined in 15A NCAC 13B, Rule .0532(8) means solid waste generated solely from the construction, remodeling, repair, or demolition operations on pavement and buildings or structures. C&D waste does not include municipal and industrial wastes that may be generated by the on-going operations at buildings or structures.

   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 waste” as defined in G.S. 130A-290 (a)(15) means solid waste which is generated solely from land clearing activities, limited to stumps, trees, limbs, brush, grass, and other naturally occurring vegetative material.

   d. “Asphalt” in accordance with G.S. 130-294(m).

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7. 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.

8. Regulated-asbestos containing material must be managed in accordance with 40 CFR 61. Disposal of asbestos waste must be in accordance with 15 NCAC 13B .0542 (c).

9. Wastewater treatment sludge is not approved for disposal. Wastewater treatment sludge may be accepted, with the approval of the Section, for utilization as a soil conditioner and incorporated into or applied onto the vegetative growth layer. The wastewater treatment sludge must not be applied at greater than agronomic rates nor to a depth greater than six inches.

10. 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.

11. 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 landfill units in accordance with G.S. 130A-309.25 and addressed by memorandum dated November 29, 2000.

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12. The permittee shall actively employ a screening program for the C&D unit that detects and prevents the disposal of MSW, hazardous, liquid or non-permitted wastes. At a minimum, the program shall include:

a. Random inspections of incoming loads or other comparable procedures.

b. Records of all 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.

13. The use of alternative periodic cover requires approval, prior to implementation, by the Section. Requests for alternative periodic cover approval must include a plan detailing the comprehensive use and a demonstration of the effectiveness of the alternative 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.

14. The facility must maintain records for all solid waste materials accepted as alternative cover material and used as alternate periodic 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 Section upon request.

15. 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.

Monitoring and Reporting Requirements

16. Groundwater, surface water, and methane monitoring locations must be established and monitored as identified in the approved plans. Unless otherwise approved by the Section, the groundwater monitoring wells to be sampled are: MW-1s, MW-1d, MW-2s, MW-2d, MW-3s, MW-3d, MW-4, MW-5, MW-6, MW-7, MW-8 (all for Phase 1); and MW-9A, MW-10, MW-11, MW-12, MW-13, MW-14s, MW-14d, MW-15, MW-16 (all for Phase 2). Surface water monitoring consists of three sampling locations, unless otherwise approved by the Section.

17. 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 Section Hydrogeologist at the time of well installation.

18. 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. Methane monitoring must be conducted quarterly, unless otherwise specified by the Section.

19. Hydraulic conductivity and effective porosity values must be established for each screened interval at each monitoring well in order to develop groundwater flow characteristics.

20. Reports of the analytical data for each water quality monitoring sampling event shall be submitted to the Section within 120 days of the respective sampling event. 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. Analytical data must be submitted in a manner prescribed by the Section. The permittee shall maintain a record of all monitoring events and analytical data.

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21. 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.

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

23. 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.

24. 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.

25. Within thirty (30) days of the abandonment of any monitoring well/probe, 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 Section consistent with 15A NCAC 2C .0114(b) and be certified by a Licensed Geologist.

26. All forms, reports, maps, plans, and data submitted to the Section must include an electronic copy.

27. 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.

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

29. On or before August 1 annually, 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.

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b. The annual facility report must list the amount of waste received 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 receiving disposal facility.
v) By diversion to alternative management facilities.

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 May 29, 2001 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 including a description of how and where the material was ultimately managed, as applicable, must be included in the report.

f. The completed report must be forwarded to the Regional Environmental 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 the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Specialist by the date due on the prescribed annual facility report form.

30. Financial assurance must be continuously maintained for the duration of the facility in accordance with the Rule 15A NCAC 13B .0546 and 15A NCAC 13B .0547 (2). Closure and Post-Closure cost estimates and financial instruments must be updated annually pursuant to 15A NCAC 13B .0546. Financial assurance for closure and post-closure costs representing both Phase 1 and Phase 2, as listed in Document 18, Part II, Attachment 1, must be established with proof submitted to the Section by August xx, 2009.

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31. 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 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;
    c. Surface water, ground water, and explosive gas monitoring.

PART II: MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS, (SPECIFY)

Not applicable

- End of Permit Conditions –

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