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

LAND CLEARING AND INERT DEBRIS (LCID) LANDFILL AND WOOD PROCESSING PERMIT NO. 9223- LCID

BUFFALOE LCID LANDFILL, INC.
is hereby issued a
PERMIT TO CONSTRUCT
PERMIT TO OPERATE

Buffalo LCID LANDFILL Phases 2-3
and
Treatment & Processing (T&P) Wood Processing Facility

Located at 35.71128N and 78.66956W, off U.S. Highway 401 approximately 2 miles south of the US401 – US70 junction in the Swift Creek Township, Wake 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.

cn=Edward F. Mussler III P. E., o=Division of Waste Mngt, ou=Solid Waste Section, email=ed. mussler@ncdenr.gov, c=US
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Edward F. Mussler, III, P.E.
Permitting Branch Supervisor
Solid Waste Section

ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit	Date
Date of Original Issue	Facility started in operation in 1982; Significantly permitted by Wake Co. in 2001-02; DWM permitted T&P (#92-23) on August 2, 1999; Wake Co. permitted in 2002
Permit Expiration	Permit 92-23 on Aug. 2, 2004; Permit 92O-LCID on July 2,2007
Permit Amendment	Permit 9223-LCID + T&P August 31, 2010

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *Permit Renewal Application and Updated Operations Plan.* Prepared by: David Garrett & Associates. Raleigh, North Carolina. October 28, 2009. [DIN: 6534].

2. Revised Drawings – *Overall Site Plan (Option #1) – Yates-Buffaloe Proposed Landfill Extension. Submission on September 18, 2009.* Prepared by: Thomason & Associates, P.A. Raleigh, NC. One sheet. [DIN: 11382]

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Property (PIN)	Book [1]	Page	Acreage	Grantor	Grantee
Properties Included in Prior Facility Boundary					
0791736482	09-E	1260	197.62	Buffaloe, Mary E Buffaloe, William s	Buffaloe, Mary E Buffaloe, William's heirs
Total Site Acreage in this and the Original Permit**:**			**1). Existing Facility:** Phase 1 LCID (now closed): 26.22 ac Phase 2 LCID: 14.56 ac Phases 1 & 2: 40.78 ac T&P on top of closed Phase 1 LCID: 3.00 ac		

	2). Proposed Future Facility: Phase 3: 9.86 ac Phase 4: 6.69 ac Phase 5: 1.67 ac Phases 3-7: 28.22 ac Southward expansion: 31.87 ac Total: 88.31 ac	

Notes: 1. Deed book references are from Wake County, NC Register of Deeds office.

PART IV: GENERAL PERMIT CONDITIONS

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B .0201(e), a land clearing and inert debris solid waste management facility permit may be combined in two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct shall expire on **November 15, 2015**. The Permit to Construct conditions are found in Attachment 2 of this permit. The Permit to Operate shall expire **November 15, 2015**. The Permit to Operate conditions are found in 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 unless the certified copy is filed 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 Division of Waste Management, within 30 (thirty) calendar days. 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 must contain in the deed 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 land clearing and inert debris 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 the Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit; and the approved plan. Should the approved

plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.

7. The permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 1, "List of Documents for Approved Plan," and which constitute the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.

8. This permit may be transferred only with the approval of the Section through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g) the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.

9. The permittee is solely 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 -

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 (e), this permit approves construction of Phase 3 of the Buffaloe Site LCID Landfill.

2. The landfill is permitted for a total gross capacity of 110,000 cubic yards. Gross capacity is the measured volume between the bottom of waste and the top of final cover. Development of the landfill is approved as summarized below.

	Acreage	Waste Disposal Capacity (cubic yards or tons)	Status
LCID Phase 1	26.22	Now closed	Permitted / Now closed
T&P on top of Phase-1 LCID	3.00	2,200 tons per year	Permitted & in operation
LCID Phase 2	14.56	180,652 cy/permit cycle	Permitted & in operation
LCID Phase 3	9.86	110,000 cy/permit cycle	Permitted
Total LCID	**50.64 ac**		

3. The following are required prior to receiving solid waste in a new phase (Phase I through III):

   a. A representative of the Section shall conduct a site inspection and pre-operative meeting. The permittee shall notify the Section's Environmental Senior Specialist and arrange for the site inspection and pre-operative meeting.

   b. A sign shall be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566(16).

   c. A certification letter, from a Registered Professional Engineer (Design Engineer typically), shall be submitted to the Section stating that the phase(s) has been constructed in accordance with the approved plans.

   d. Permanent markers must be installed and maintained to accurately delineate the disposal boundary.

e. The Section inspector shall notify the Permitting Branch Supervisor in writing, by letter or e-mail, that the phase(s) is acceptable and may commence accepting waste. The owner/ operator will be copied on notification and may commence receiving waste at that time.

4. This facility must conform to the operational requirements of the NC Solid Waste Management Rules, 15A NCAC 13B .0566, and to the operational plan required by 15A NCAC 13B .0565(4).

EROSION AND SEDIMENTATION CONTROL REQUIREMENTS

5. 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.

6. 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.

7. 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

General Operation Requirements

1. The Permit to Operate shall expire **November 15, 2015**. Pursuant to 15A NCAC 13B .0201(g), no later than **June 15, 2015**, the owner or operator must submit a request to the Section for permit review and must submit updated facility plans meeting the requirements of Rule 0.565 and .0566.

2. This Permit to Operate authorizes the continued operation of **Phase 2** at the LCID Landfill, and when the Permittee has complied with the conditions contained in Attachment 2, operation of **Phase 2** of the LCID landfill. **Phase 2** has a total of **180,652** cubic yards of gross capacity in accordance with the approved plan referenced in Attachment 1, Part II, of this permit.

3. The LCID operation has set a maximum disposal rate of **14,896 tons** per year for the landfill (average of **266** cubic yards per day or **53.2** tons per day based on **5.5** operating days per week or **280** operating days per year). The proposed facility boundary remains the same as in the **Phase-2** permit. The T&P operation, with a 3-acre footprint on top of Phase-1 LCID, has a maximum processing rate of **2,200 tons** per year.

4. Waste streams for LCID operation shall not be co-mingled with waste streams for T&P operation in the facility.

5. This facility is permitted to receive waste generated in the service area in Wake County, North Carolina. Proposed changes to the service area must be approved by the Section and will be considered a modification and subject to the appropriate permitting fee.

6. This facility is permitted to receive land clearing waste; yard trash; untreated and unpainted wood; uncontaminated soil; inert debris such as unpainted rock, brick, concrete, and concrete block; and asphalt in accordance with NCGS 130-294(m). Waste acceptance requirements may be affected by future revisions and amendments to the NC General Statutes, or to the NC Solid Waste Management Rules.

7. Revisions to the design or operation of the facility require written approval of the Section.

8. Amendments or revisions to the NC Solid Waste Management Rules or any violation of ground water standards may necessitate modification of the approved plans or closure of the facility.

9. Excavation, grading and fill material side slopes must not exceed a ratio of three horizontal feet to one vertical feet (3:1).

10. Open burning of land clearing waste is prohibited. If a fire occurs, the permittee must provide oral notification to the Section within 24 hours of the occurrence followed by a written report of the details of the fire within 10 working days of the occurrence. The report must include the cause, the location(s) on the premises, the dimensions and volume of material involved, description of the emergency response activities, how the fire was brought under control, and what mitigation measures are implemented to reduce or eliminate conditions leading to the fire. Other conditions may be required based on the severity or nature of the fire.

Cover Material Requirements

11. Solid waste must be covered with one (1) foot of suitable soil cover at least once per month or when the active area reaches one (1) acre in size whichever occurs first or more often when necessary to prevent the site from becoming a nuisance or to mitigate conditions associated with fire, windblown materials, vectors or excessive water infiltration.

12. Vegetative ground cover sufficient to restrain erosion must be established within 30 working days over areas that are not do not receive wastes for 30 calendar days or upon completion of any phase of LCID landfill development or as addressed in the approved Sedimentation and Erosion Control permit.

13. Within 120 calendar days after completion of the final disposal operations, the disposal area must be closed and covered with a minimum of one foot of suitable soil cover sloped to allow surface water runoff in a controlled manner. However, soil cover below ditches located on the landfill debris must be a minimum of two (2) feet thick.

Drainage Control and Water Protection Requirements

14. All required sedimentation and erosion control measures must be installed and operable to mitigate excessive on-site erosion and to prevent silt from leaving the site of the landfill unit during the service life of the facility.

15. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.

16. Solid waste must be placed a minimum of four feet above the seasonal high water table.

17. Solid waste must not be disposed in standing water. Surface water must be diverted away from the operational area and must not be impounded over or in waste.

18. Leachate must be properly managed on site through the use of best management practices.

19. The treatment and processing shall be performed in accordance with the approved operations plan, DIN 6534, Attachment 1, Part II, Document 1.

- End of Permit Conditions -