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SOLID WASTE SECTION

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by: Elaine G. Vann
Register of Deeds
BOOK 454 PAGE 535

**NOTE: THE SPACE ABOVE IS FOR THE REGISTER OF DEEDS USE**

THIS PAGE IS PROVIDED FOR RECORDATION PURPOSES. THE ENTIRE DOCUMENT, INCLUDING THIS PAGE, SHOULD BE RECORDED IN THE GRANTOR INDEX UNDER THE NAME OF THE LANDOWNER FOR THE PARCEL OF PROPERTY LOCATED IN WASHINGTON COUNTY AND SAID PROPERTY BEING OWNED BY DOMTAR PAPER COMPANY, LLC AND FURTHER IDENTIFIED BY THE DEEDS RECORDED AS LISTED BELOW:

| Washington County, N.C. Register of Deeds | | | | | |
|---|---|---|---|---|---|
| Book | Page | Grantee | Grantor | Tract | Acres |
| 443 | 592 | Domtar Paper Company, LLC | Weyerhaeuser Company | 3 | 114 |
| 443 | 592 | Domtar Paper Company, LLC | Weyerhaeuser Company | 4 | 188.8 |
| 443 | 592 | Domtar Paper Company, LLC | Weyerhaeuser Company | 13 | 47.69 |
| | | | | Total Site Acreage | 350.49 |

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A LANDFILL EXISTS ON THE PROPERTY. RECORDATION OF THE SANITARY LANDFILL PERMIT AND INDEXING IN THE GRANTOR INDEX UNDER THE NAME OF THE LAND OWNER IS REQUIRED BY N.C.G.S. 130A-301(a).

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 94-01 for the Domtar Paper Company Landfill.

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

North Carolina

Wake County

I, Betty Jo Stanfield, Notary Public for Wake County,

North Carolina, do hereby certify that Edward F. Mussler, III, Supervisor of the Permitting Branch, Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal,

This the 27 day of May, 2008.

Betty Jo Stanfield NOTARY PUBLIC Wake County, NC

OFFICIAL SEAL

Betty Jo Stanfield
NOTARY PUBLIC

My commission expires December 29, 2009.

**Note to Register of Deeds: This certified original permit shall be recorded by the Register of Deeds and indexed in the grantor index under the name of the land owner. The certified original affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Permitting Branch Supervisor, Division of Waste Management, Solid Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646.**

NCDENR

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
SOLID WASTE SECTION

# INDUSTRIAL SOLID WASTE LANDFILL FACILITY
## Permit No. 94-01

DOMTAR PAPER COMPANY, LLC,
A SUBSIDIARY OF DOMTAR CORPORATION
are both hereby issued a

## PERMIT TO OPERATE

DOMTAR PAPER COMPANY LANDFILL
LANDFILL 3, PHASES 1A, 1B, AND 2
AN INDUSTRIAL WASTE LANDFILL FACILITY

Located west of Ken Trowbridge Road and north of Highway 64, west of Plymouth, Washington 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. 3 of this permit.

Edward F. Mussler III, P.E.
cn=Edward F. Mussler III, P. E., c=US, o=Division of Waste Management, ou=Solid Waste Section, email=ed.mussler@ncmail.net
I have reviewed this document and am approving this document
2008.05.22 13:21:41 -04'00'

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
An Equal Opportunity / Affirmative Action Employer – Printed on Dual Purpose Paper

## ATTACHMENT 3

PART I: PERMITTING HISTORY

1. In the 1950s through the 1970s, Weyerhaeuser Company operated Landfill No. 1 on a separate area from this facility, at the northwest corner of the Weyerhaeuser property in Martin County.
2. In 1978, Weyerhaeuser Landfill No. 2 was approved to operate on Tract 4 of this facility property. The landfill was later extended south to be also located on Tract 13 property. The landfill received industrial waste through 2002. See Part III below for a description of the Tracts.
3. In 1991, Weyerhaeuser Company was permitted to operate an asbestos landfill on the facility property. The asbestos landfill is located east of Landfill No. 2 and west of Landfill No. 3.
4. In 2000 and 2003, Permits to Construct and Permits to Operate were issued to Weyerhaeuser Company for Landfill No. 3, Phase 1A, 1B, and 2. The landfill is located on Tract 4 and Track 13 property.
5. In 2006, Weyerhaeuser Company was combined with Domtar Paper Corporation.
6. In 2007, the landfill facility property was sold from Weyerhaeuser Company to Domtar Paper Company, LLC.
7. Subsequent to the purchase of the facility, Domtar has submitted information and documentation to the Solid Waste Section to apply for the permit to operate the facility to be re-issued to Domtar Paper Company, LLC and Domtar Corporation. Prior to the issuance of this permit, Domtar has continued to operate the landfill facility as previously permitted to Weyerhaeuser Company.

| **Permit Type** | **Date Issued** |
|---|---|
| Site Approval Letter, Landfill No. 2 | May 4, 1978 |
| Order of Approval, Landfill No. 2 | June 16, 1978 |
| Solid Waste Management Permit, Landfill No. 2 | May 2, 1980 |
| Solid Waste Management Permit Amendment, Landfill No. 2 | January 19, 1990 |
| Solid Waste Management Permit Amendment – asbestos landfill | January 14, 1991 |
| Permit to Construct Landfill No. 3 Phase 1A | May 16, 2000 |
| Permit to Operate Landfill No. 3 Phase 1A | December 14, 2000 |
| Permit to Operate Modification – alternate daily cover | July 3, 2001 |
| Permit to Construct Landfill No. 3 Phases 1B and 2 | November 25, 2002 |
| Permit to Construct Modification – LCID and asbestos units | April 8, 2003 |
| Permit to Operate Landfill No. 3 Phases 1A, 1B, and 2 | October 14, 2003 |

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. Groundwater Modeling Data and Results for Weyerhaeuser Paper Company, RMT, Inc. September 1998.
2. Proposed No. 3 Landfill, Alternate Liner Design. Revised Memorandum, RMT, Inc. January 1999.
3. Application for Permit to Construct Landfill No. 3, Weyerhaeuser Company, Plymouth, NC, Volumes I and II, RMT, Inc. October 21, 1999, revised through May 15, 2000.
4. Construction Plan Application Drawings, Landfill No. 3. RMT, Inc. October 1999, revised through May 2000.
5. Construction Documentation Report for New Landfill No. 3, Phase 1A, Module 1 (Sections 1 through 8) and Module 2 (Sections 9 and 10) dated November 2000.
6. Construction Documentation Report for New Landfill No. 3, Phase 1A, Appendices A – U, dated November 2000.
7. Addendum Dated December 1, 2000 containing Report that documents the construction of the leachate collection system and remaining elements (Sections 9 and 10) and Record Drawings.
8. Operation Plan and Documentation of demonstration period for use of process silica as alternate daily cover, submitted October 2000 and May 2001.
9. Letter dated December 12, 2000, Kent Nilsson to Jim Barber, Response to Review Comments.
10. Construction Plan Application, Phase 1B and 2, Landfill No. 3, Volumes 1 and 2, RMT, Inc. July 16, 2002, revised through November 11, 2002.
11. Construction Plan Application Drawings, Phases 1B and 2, Landfill No. 3, RMT, Inc. July 16, 2002, revised through November 11, 2002.
12. Permit Application Land Clearing and Inert Debris Landfill and Asbestos Landfill. Prepared by RMT, Inc. dated August 22, 2002, revised February 14, 2003 and April 4, 2003.
13. LCID Landfill and Asbestos Landfill Permit Application Drawings. Prepared by RMT, Inc. dated August 22, 2002, revised February 14, 2003.
14. Construction Quality Assurance Report for Landfill No. 3, Phase 1B and 2, Volumes 1 and 2. August 8, 2003 revised through October 6, 2003.
15. Letter dated October 11, 2003, Kent Nilsson to Sherri Coghill, Responding to Review Comments and Transmitting Revisions/Addenda to CQA Report.
16. Closure Letter of Unlined Landfill Unit, Landfill No. 2. Issued February 21, 2005.
17. Request for Permit Transfer from Weyerhaeuser Company to Domtar Paper Company, LLC. Letters and additional information dated February 6, 2007, February 15, 2007, March 8, 2007, and May 5, 2008.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

| Washington County, N.C. Register of Deeds | | | | | |
|---|---|---|---|---|---|
| Book | Page | Grantee | Grantor | Tract | Acres |
| 443 | 592 | Domtar Paper Company, LLC | Weyerhaeuser Company | 3 | 114 |
| 443 | 592 | Domtar Paper Company, LLC | Weyerhaeuser Company | 4 | 188.8 |
| 443 | 592 | Domtar Paper Company, LLC | Weyerhaeuser Company | 13 | 47.69 |
| | | | | Total Site Acreage | 350.49 |

PART IV: GENERAL PERMIT CONDITIONS

1. This permit shall expire May 22, 2013. Pursuant to 15A NCAC 13B .0201(e), no later than January 22, 2013, the owner or operator must submit a request to the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section ("Section") for permit review and must update pertinent facility plans including, but not limited to, the facility operation plans.

2. The persons to whom this permit is issued ("permittee") are the owners and operators of the solid waste management facility.

3. The permit shall not be effective until the certified copy of this permit which shows current ownership and 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 receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.

6. Operation of this solid waste management facility shall 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. This permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 3, "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 shall 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 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 4**
CONDITIONS OF OPERATING PERMIT

PART I: OPERATING CONDITIONS

1. This permit approves the continued operation of the Landfill No. 3, Phases 1A, 1B, and 2, as well as the on-site environmental management and protection facilities as described in the approved plans.

2. The use of alternative daily cover requires approval, prior to implementation, by the Solid Waste Section. Requests for alternative daily cover approval must include a plan detailing the comprehensive use and a demonstration of the effectiveness of the alternative daily cover. The plan shall 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 found in Attachment 3.

3. The use of process silica for alternative daily cover is approved. Its use shall be in accordance with Document No. 8, Part II, Attachment 3.

4. Closure or partial closure of any MSWLF unit shall be in accordance with the Closure Plans described in the approved plans. Final Closure Plans shall be submitted to the Division at least 90 days prior to implementation. The Section may require a modification to closure cap design should performance of the approved liner and leachate collection system prove ineffective in maintaining less than one foot of leachate head on the base liner system. Periodic measurement of leachate head may be required.

5. Wastewater treatment sludges may be codisposed in accordance with approved plans.

6. Ground water quality at this facility is subject to the "Classifications and Water Quality Standards Applicable to the Groundwater of North Carolina," 15A NCAC 2L. This includes, but is not limited to provisions for detection monitoring, assessment, and corrective action. Compliance will be determined with ground water monitoring at the landfill. Ground water monitoring at the facility shall be as described in the approved monitoring plan.

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

8. 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 shall be kept as part of the permanent facility record.

9. Records of all ground water, surface water, and leachate analytical data shall be kept as part of the permanent facility record.

10. Ground water monitoring wells and surface water sampling locations must be sampled 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.

11. Reports of the analytical data for each water quality sampling event shall be submitted to the Section within 60 days of the respective sampling event. Analytical data shall be submitted in a manner prescribed by the Section.

12. The four independent samples which comprise the initial baseline sampling event shall be collected from each ground water monitoring well and the report shall be submitted to the Section within six months after issuance of the Permit to Operate.

13. Untreated leachate shall be sampled and analyzed at least semi-annually concurrently with the ground and surface water sampling. The leachate shall be analyzed for the same constituents as the ground and surface water and also for pH, specific conductance, BOD, COD, phosphate, nitrate and sulfate. Test results shall be submitted to the Section along with ground and surface water test results.

14. On or before August 1 annually, the Permittee shall submit an annual facility report to the Solid Waste 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 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. The completed report shall be forwarded to the Regional Waste Management Specialist for the facility by the date due on the prescribed annual facility report form.

    d. A copy of the completed report shall be forwarded to each county manager for each county from which waste was received at the facility. Documentation that a copy of

the report has been forwarded to the county managers must be sent to the Regional Waste Management Specialist by the date due on the prescribed annual facility report form.

- *End of Permit Conditions –*