



Facility Permit No: 74-07-CDLF-2009
C&D Landfill
Permit to Operate
March 31, 2010
Doc ID: 10133
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North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

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Director

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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-CDLF-2009

C&D LANDFILL, INC.
is hereby issued a

PERMIT TO OPERATE

C&D LANDFILL, PHASE 1, CELLS 1-8; AND PHASE 2A
A CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL

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

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Telephone 919-508-8400 \ Fax 919-733-4810 \ Internet <http://wastenotnc.org>

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ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit	Date Issued	Doc ID
Original Issue Permit to Construct, Phase 1A	April 26, 2001	6299
Original Issue Permit to Operate, Phase 1A, Cell 1	May 29, 2001	6299
Permit to Operate, Phase 1A, Cells 1, 2, & 3	August 9, 2001	6299
Permit to Construct, Phase 1A & 1B, Cells 1 through 8	November 12, 2002	6300
Permit to Operate, Phase 1A & 1B, Cells 1 through 6	November 18, 2002	6300
Permit to Operate, Phase 1A & 1B, Cells 1 through 8	December 16, 2002	636
Permit to Construct, Phase 2	July 21, 2009	8001
Permit to Operate, Phase 1, Cells 1 through 8	July 21, 2009	8001
Permit to Operate, Phase 1 and Phase 2A	March 31, 2010	10133

1. In 2001, Site Suitability was approved for the Phase 1 disposal area (Doc ID 6299). 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 (Doc ID 3890). The Phase 2 landfill added 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. The Phase 2 landfill unit, which is separated from Phase 1 by a stream, was permitted to operate in 2010.

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.
20. *Groundwater Assessment Work Plan – Revised,* Prepared by David Garrett & Associates, Raleigh, NC. June 22, 2009. Doc ID 7829.
21. *Modifications to the Phase 2 Groundwater and Surface Water Monitoring Plan.* Prepared by David Garrett. June 24, 2009. Doc ID 7987.

22. *Construction Quality Assurance Documentation for C&D Landfill, Inc. Phase 2.*
 Prepared by David Garrett. January 2010, revised through March 2010. Doc ID 10135.

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

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 Operate shall expire July 21, 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. (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 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," which 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, 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 sedimentation and erosion control, and a General or Individual National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit, if applicable. 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: FACILITY SPECIFIC CONDITIONS

1. Prior to operation of Phase 2A, 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.
2. 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.
3. Prior to construction of Phase 2B, a Permit to Construct application must be submitted for approval to the Section. The application must be prepared in accordance with applicable statutes and rules in effect on that date and will be subject to a permitting fee.

- End of Section-

**ATTACHMENT 3
 CONDITIONS OF PERMIT TO OPERATE**

PART I: OPERATING CONDITIONS

1. The Permit to Operate shall expire July 21, 2014. Pursuant to 15A NCAC 13B .0201(g), no later than March 21, 2014, the owner or operator must submit a request to the Section for permit review and must update pertinent facility plans in accordance with 15A NCAC 13B .0535(b).
2. This permit approves the operation of Phase 2A and 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 2B 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)	Status
Phase 1	15	842,000	Nearing fill completion
Phase 2A	10	313,044	Approved for disposal
Phase 2B	13	386,045	Not developed
Phase 2C	*	347,067	Not developed
Total	38	1,888,156	

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

4. The permittee must maintain permanent markers that accurately identify the edge of the approved waste disposal boundary. The boundaries of both Phase 1 and Phase 2A must be marked.
5. Fill operations must be maintained within the approved elevation contours as shown on Drawing No. E2-B (Doc ID 7686). The maximum approved fill elevation for Phase 2A is elevation 92 feet mean sea level, as shown on Drawing E2-B.
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).
7. 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).
 8. Those wastes listed in 15A NCAC 13B .0542 (e) must not be accepted for disposal including, but not limited to, hazardous waste, municipal solid waste, liquid waste, commercial and industrial wastes, and yard trash.
 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 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).
 11. The facility is permitted to receive solid waste generated within the following North Carolina counties: Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chatham, 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.

12. 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.
13. 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.
14. The permittee must actively employ a training and screening program at the facility prepared in accordance with Section .0544 (e) for detecting and preventing the disposal of excluded or unauthorized wastes. At a minimum, the program must include:
 - a. Random inspections of incoming loads or other comparable procedures.
 - b. Records of 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.
15. 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, developed according to Section guidelines. Plans that are approved by the Section will be incorporated into, and made a part of, the approved documents listed in Attachment 1.
16. Financial assurance must be continuously maintained for the duration of the facility in accordance with Rule 15A NCAC 13B .0546 and 15A NCAC 13B .0547 (2). The owner and operator must annually adjust cost estimates including closure and post-closure

activities for inflation within 60 days prior to the anniversary date of the establishment of the financial instrument(s), pursuant to 15A NCAC 13B .0546.

17. 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. 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.
18. 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.
19. 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.
20. The permittee must conduct closure and post-closure activities in accordance with the approved plans (Doc ID 7680 and 7686) and Rule .0543. An updated closure and post-closure plan must be submitted for approval at least ninety (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&DLF in accordance with all rules in effect at that time. At a minimum, the plan must address the following:
 - a. Design of a final cover system in accordance with 15 NCAC 13B .0543(c), or the solid waste management rules in effect at the time of closure;
 - b. Construction and maintenance/operation of the final cover system and erosion control structures;
 - c. Surface water, ground water, and explosive gas monitoring.

PART II: MONITORING AND REPORTING REQUIREMENTS

21. 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-3A, 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 (all for Phase 2). Surface water monitoring consists of three sampling locations, unless otherwise specified by the Section.
22. 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.

23. Ground water monitoring wells and surface water sampling locations must be sampled at least semi-annually in accordance with 15A NCAC 13B .0544, the approved water quality monitoring plan, and the current policies and guidelines of the Section in effect at the time of sampling. In accordance with 15A NCAC 13B .0544(d), methane monitoring must be conducted quarterly, unless otherwise specified by the Section. Sampling frequency and sampling constituents are subject to change according to requirements of the applicable assessment program and possible corrective action program.
24. Assessment monitoring for groundwater and/or surface water, as applicable, must be performed in accordance with the 15A NCAC 13B .0545, and the approved plans listed in Attachment 1, Part II, List of Documents for the Approved Plans.
25. Hydraulic conductivity and effective porosity values must be established for each screened interval at each monitoring well in order to develop groundwater flow characteristics.
26. 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.
27. Monitoring reports of the analytical results for surface water and groundwater monitoring sampling events must be submitted to the Section within 120 days of the sample collection date. Analytical laboratory data must be submitted in electronic portable document format (pdf) and in a spreadsheet format in an Electronic Data Deliverable (EDD) Template. All monitoring reports must contain:
 - a. a potentiometric surface map for the current sampling event,
 - b. analytical laboratory reports and summary tables,
 - c. a completed Solid Waste Environment Monitoring Data Form, and
 - d. laboratory data submitted in accordance with the EDD Template.
28. 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.
29. The permittee must maintain a record of all monitoring events and analytical data.
30. A readily accessible unobstructed path must be cleared and maintained so that four-wheel vehicles may access monitoring well locations at all times.
31. 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 sampling location must be kept as part of the permanent facility record.

32. 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.
33. 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.
34. All forms, reports, maps, plans, and data submitted to the Section must include an electronic copy.

REPORTING AND RECORDKEEPING

35. 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.
36. The owner or operator must maintain records of the following. Scales must be used to weigh the amount of waste received. The daily reports are to be summarized into a monthly report for use in the required annual reports.
 - a. The amount of all accepted solid waste materials as (i) C&D wastes, (ii) alternative cover material used as alternate periodic cover, and (iii) recyclable material.
 - b. Daily records of waste received, and origins of the loads.
37. 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.

- 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 Senior Specialist for the facility by the date due on the prescribed annual facility report form.
- g. A copy of the completed report must be forwarded to each county manager for each county from which waste was received the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Senior Specialist by the date due on the prescribed annual facility report form.

**PART III: MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS,
(SPECIFY)**

Not applicable

- End of Permit Conditions -