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SOLID WASTE SECTION RECEIVED DEC 29 2010

2010005793
COLUMBUS CO, NC FEE $47.00
PRESENTED & RECORDED:
12-01-2010 09:22:42 AM
KANDANCE H WHITEHEAD
REGISTER OF DEEDS
BY: ROBIN DAVIS
DEPUTY
BK: RB 997
PG: 819-830

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 COLUMBUS COUNTY AND SAID PROPERTY BEING OWNED BY LANDFILL. COLUMBUS COUNTY AND FURTHER IDENTIFIED BY THE DEED RECORDED AS IDENTIFIED IN THE TABLE INSERTED HERE:

Property	Book	Page	Acreage	Grantor	Grantee
Original Permit	44	7	193.77	Garland Williamson and Wife, Shelba P. Williamson	County of Columbus
		Total Site Acreage:	**193.77**		

Note: Deed book reference is from Columbus County, NC Register of Deeds office.

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A LANDFILL EXISTS ON THE PROPERTY.

I do hereby certify that the attached PERMIT TO CONSTRUCT & OERATE is an exact and true original of PERMIT NUMBER 24-01 for the Columbus County Land Clearing and Inert Debris Landfill.

Zinith Barbee

Zinith Barbee
Hydrogeologist
Permitting Branch
Solid Waste Section
Division of Waste Management

STATE OF NORTH CAROLINA

COUNTY OF Wake

I, Betty Jo Stanfield, A Notary Public for said County and State, do hereby certify that Zinith Barbee personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 17 day of November, 20 10.

Betty Jo Stanfield NOTARY PUBLIC Wake County, NC

[OFFICIAL SEAL]

Betty Jo Stanfield
Notary Public

My commission expires: December 29, 2014

NORTH CAROLINA COLUMBUS COUNTY
The foregoing or annexed certificate(s) of
Betty Jo Stanfield
Notar(y) ~~(ies)~~ Public (has) ~~(have)~~ been verifi
to have a Signature, seal or stamp, and a
expiration date. This Instrument and th
certificate are duly registered at the Dat
and time and in the book and page shown on th
First page thereof.
Kardance H Whitehead
Register of Deeds
By: Robin L Davis
Asst./Deputy Register of Deeds

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
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 PERMIT NO. 24-01

COLUMBUS COUNTY LANDFILL

is hereby issued a

PERMIT TO CONSTRUCT AND OPERATE

COLUMBUS COUNTY LANDFILL

PHASE 1

Located off SR 1428 and SR 1451 in the Whiteville 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 deed 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
2010.11.17 09:42:48 -05'00'

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

ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit	Date	Doc ID No.
Permit To Construct and Operate C&D	May 6, 1999	-------
Permit To Operate LCID	December 7, 2000	11656
Permit Amendment	November 17, 2010	12159

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. Site application and revised Construction Plans for the Columbus County C&D Landfill Unit 1, Permit 24-01, entitled, "Columbus County, North Carolina Construction and Demolition Landfill Permit Application", dated July 1998, received August 18, 1998.

2. Revised site plans and additional aerial photographs, received November 12, 1998

3. Revised Geological and Hydrogeological Study, dated December 1998, received December 15, 1998.

4. Addendum to revised Geological and Hydrogeological Study, dated March 9, 1999, received March 22, 1999.

5. Revised Construction Plans, dated May 3, 1999, received May 4, 1999.

6. Revised monitoring well location drawing, dated May 3, 1999, received May 4, 1999

7. Zoning letter from Dempsey Herring included in site application, dated May 3, 1999, received May 4, 1999.

8. Permit submittal document for LCID Unit derived from C&D Landfill application, dated October 2000, received October 13, 2000.

9. Revised site operations drawings for the LCID Unit, dated September 29, 2000, received October 13, 2000, approved December 7, 2000. Additional three sets received November 8, 2000.

10. Permit Renewal Application, dated October 2006, received May 10, 2010 (Doc ID 11562).

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Property	Book	Page	Acreage	Grantor	Grantee
Original Permit	44	7	193.77	Garland Willianson and Wife, Shelba P. Williamson	County of Columbus
Total Site Acreage:			**193.77**		

Note: Deed book reference is from Columbus 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 17, 2015. The Permit to Construct conditions are contained in Attachment 2 of this permit. The Permit to Operate shall expire November 17, 2015. The Permit to Operate conditions are contained 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 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 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. Pursuant to the NC Solid Waste Management Rules (Rule) 15A NCAC 13B .0201(c) and (e), this permit approves construction of Phase 1 of the Columbus County LCID Landfill.

2. The landfill is permitted for a total gross capacity of 103,000 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	Capacity (cubic yards)	Status
Phase 1	2.0	unknown	Active
Phase 1	3.6	28,969	Permitted
Total for site	3.6	103,000	Proposed

*Applications must be submitted to the Department for review and approval prior to the Construction and Operation

3. The following are required prior to receiving solid waste in the existing 3.6-acre Phase 1:

   a. Written certification from a Registered Professional Engineer must be submitted to the Section certifying that the waste disposal unit(s) has been constructed in accordance with the approved plans.

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

   c. The disposal unit boundary must be accurately identified with permanent markers.

   d. A site inspection and pre-operative meeting must be conducted by a representative of the Section. The permittee must notify the Section's Environmental Senior Specialist and make arrangements for the site inspection and pre-operative meeting.

   e. After completion of the requirements in subparagraphs a. through d. above, the Section Environmental Senior Specialist shall notify the Permitting Branch Supervisor by letter or email that the pre-operative requirements have been met

and that the unit(s) may commence receiving waste. The permittee will be copied on the notification and may begin receiving waste at that time.

EROSION AND SEDIMENTATION CONTROL REQUIREMENTS

4. 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.

5. 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.

6. Modifications to the approved sedimentation and erosion control activities require approval by the North Carolina Land Quality Section. The permittee must notify the Section of any sedimentation and erosion control plan modifications.

- End of Section -

ATTACHMENT 3

CONDITIONS OF PERMIT TO OPERATE

PART I: FACILITY SPECIFIC CONDITIONS

1. This Permit to Operate expires November 17, 2015. Pursuant to 15A NCAC 13B .0201(g), no later than April 17, 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 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).

3. This Permit to Operate authorizes the continued operation of Phase 1, and, when the Permittee has complied with conditions in Attachment 2, continued operation of Phase 1 of the LCID landfill. Phase 1 has a total of 103,000 cubic yards of gross capacity in accordance with the approved plan referenced in Attachment 1, Part II, of this permit.

4. 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. Wooden pallets as defined in the NCGS Article 9, Chapter 130A-290(44a) are not permitted for disposal.

5. The facility has an average disposal rate of 20 tons per day for the landfill. The proposed facility boundary remains the same as in the original permit.

6. This facility is permitted to receive waste generated within Columbus County. Proposed changes to the service area must be submitted to the Section for review prior to any changes in accordance with Condition No. 10 of this Attachment. An annual report meeting the requirements of G.S. 130A-309.09D (b) shall be submitted by August 1st of each year for the previous July 1 through June 30.

7. The permanent markers that accurately delineate the waste disposal boundary must be maintained.

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

9. 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, a description of emergency response activities with results, and a description of mitigation measures implemented to reduce or eliminate conditions leading to the fire. Other conditions may be required based on the severity or nature of the fire.

10. Revisions to the design or operation of the facility or changes to the facility service area must be submitted to the Section for review and approval prior to the implementation of any changes. Revisions or changes that require modification to the permit will be subject to the appropriate permitting fee.

11. Amendments or revisions to the NC General Statutes or to the NC Solid Waste Management Rules or any violation of ground water standards may necessitate modification of the approved design or operation plans, waste acceptance requirements or may require closure of the facility.

Cover Material Requirements

12. Solid waste must be covered with 1 foot of suitable soil cover at least once per month or when the active area reaches 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.

13. The facility must maintain a supply of cover material adequate to cover the working face in case of an emergency or fire, at all times.

14. Vegetative ground cover sufficient to control erosion must be established within 30 (thirty) working days upon completion of any phase of LCID landfill development or as addressed in the approved Sedimentation and Erosion Control permit.

15. Within 120 calendar days after completion of the final disposal operations, the disposal area must be closed and covered with a minimum of 1 foot of suitable soil cover sloped to allow surface water runoff in a controlled manner. However, for ditches with depths greater than 6 inches and widths less than 3 feet located on the landfill, at least 2 feet of soil is required between the bottom elevation of the ditches and the waste mass.

Drainage Control and Water Protection Requirements

16. All required sedimentation and erosion control measures must be installed and maintained 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.

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

18. Solid waste must be placed a minimum of four feet (4) above the seasonal high water table.

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

20. Leachate must be properly managed on site using best management practices.

- End of Permit Conditions -