NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Division of Waste Management

Beverly Eaves Perdue
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STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

SOLID WASTE MANAGEMENT FACILITY

Permit No. 94-07-TP-2011

WM Healthcare Solutions, Inc.
(Landowner and Operator)

are hereby issued a

PERMIT TO OPERATE

WM HEALTHCARE SOLUTIONS, INC.
MEDICAL WASTE TREATMENT FACILITY

located at 301 St. Davids Road, Creswell, 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 deed recorded for this property listed in Attachment 1, Part III of this permit.

cn=Edward F. Mussler III, P. E., o=Solid Waste Section, ou=NC DWM, 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

Issuance	Date
Permit to Operate (Transfer of Permit)	June 12, 2011

The facility was previously operated under Permit No. 94-06 issued to Dwight Schaubach and Incendere, Inc. doing business as American Environmental Group AEG.

PART II: List of Documents for the Approved Plan

1. *Application Requesting Transfer of Ownership and New Permit, American Environmental Group AEG, Permit No. 94-06-TP.* WM Healthcare Solutions, Inc., Houston, TX. Submitted January 21, 2011 and revised through June 10, 2011. DIN 13007.

PART III: Properties Approved for the Solid Waste Facility

Washington County, NC Register of Deeds				
Book	Page	Grantor	Grantee	Acres
469	276-278	Waste Stream Solutions, LLC	WM Healthcare Solutions, Inc.	9.70

PART IV: General Permit Conditions

1. This permit shall expire on May 22, 2014. Pursuant to 15A NCAC 13B .0201(g), no later than February 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 and waste screening plans.

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

3. The certified copy of this permit showing current ownership and all property used for the solid waste management facility must be 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 Section within 30 calendar

days of issuance of this permit. The permit is null and void, if and only if, in the event the permit is not returned recorded as specified.

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 that that used in the body of the deed or instrument, a statement that the property has been used as a solid waste management facility 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 North Carolina Solid Waste Management Rules, 15A NCAC 13B (Rules); 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 1, Part II, "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 National Pollutant Discharge Elimination System 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

(Intentionally blank)

-End of Section-

ATTACHMENT 3

Conditions of Permit to Operate

General Conditions

1. This permit approves the operation of the following:

   a. Two R.E. Baker Co., Inc. Model 5025 autoclave units, together providing a maximum capacity of 84 tons per day;
   b. A Red Bag Solutions' SSM treatment system;
   c. A sharps recycling system to process treated sharps; and
   d. Associated facility appurtenances for storage and processing of treated and untreated medical waste.

2. The facility is approved to receive the following wastes:

   a. "Medical waste" which is defined by NCGS 130A-290(a)(17a) as any solid waste which is generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biological, but does not include any hazardous waste identified or listed pursuant to the Article, radioactive waste, household waste as defined in 40 Code of Federal Regulations (CFR) §261.4(b)(1) in effect on 1 July 1989, or those substances excluded from the definition of "solid waste" in this section. Medical waste is subject to the requirements in 15A NCAC 13B.1200 Medical Waste Management.
   b. "Regulated medical waste" which is defined by 15A NCAC 13B .1201(10) as blood and body fluids in individual containers in volumes greater than 20 ml, microbiological waste, and pathological waste that have not been treated pursuant to 15A NCAC 13B .1207. Regulated Medical Waste is subject to the requirements of 15A NCAC 13B .1203.; and
   c. "Certain garbage" as specified in 7 CFR 330.400 – Subpart Garbage and 9 CFR 94.5 – Regulation of certain garbage. Regulated garbage requirements are certified and enforced by the US Department of Agriculture's (USDA) Animal and Health Inspection Services (APHIS) and the US Department of Homeland Security's US Customs and Border Patrol (CBP). The USDA Certification Agreement for the facility is in the approved plan, Attachment 1, Part II.

3. Hazardous wastes, radioactive wastes, non-processible, and other wastes that may pose a threat to public health or the environment are prohibited.

4. This facility shall conform to all operating procedures described in the approved plans, 15A NCAC 13B 1207(1) and (2), and the conditions specified herein.

5. Additional conditions and revisions of the approved documents or changes during the operation of the facility require approval by the North Carolina Solid Waste Section prior to implementation.

6. In the event of conflicts between this Permit to Operate and previously issued conditions, the conditions of this Permit to Operate shall supersede previously issued conditions.

7. The permittee must maintain a record of the amount of solid waste received at the facility including daily records of waste received and origins of the loads, in accordance with the approved documents, Attachment 1, Part II. Scales must be used to weigh the amount of materials received, recovered and disposed. The daily records should be summarized into a monthly report for use in the required annual reports.

8. On or before August 1 of each year, the permittee shall report the amount of waste received (in tons) at this facility and treated at this facility to the Solid Waste Section, on forms prescribed by the Section. This report shall include the following information:

    a. The reporting period shall be for the previous year, beginning July 1 and ending on June 30;
    b. The amount of waste received and treated in tons, compiled on a monthly basis; and
    c. The completed report shall be forwarded to the Regional Waste Management Specialist for the facility. A copy of the completed report shall be forwarded to the County Manager of each county from which waste was received.

9. Signs must be posted at the facility that state no hazardous waste or liquid waste can be received at the facility and provide information on handling procedures, hours of operation, the permit number, and other pertinent information. Traffic signs or markers must be provided as necessary to promote an orderly traffic pattern to maintain efficient operating conditions.

10. 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.

11. Financial assurance must be continuously maintained for the duration of the facility in accordance with the applicable rules and statutes.

12. The regional environmental senior specialist must be notified of any plant shutdown, other than normal course of business, due to the business closing; major repairs; or similar interruptions in operation. The specialist must be given to the opportunity to perform an inspection, including a demonstration showing that the treatment meets the operational steam sterilization requirements listed in 15A NCAC 13B.120, prior to re-opening.

Operational Conditions

13. This facility shall conform to the operating requirements described in the approved plans, 15A NCAC 13B .1207(1) and (2), and the conditions specified herein.

14. Transportation of untreated regulated medical waste shall conform to the requirements of 15A NCAC 13B .1205.

15. Storage facilities for untreated medical waste shall be provided at the treatment facility as described in the approved plan, in accordance with 15A NCAC 13B Sections .0104, .1206 and .1207(1), and as specified herein. Temporary storage within refrigerated trailers is subject to the following additional conditions:

    a. An adequate number of air-conditioned trailers shall be employed to store medical waste shipped to the site for treatment.
    b. Procedures to either treat waste immediately or transfer waste to an operational refrigerated trailer shall be implemented after discovery of any malfunctioning storage trailer. In no instance shall waste be allowed to remain in storage for longer than seven days after shipment from generator unless refrigeration is provided.
    c. Prior to treatment, all regulated medical waste shall be confined to the refrigerated storage trailers or within the facility structure.
    d. Storage trailers shall be locked and shall be located in a secure area of the premises.

16. Steam sterilization shall not be employed for treatment of pathological wastes. All pathological wastes accepted at the facility shall be handled, stored and subsequently transported to a permitted medical waste incinerator, in accordance with all applicable sections of 15A NCAC 13B .1200.

17. Treated medical waste shall be properly disposed at a permitted municipal solid waste landfill, medical waste incinerator, or municipal solid waste incinerator.

18. Contingency plans for transport of wastes that cannot be processed and for non-conforming wastes to an approved disposal and/or treatment facility shall be implemented as described in the approved plans.

19. Recycled containers will be washed, disinfected, and inspected for damage prior to be being returned to the customer.

- End of Permit Conditions -