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MANTEO, NORTH CAROLINA 27954

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November 17, 1994

Ms. Lula Harris, E.I.T.
Solid Waste Section
Division of Solid Waste Management
Department of Environment,
Health and Natural Resources
P. O. Box 27687
Raleigh, North Carolina 27611-7687

Re: Solid Waste Permit No. 28-03
Dare County Construction and Demolition Landfill

Dear Ms. Harris:

In connection with the above captioned, enclosed please find the original recorded certified copy of the permit which as you will see from the notation thereon was recorded in the Dare County Registry on 21 October 1994 at 12:25 P.M. and appears of record in Deed Book 959 at page 214 in that office.

Very truly yours,

H. Al Cole, Jr.
County Attorney

HACJR:g
Enclosure
cc: Terry Wheeler

State of North Carolina
Department of Environment,
Health and Natural Resources
Division of Solid Waste Management

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
William L. Meyer, Director

DEHNR

September 7, 1994

Mr. Terry Wheeler, County Manager
PO Box 1000
Manteo, NC 27954

Re: Solid Waste Permit No. 28-03, Dare County Construction and Demolition Landfill

Dear Mr. Wheeler:

The referenced permit is issued in accordance with N.C.G.S. 130A-294 and the N.C. Solid Waste Management Rules, 15A NCAC 13B. Attachment 1 lists documents included in the Approved Plan. The approved facility description includes the area described in the attached legal description (Attachment 1, Document 1). Within the approved facility, the area permitted for construction and demolition disposal is shown on Drawing 2 (Site Map) of Document 1.

This permit is for a five-year period for Cells 1 and 2 consistent with the final contours shown on Drawing 2 (Site Plan) of the approved plans. At the end of this five-year period, Dare County may apply for an expansion but will be subject to all rules in effect at that time. This permit is issued to Dare County as the owner and operator of the facility.

Please refer to the GENERAL Conditions of this permit for recordation procedures, the definition of the approved plan, and for general terms of the Solid Waste Permit. The CONSTRUCTION AND OPERATION conditions describe permitted fill areas, acceptable waste types, landfill operation, and requirements which must be satisfied prior to operation of the facility as a Construction & Demolition landfill. Specific requirements for groundwater monitoring and facility record keeping and reporting are described in the MONITORING AND REPORTING conditions.

Please review the Conditions of Permit thoroughly, especially the following specific conditions:

- Monitoring and Reporting Requirement No. 1.e. requires that the groundwater quality monitoring wells must be installed and sampled prior to accepting waste at this landfill.

  Please consult with Mr. Bobby Lutfy, Solid Waste Section Hydrogeologist at (919) 733-0692 just prior to well construction to help ensure that completed wells meet well construction standards and will be acceptable for monitoring purposes.

Again, please review the Conditions of Permit thoroughly and contact me if you have any

questions or if you require further clarification. Mr. Chuck Boyette is the Section's Waste Management Specialist for this area and can be contacted at the DEHNR Washington Regional Office, 1424 Carolina Ave., Washington, NC 27889 or by phone at (919) 975-3716.

Respectfully,

Lula Harris

Lula Harris, E.I.T.
Solid Waste Section

enclosure

cc: Terry Dover
Chuck Boyette
Jim Barber
Butch Smith, P.E., AWT

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DORRIS A. FRY
REGISTER OF DEEDS
DARE COUNTY, N.C.

NORTH CAROLINA - DARE COUNTY
I CERTIFY THE FOREGOING INSTRUMENT TO
BE A TRUE COPY AS COMPARED WITH THE
ORIGINAL ON FILE IN THIS OFFICE.
THIS 21st DAY OF October, 1994
DORRIS A. FRY
REGISTER OF DEEDS OF DARE COUNTY
BY _____
ASSISTANT REGISTER OF DEEDS

**September 7, 1994**

**SOLID WASTE PERMIT NO. 28-03**

**Dare County**

**is hereby issued a permit to construct and operate a**

## Construction and Demolition Landfill

**located west of US Highway 264 approximately 2.4 miles south of the intersection of US Highway 64/264 in Dare 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 facility is located and described by the legal description of the site on the boundary survey for the Dare County Landfill prepared by William T. Robbins, a Registered Land Surveyor, NC #L-2677, September 3, 1987.**

James C Coffey

**James C. Coffey, Supervisor**
**Permitting Branch**
**Solid Waste Section**

# CERTIFIED COPY OF SOLID WASTE PERMIT

I do hereby certify that the attached PERMIT is an exact and true copy of Permit No. 28-03.

James C. Coffey, Supervisor
Permitting Branch
Solid Waste Section

North Carolina

Johnston County

I, Sue S. Hodge, a Notary Public for said County and State, do hereby certify that James C. Coffey, Solid Waste Section, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 8th day of September, 1994.

OFFICIAL SEAL

Sue S. Hodge
NOTARY PUBLIC

My commission expires October 21, 1995.

PERMIT NO. 28-03
DATE ISSUED 09-7-94

# SOLID WASTE PERMIT

Permit to Construct and Operate
Dare County
Construction and Demolition Landfill

**CONDITIONS OF PERMIT:**

GENERAL

1. This permit shall not be effective unless the certified copy is filed in the Register of Deeds Office, in the grantor index under the name of the owner of the land in the county or counties in which the land is located. After recordation, the certified copy shall be returned to the Solid Waste Section (SWS) and shall have indicated on it the page and book number, date of recordation, and the Register's seal.

2. When this property is sold, leased, conveyed or transferred, 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.

3. This permit will be subject to review every five years as per 15A NCAC 13B .0201(c), according to the issuance date of this permit. Modifications to the facility may be required in accordance with rules in effect at the time of review.

4. The approved plan is described by Attachment 1, "List of Documents for the Approved Plan". Where discrepancies may exist, the most recent submittal and the Conditions of Permit shall govern. Some components of the approved plan are reiterated in the Conditions of Permit.

5. This permit is not transferable.

6. A copy of this permit and the approved plans shall be maintained at the facility.

7. The applicant is responsible for obtaining any and all permits and approvals necessary for the development of this project prior to the commencement of construction activities.

CONSTRUCTION AND OPERATION

1. This permit is for development of the Dare County Construction and Demolition (C&D) Landfill within the approved facility description in Document 1 of the approved plan. This permit is for a five-year period for Cells 1 and 2 consistent with the final contours shown on Drawing 2 (Site Plan) of the approved plans.

2. This solid waste management facility is permitted to receive the following waste types:

   a. Land-clearing debris as defined in G.S. 130A-290, specifically, solid waste which is generated solely from land-clearing activities, such as stumps, trees, etc.;
   b. Inert debris defined as solid waste which consists solely of material that is virtually inert, such as brick, concrete, rock and clean soil; and
   c. Asphalt in accordance with G.S. 130-294(m).
   d. Construction and demolition debris defined as solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures.

   Yard trash as defined in G.S. 130A-290, shall not be disposed in the landfill area.

3. All sedimentation/erosion control activities will be conducted in accordance with the Sedimentation Control Act codified as 15 NCAC 4. Native vegetation shall be established on the completed landfill.

4. The following requirements shall be met prior to operation of this facility:

   a. Site preparation shall be in accordance with the construction plan and the conditions specified herein.
   b. Site inspection shall be made by a representative of the Division of Solid Waste Management (DSWM).
   c. Signs shall be posted at the facility in accordance with the Access and Safety Requirements under Operation Condition No. 5 listed below.
   d. Groundwater monitoring wells (see Monitoring and Reporting Requirements) shall be installed in accordance with the approved groundwater monitoring plan. A baseline sampling for water quality shall be performed. Well construction records and sample analysis results shall be submitted to the Section

Hydrogeologist for review and approval prior to operation of the facility as a C&D landfill.

e. Recordation procedures for the permit shall be implemented as described above in General Conditions Numbers 1 and 2.

5. Operation of the C&D landfill units shall conform to the operating procedures described in the approved plan, in accordance with Section .0505 of the Solid Waste Management Rules, and in accordance with the following requirements:

Waste Acceptance and Disposal

a. The facility shall accept only those solid wastes which it is permitted to receive.
b. No municipal solid waste, hazardous waste, or liquid waste shall be accepted for disposal.
c. The permittee shall implement a program at the facility for detecting and preventing the disposal of municipal solid waste (MSW) and hazardous or liquid wastes. The program shall include, at a minimum:
   (i) Random inspections of incoming loads or other comparable procedures:
   (ii) Records of any inspections;
   (iii) Training of personnel to recognize hazardous and liquid wastes;
   (iv) Development of a contingency plan to properly manage any identified hazardous, liquid or MSW wastes; The plan must address identification, removal, storage, and final disposition of waste.

Cover Material Requirements

a. Operational soil cover of at least six inches shall be placed at least once per week or when the active area reaches one-half acre in size, whichever occurs first.
b. Areas which will not have additional waste placed on them for 12 months or more, but where final termination of operations has not occurred, shall be covered with a minimum of one foot of soil cover.
c. After final termination of disposal operations at the C/D unit or major part thereof, or upon revocation of a permit, the fill areas shall be covered with at least two feet of suitable compacted earth.

Access and Safety

a. The facility shall be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the DSWM to prevent unauthorized entry.
b. An attendant shall be on duty at the site at all times while it is open for public use to ensure compliance with operational requirements.

c. The access road to the site shall be of all-weather construction and maintained in good condition.
d. Dust control measures shall be implemented when necessary.
e. Signs providing information on dumping procedures, the hours of operation, the permit number, and other pertinent information shall be posted at the site entrance.
f. Signs shall be posted stating that no MSW, hazardous waste or liquid waste can be received.
g. Traffic signs or markers shall be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.
h. The removal of solid waste from the facility is prohibited unless the owner/operator approves and the removal is not performed on the working face.
i. Barrels and drums shall not be disposed of unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein, except fiber drums containing asbestos.
j. Open burning of solid waste is prohibited.
k. The concentration of explosive gases generated at the facility shall not exceed:
   i. twenty-five percent of the limit for gases in site structures (excluding gas control or recovery system components; and
   ii. the lower explosive limit for gases at the facility boundary.
l. The construction of structures necessary to ensure the safety of operators and users of the landfill shall be implemented by the owner.

Erosion and Sedimentation Control

a. Adequate sedimentation and erosion control measures shall be practiced to prevent silt from leaving the site.
b. Adequate sedimentation and erosion control measures shall be practiced to prevent excessive on-site erosion.
c. Provisions for a vegetative ground cover sufficient to restrain erosion must be accomplished within 30 working days or 120 calendar days upon completion of any phase of C&D landfill development.

Drainage Control and Water Protection Requirements

a. Surface water shall be diverted from the operational area.
b. Surface water shall not be impounded over or in waste.
c. A separation distance of at least four feet shall be maintained between waste and the ground-water table.
d. Solid waste shall not be disposed of in water.
e. Leachate shall be contained on site or properly treated prior to discharge. An NPDES permit may be required prior to discharge of leachate to surface waters.

All pertinent landfill operating personnel will receive training and supervision necessary to properly operate this landfill.

6. Ground water quality at this facility is subject to the classification and remedial action provisions referenced in Rule .0503 (2)(d) of 15A NCAC 13B.

7. A closure and post-closure plan must be submitted for approval at least 90 days prior to closure or partial closure of any landfill unit. The plan must include all steps and measures necessary to close and maintain the facility in accordance with all rules in effect at that time. At a minimum, the plan shall address the following:

   a. Design of a final cover system;
   b. Construction and maintenance/operation of the final cover system and erosion control structures;
   c. Surface water, ground water, and explosive gas monitoring.

## MONITORING AND REPORTING REQUIREMENTS

1. Ground-water monitoring wells and monitoring requirements for the C&D landfill units:

   a. Monitoring well design and construction shall conform to the specifications outlined in Attachment 2, "North Carolina Water Quality Monitoring Guidance Document for Solid Waste Facilities" and the North Carolina Well Construction Standards, 15A NCAC 2C .0108.
   b. A total of eight locations as illustrated in the approved plan shall be established to monitor the facility.
   c. A geologist shall be in the field to supervise well installation.
   d. For each monitoring well constructed, a well completion record shall be submitted to DSWM within 30 days upon completion.
   e. Prior to the acceptance of any waste at the facility, a baseline sampling event shall be completed.
   f. Sampling equipment and procedures shall conform to specifications outlined in the above-referenced guidance document, (Attachment 2), or the current guidelines established by DSWM at the time of sampling.
   g. In order to determine ground-water flow directions and rates, each monitoring well shall be surveyed, and hydraulic conductivity values and effective porosity values shall be established for the screened intervals for each monitoring well.

h. The permittee shall sample the monitoring wells semi-annually or as directed by the SWS Hydrogeologist.

i. A readily accessible unobstructed path shall be initially cleared and maintained so that four-wheel drive vehicles may access the monitoring wells at all times.

2. The permittee shall maintain a record of all monitoring events and analytical data. Reports of the analytical data for each water quality monitoring sampling event shall be submitted to DSWM in a timely manner.

3. The permittee shall maintain a record of the amount of solid waste received at the facility, compiled on a monthly basis. Scales shall be used to weigh the amount of waste received.

4. On or before 01 August 95, and each year thereafter, the permittee shall report the amount of waste received (in tons) at this facility and disposed of in the landfill to the Solid Waste Section and to all counties from which waste was accepted, on forms prescribed by the Section. This report shall include the following information:

   a. The reporting period shall be for the previous year, beginning 01 July and ending on 30 June;

   b. The amount of waste received and landfilled in tons, compiled on a monthly basis, according to Condition 3 described above; and

   c. Documentation that a copy of the report has been forwarded to all counties from which waste was accepted.

5. All records shall be maintained on-site and made available to the SWS upon request.

# ATTACHMENT 1

List of Documents for the Approved Plan

1. Revised Construction Plan Application for Dare County Construction and Demolition Landfill submitted by Applied Water Technology on behalf of Dare County received in Solid Waste Section Office on July 1, 1994.

2. Hydrogeological Report submitted by Geohydro on behalf of Dare County received in Solid Waste Section Office on November 17, 1993.

3. Response to review comments submitted by Applied Water Technology on behalf of Dare County dated August 18, 1994.

4. Letter regarding lead impacts from shooting range on landfill groundwater monitoring system submitted by Applied Water Technology on behalf of Dare County dated August 23, 1994.