



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Dexter R. Matthews

Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

November 18, 2010

William Belli
Environmental Affairs Department
MCAS
PSC Box 8006
Cherry Point, North Carolina 28533-0006

Subject: Permit to Operate
Marine Corps Air Station Cherry Point LCID
Permit 25-B
Doc ID 12257

Dear Mr. Belli:

Enclosed is a Solid Waste Permit for the facility referenced above. The document is a Permit to Operate and is listed in the Solid Waste Section database as Doc ID 12138. The permit is issued for vertical extensions shown on plansheets C-4 and C-5 in the approved plans. In your review of the permit conditions, please note the following:

1. Issuance of the permit does not exempt applicant from any local ordinances that regulate the facility, and responsibility of compliance with any applicable ordinance lies with the permit holder.

Thank you for your time and attention. If you have any questions, please either contact me at 919-508-8401 or at zinith.barbee@ncdenr.gov, or the Environmental Specialist, Ray Williams at 910-796-7342 or at ray.williams@ncdenr.gov.

Sincerely,

Zinith Barbee
Hydrogeologist
Solid Waste Section

cc: Ed Mussler, SWS
Mark Poindexter, SWS
Ray Williams, SWS
Central File

Attachment



Facility Permit No: 25-B
Marine Corps Air Station Cherry Point LCID
Landfill
Permit to Operate
November 15, 2010
Doc ID No. 12138
Page 1 of 9

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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. 25-B**

MARINE CORPS AIR STATION CHERRY POINT

is hereby issued a

PERMIT TO OPERATE

MARINE CORPS AIR STATION CHERRY POINT LCID LANDFILL

Located adjacent to and north of the existing closed Marine Corp Air Station Cherry Point Landfill, in the Whitehall Mine Township, Craven 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
2010.11.15 15:06:56
-05'00'

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>

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North Carolina
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ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit	Date	Doc ID No.
Permit To Operate	September 23, 1982	11635
Permit To Operate	November 15, 2010	12138

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. Site Plan prepared by McDowell-Jones, P.A., dated June 3, 1982, approved September 23, 1982.
2. Land Clearing and Inert Debris Landfill permit application report and operations plan, dated September 6, 1995, receipt confirmed July 7, 2003.
3. Correspondence regarding application to renew LCID Permit 25-B for next five years, prepared by Marine Corps Air Station, Cherry Point, July 14, 2006, and permission to continue operations under previous permit (Doc ID 10998).
4. Application to renew LCID Permit 25-B for next five years, prepared by Marine Corps Air Station, Cherry Point, June 23, 2010 (Doc ID 10998).

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Property	Book	Page	Acreage	Grantor	Grantee
Original Permit	806	1010	39.953	----	Marine Corps Air Station, Cherry Point
Total Site Acreage:			39.953		

Note: Deed book reference is from Craven 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 Operate shall expire November 15 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. 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.
4. By beginning construction or receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
5. 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.
6. 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.
7. 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.

8. 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 vertical extension of the footprints of the Marine Corps Air Station Cherry Point LCID Landfill.
2. The landfill is permitted for a total gross capacity of 101,431 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	Status
		(cubic yards)	
*5-year capacity	---	33,810	Permitted
Total for site	---	101,431	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 new vertical extensions of the landfill footprints :
 - a. N/A
 - 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 15, 2015. Pursuant to 15A NCAC 13B .0201(g), no later than May 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 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 previously permitted sites, and, when the Permittee has complied with conditions in Attachment 2, operation of vertical extensions of the LCID landfill. The vertical extension has a total of 33,810 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; concrete block; asphalt in accordance with NCGS 130-294(m); asbestos; coal ash byproducts; and spiractor sand. Wooden pallets as defined in the NCGS Article 9, Chapter 130A-290(44a) are permitted for disposal and shall be handled as specified in the Operations Plan.
5. The proposed facility boundary remains the same as in the original permit.
6. This facility is permitted to receive waste generated within Marine Corps Air Station in accordance with the approved plan. 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.

LAND CLEARING/ YARD WASTE DEBRIS COLLECTION AREA CONDITIONS

21. The facility is permitted to operate a treatment and processing operation defined in 15A NCAC 13B .0101(49). The operation consists of a grinder for land clearing and yard waste.
22. The facility is permitted to receive land clearing debris and yard waste defined in 15A NCAC 13B, Rules.0101(23) and .0101(56), respectively.
23. Volume of material that will be processed is within the dimensions shown on Plansheet C-5 included in Document No. 4 (Doc ID 10998).
24. If wood material/mulch containing yard trash is provided to the public, the permittee must submit a plan for composting the yard trash in accordance with the requirements of 15A NCAC 13B .1400, et seq.

COAL COMBUSTION BY PRODUCT CONDITIONS

25. Coal combustion by products shall be handled in accordance with the Operations Plan. The ash is staged at the landfill for future recycling and/or beneficial fill; therefore, mixing of waste with the coal ash is prohibited. Ash placed to final elevation around the perimeter of the facility shall be covered with a minimum of 12 inches of soil prior to the end of daily operations. Cover should minimize infiltration into waste and support vegetation. Final cover and seeding shall be implemented within 30 days of reaching final grade. All operations shall be conducted in a manner sufficient to prevent releases of ash materials from the storage unit and/or secondary settling basins.

ASBESTOS HANDLING CONDITIONS

26. Asbestos waste received shall be managed in accordance with 40 CFR 61. The waste will be immediately covered in a manner that will not cause airborne conditions. The waste will be separately disposed of and apart from other solid wastes. It will be additionally handled as described in the Operations Plan.

SPIRATOR SAND HANDLING CONDITIONS

27. Spirator sand waste received at the site shall be handled as described in the Operations Plan. The waste will be used as cover material.

- End of Permit Conditions -