



NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

December 14, 2005

Jerry Johnson
Disposal Operations Manager
Red Rock Disposal, LLC
3301 Benson Drive
Raleigh, North Carolina 27609

Re: Issuance of Permit to Operate Cell 1C-1
Red Rock Disposal, LLC, C&D Landfill
Wake County, North Carolina
Permit No. 92-28
Doc ID No. RCO146

Dear Mr. Johnson:

The Permit to Operate referenced above is issued to Red Rock Disposal, LLC, as the owner and operator of the facility in accordance with N.C.G.S. 130A-294 and the N.C. Solid Waste Management Rules, 15A NCAC 13B, .0201(b)(1) and (2) and .203(c) and (d). Included with the permit is Attachment 1 that lists the documents included in the Approved Plan. Within the approved facility, the area identified for this Permit to Operate is Phase 1C-1, which is permitted for operation consistent with drawings noted as Sheet No. 6/Drawing E5 dated November 16, 2003.

The construction of Cell 1C-2 is permitted under the Permit to Construct No. 92-28 Modification # 2, but Cell 1C-2 is not permitted for operation until construction quality assurance is demonstrated for the unit in accordance with the approved Construction Quality Assurance Plan contained in the document "Revised Permit to Construction Application" dated October 2003 as listed in Attachment 1, "List of Documents for Approved Plan".

This permit allows operation of the above referenced facility for 5 years from the date of issuance of the enclosed Permit to Operate, which will be until December 14, 2010, and authorizes disposal operations in Cell 1C-1 consistent with the drawings Sheet No. 6/Drawing E5 dated November 11, 2003, of the approved plans and in accordance with the as-built plans and certification document dated October 27, 2005, and titled "Construction Quality Assurance Report, Phase 1C-1 Construction." Red Rock Disposal, LLC, may apply for expansion into and construction of Phase 2 during the five-year operational period but the application will be subject to all rules in effect at that time of the new application.

Please refer to the General Conditions of the attached permit for 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 and Demolition landfill. Specific requirements for groundwater monitoring and facility record keeping and reporting are described in the Monitoring and Reporting conditions.

Thank you for your cooperation in this matter. Should you have any questions regarding the permit or wish to discuss the matter further, please contact me at (919) 508-8504.

Sincerely,

Geoffrey H. Little
Environmental Engineer
Solid Waste Section

c: Jim Coffey, DWM
Ed Mussler, DWM
Dennis Shackelford, DWM
John Crowder, DWM
Stacey Smith, GNR



Permit No.: 92-28
Part 2-Permit to Operate
Cell 1C-1 Amendment: December 14, 2005
Red Rock Disposal, LLC
Construction and Demolition Debris Landfill
Page 1 of 11

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

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

RED ROCK DISPOSAL, LLC
is hereby issued a

PERMIT TO OPERATE

A Construction and Demolition Landfill unit, Phase 1A, 1B and 1C-1

located on the south side of Rex Road at 7130 New Landfill Road in Holly Springs Township, Raleigh, Wake County, North Carolina, as described in the legal description contained in the application for this permit in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated there under and subject to the conditions set forth in this permit.

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

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

ATTACHMENT 3
SOLID WASTE PERMIT PART 2- PERMIT TO OPERATE
RED ROCK DISPOSAL, LLC
A Construction and Demolition Debris Landfill Units: Phases 1A, 1B and 1C-1
CONDITIONS OF PERMIT

Site Specific Conditions

1. This permit covers a operational period for the Red Rock Disposal, LLC, Construction and Demolition Debris Landfill of 5 years from the issuance date of this Permit to Operate, and is therefore subject to review on or before December 14, 2010, as required under 15A NCAC 13B .0201(e).
 - a. Modifications to the facility and engineering plans may be required in accordance with the rules in effect at the time of the review.
 - b. The owner or operator shall submit a permit amendment or modification by August 1, 2010, prepared in accordance with the rules applicable to Construction and Demolition Debris landfills effective at the time of submittal.
2. This operation of Red Rock Disposal, LLC Construction and Demolition (C&D) Landfill unit shall be in accordance with the following approved drawings:
 - a. The site plan depicted in Sheet No. 5/Drawing E4, titled " Phase 1 - Subgrade" approved June 4, 2004 showing Phase 1A, 1B, and 1C-1, (Attachment 1, Part B, Document 18);
 - b. Sheet No. 6/Drawing E5, Titled "Phase 1 Final Grading And Drainage Plan" dated 11/26/03 (Attachment 1, Part B, Document 18);
 - c. The as-built plans dated November 19, 2001, contained in the document titled "Certification Report / Phase 1A Construction"(Attachment 1, Part B, Document 21);
 - d. The as-built plans dated May 28, 2002, contained in the document titled "Certification Report / Phase 1B Construction" (Attachment 1, Part B, Document 22); and
 - e. The as-built plans dated October 19, 2005, contained in the document titled "Construction Quality Assurance Report / Phase 1C-1 Construction" (Attachment 1, Part B, Document 25).
3. The service area for this facility consists of the following counties: Chatham, Durham, Franklin, Granville, Harnett, Johnston, Nash and Wake.

4. The total design gross capacity for the Phase 1 facility is approximately 3,450,000 cubic yards (Table 1 Facility Report page 6, revised October 2003) and consistent with the final contours as shown on Sheet No. 6/Drawing E5 in the construction application. Gross capacity is defined as bottom of waste through the top of final cover.
 - a. The capacity is based the receipt of approximately 2,860,000 tons during the 5-year operating period. This is consistent with approximately 2000 tons per day, 286 operating days per year, or approximately 200 trucks per day.
5. Operation of C&D landfill Cell 1C-2 shall require written approval of the Section and shall be in accordance with the terms and conditions of the Permit to Construct issued June 4, 2004.

General Conditions

6. The documents submitted in support of the application for permitting the facility are identified in Attachment 1, "List of Documents for Approved Plan" and constitute the approved plan for the construction, operation and closure of the facility. Where discrepancies 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.
7. This permit is not transferable.
8. All sedimentation/erosion control activities shall be conducted in accordance with the Sedimentation Control Act codified at 15 NCAC 4. Native vegetation shall be established on the completed C&D landfill unit in accordance with 15A NCAC 13B .0505 (3)(b)(c).

Operations

9. Operation of the C&D landfill shall be in accordance with Section .0505 of the Solid Waste Management Rules, the requirements contained in this permit, and shall conform to the operating procedures described in the approved plan. Should the approved plan and the rules be in conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.
10. Landfill operations shall be supervised by an individual certified under a management program approved by the Division. In addition:
 - a. A responsible individual certified in landfill operations shall be on-site at all times during all operating hours of the facility at all times.

- b. All facility employees involved in the operation and maintenance of the landfill shall have completed annual training in the proper facility operation and maintenance.
11. The C&D landfill units are permitted to receive the following waste types:
 - a. Unless otherwise specifically approved by permit condition, only "construction" or "demolition" types of solid wastes as defined in NCGS 130A-290 (a)(4) are permitted for acceptance and disposal in the C&D landfill units.
 - b. "Construction or demolition debris" as defined in G.S. 130A-290 (4) means solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures, but does not include inert debris, land-clearing debris or yard debris.
 - c. "Inert debris" as defined in G.S. 130A-290 (14) means solid waste that consists solely of material that is virtually inert, such as brick, concrete, rock and clean soil.
 - d. "Land-clearing debris" as defined in G.S. 130A-290 (15) means solid waste that is generated solely from land-clearing activities such as stumps and tree trunks.
 - e. "Asphalt" in accordance with G.S. 130-294(m).
 12. The C&D landfill units shall not receive the following waste types:
 - a. "Yard trash" as defined in G.S. 130A-290 (45) 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 disposal in a LCID landfill.
 - b. Municipal solid wastes, hazardous wastes, or liquid wastes are not permitted for acceptance or disposal in the C&D landfill units.
 13. 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 any inspections.
 - c. Training of personnel to recognize hazardous and liquid wastes.
 - d. Development of a contingency plan to properly manage any identified hazardous, liquid or MSW wastes.

- e. The plan must address identification, removal, storage, and final disposition of waste.

Cover Material Requirements

14. Solid waste shall be covered with a minimum of 6 inches of soil or an approved material of equivalent performance and thickness at least once per week or when the active area reaches ½ acre in size, or more often when necessary to prevent the site from becoming a visual nuisance or to mitigate conditions associated with fire, windblown materials, vectors, or excessive water infiltration.
15. Areas that will not receive additional waste 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)] and stabilized with vegetative cover including the approved daily cover material.
16. 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 other protective barrier as specified by the rules or the permit in effect at the time of closure.

Access and Safety

17. 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.
18. The access road to the C&D unit shall be of all-weather construction and maintained in good condition.
19. Signs shall be posted at the entrance of landfill in accordance with the Access and Safety Requirements under Operation Condition .0505(8).
 - a. Signs shall provide information on dumping procedures, the hours of operation, the permit number, and other pertinent information shall be posted at the entrance to the landfill.
 - b. Signs shall be posted stating that MSW, hazardous waste or liquid waste cannot be received in the C&D unit.
 - c. Traffic signs or markers shall be provided as necessary to promote orderly traffic patterns to and from the discharge area and to maintain safe operating conditions.
20. Dust control measures shall be implemented when necessary.

21. Barrels and drums shall not be disposed unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein.
22. Asbestos waste shall be managed in accordance with 40 CFR 61.
23. 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.
24. The concentration of explosive gases generated by the C&D unit shall not exceed:
 - a. 25% of the lower explosive limit for gases in site structures excluding gas control or recovery system components if necessary; and
 - b. 100% of the lower explosive limit for gases at the property boundary. Installation of permanent gas monitoring wells may be required in the future to demonstrate compliance.
25. 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 review and approval.

Erosion and Sedimentation Control

26. Adequate sedimentation and erosion control measures shall be practiced to prevent silt from leaving the site of the C&D unit.
27. Adequate sedimentation and erosion control measures shall be practiced to prevent excessive on-site erosion.
28. Provisions for a vegetative ground cover sufficient to restrain erosion must be accomplished within 30 working days or 120 calendar days upon completion of any phase of C&D landfill unit development or as addressed in the approved Sedimentation and Erosion Control permit.

Drainage Control and Water Protection Requirements

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

31. 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.
32. Solid waste(C&D) shall not be disposed in standing water.
33. 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.
34. 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.
35. 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

36. The following are requirements relating to groundwater monitoring for the C&D landfill facility:
 - a. A total of ten locations for ground water wells (MW-2T, MW-3, MW-4, MW-5, MW-6T, MW-10, MW-11, MW-12, MW-13 and MW-14) and three surface water locations (SW-1, SW-2, SW-3) comprise the approved facility Groundwater Monitoring Plan dated 26 November 2003 located in the permit to construct application (Attachment 4, Part B, Document 17).
 - b. The owner or operator shall sample the monitoring wells semi-annually or as otherwise directed in writing by the SWS Hydrogeologist. In addition to the wells described in condition 36.a, surface water locations SW-1, SW-2 and SW-3 shall also be sampled semi-annually as part of the monitoring system as shown in the Water Quality Monitoring Plan dated November 26, 2003 (Attachment 1, Part B, Document 17).

- c. A readily accessible, unobstructed, path shall be maintained so that monitoring wells may be accessed using four-wheel drive vehicles.
 - d. A licensed geologist shall be present to supervise the installation of groundwater monitoring wells. The exact locations, screened intervals, and nesting of the wells shall be established after consultation with the SWS Hydrogeologist at the time of well installation.
 - e. All well construction records and soil boring logs for new wells shall be submitted to the Solid Waste Section Hydrogeologist for review within 30 days of completion.
 - f. Each monitoring well shall be surveyed and hydraulic conductivity and effective porosity values shall be established for each screened interval in order to develop groundwater flow characteristics.
 - g. The owner or operator shall maintain a record of all monitoring events and analytical data. Reports of the analytical data for each water quality monitoring sampling event shall be submitted to DWM in a timely manner.
37. The owner or operator 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.
38. On or before August 1 annually, the permittee shall report the tons of waste received and disposed 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. The following is information regarding the annual reports:
- a. The reporting period shall be for the previous year beginning July 1 and ending June 30.
 - b. The annual report shall list the amount of waste received and landfilled in tons and be compiled:
 - i) On a monthly basis.
 - ii) By county, city or transfer station of origin.
 - iii) By specific waste type.
 - iv) By disposal location within the facility.
 - v) By diversion to alternative management facilities.
 - c. A copy of the completed report shall be forwarded to each county manager for each county from which waste was received at the facility.

- d. A copy of the report and documentation that a copy of the report has been forwarded to all counties from which waste was accepted must be sent to the regional Waste Management Specialist by the date due on the prescribed annual report form.
39. All records required to be maintained by the owner or operator by regulation or permit shall be maintained on-site and made available to the SWS upon request.

- End of Permit Conditions -

**ATTACHMENT 1
 RED ROCK DISPOSAL, LLC**

Part A Permitting History

Permit Type	Date Issued
Permit to Construct	10/18/2001
Permit to Operate	11/19/2001
Modification #1 Permit to Operate	06/06/2002
Cell 1C-1 Date Issued Permit to Construct	06/04/2004
Cell 1C-1 Date Issued Permit to Operate	12/01/2005

Part B List of Documents for the Approved Plan

Site Suitability

1. Report - Site Application - Red Rock Disposal, LLC - Construction & Demolition Landfill - Wake County, North Carolina; application dated 25 January 2001 and received 25 January 2001 from GNRA.
2. Response to Comments - Site Suitability Permit Application - Red Rock Disposal, LLC - Construction & Demolition Landfill - Wake County, North Carolina; application dated 15 May 2001 and received 17 May 2001 from GNRA.
3. Second Response to Comments - Site Suitability Permit Application - Red Rock Disposal, LLC - Construction & Demolition Landfill - Wake County, North Carolina; application dated June 2001 and received 13 June 2001 from GNRA.
4. Documents received on 19 September 2001 from Thomas C. Worth, Jr. addressing the franchise for Red Rock Disposal, LLC to include a affidavit from the Clerk to the Board of Commissioners, Ms. Gwendolyn I. Reynolds, and the agenda package from the January 22, 2002 Wake Board of Commissioners meeting.
5. Letter dated 29 August 2001 received on 4 September 2001 from Curtis Jones via fax addressing the issue of portable toilets at the site instead of a on-site septic system.
6. Transmittal document - Wake County BOA Documents, Red Rock Disposal, LLC cover letter dated 29 May 2001 from GNRA, received 29 May 2001.
7. E-mail dated 23 May 2001 from Ellen Lorscheider to Joan Smyth addressing site geologic and hydrogeologic issues for site suitability.
8. Letter dated 14 May 2001 from Thomas C. Worth, Jr. to John M. Gardner (w/GNRA) addressing Franchise granted to Red Rock Disposal, LLC on 5 February 2001, received 15 May 2001.
9. Certified minutes from Wake County dated 5 February 2001 and 22 January 2001 indicating the vote of the Wake County Commissioners in approving the franchise for Red Rock Disposal, LLC, received on 26 April 2001.
10. Transmittal letter dated 15 February 2001 from GNRA - Supplemental information - Site Suitability Report - Red Rock Disposal, LLC, received 15 February 2001.
11. Special Use Permit Petition and Wake County Ordinances obtained from Wake County web site on 15 March 2001.
12. Transmittal letter dated 15 September 2000 from GNRA - Supplemental information associated with the Special Use Petition - Site Suitability Report - Red Rock Disposal, LLC.

13. Transmittal letter dated 30 August 2000 from GNRA - Petition of Special Use Permit application - Proposed modification by expansion of C&D landfill - Site Suitability Report - Red Rock Disposal, LLC.

Construction Application

14. Permit to Construct Application - Red Rock Disposal, LLC C&D Landfill - Phase 1; Wake County, North Carolina dated 27 June 2001, received 27 June 2001.
15. Erosion and Sedimentation control approval, received by fax dated 1 October 2001.
16. Access agreements for Red Rock Disposal, LLC provided with letter dated 13 September 2001, received 13 September 2001.
17. Revised Permit to Construct Application, Red Rock Disposal, LLC, C&D Landfill – Phase 1, dated October 2003.
18. Construction site drawings dated 23 April 2004 by Pieter K. Scheer and John M. Gardner - C&D Landfill Phase 1 Engineering Drawings May 2001, revised October 2003 and April 2004.
19. Policy review request letter dated 29 March 2004, concerning Erosion and Sedimentation Control, to Wake County Division of Water Quality.
20. Revised calculations for E&S design, transmittal form dated 23 April 2004.

Permit to Operate Application

21. Certification letter dated 19 November 2001, received 19 November 2001, from John Gardner addressing construction and as-built conditions at the site. Certification report dated 19 November 2001, Certification Report Phase 1A Construction - Red Rock Disposal, LLC - Construction /Demolition Landfill - Permit No. 92-28 - Wake County, North Carolina", accompanied the above letter addressing construction of Phase 1A.
22. Certification letter dated 28 May 2002, received 29 May 2002, from John Gardner addressing construction and as-built conditions at the site. Certification report dated 28 May 2002, Certification Report Phase 1B Construction - Red Rock Disposal, LLC - Construction /Demolition Landfill - Permit No. 92-28 - Wake County, North Carolina", accompanied the above letter addressing construction of Phase 1B.
23. Letter dated 29 May 2002, received via fax on 29 May 2002, from Peter J. Hutchinson, PhD, PG addressing subgrade conditions in the Phase 1B footprint to be consistent with observations made during initial site investigation and information provided in the site Hydrogeology Report.
24. Revised site drawings dated 31 October 2001 received 5 December 2001 for the relocation of sedimentation basin "B" and revised perimeter berm details.
25. Construction Quality Assurance Report, Phase 1C-1 Construction dated 27 October 2005 from G.N. Richardson and Associates.

- End of Section -