

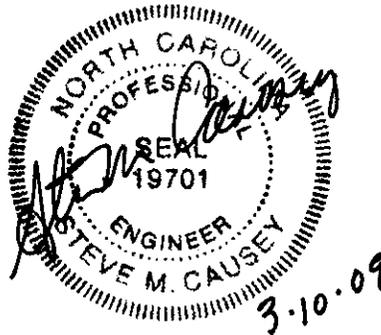
PERMITTING AND OPERATIONS MANUAL

MYERS TREATMENT AND PROCESSING FACILITY

Permit No.: 34-18-TP

for:

Herbert G. Myers



March 2009

Prepared by:

Allied Design, Inc.
4720 Kester Mill Road
Winston-Salem, NC 27103
(336) 765-2377
Project Number ALS021/4538

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AND NATURAL RESOURCES
RECEIVED
MAR 11 2009

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DIVISION OF WASTE MANAGEMENT, SWS

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I. EXECUTIVE SUMMARY

A. Purpose

Allied Design, Inc. was retained by Mr. Herb G. Myers to prepare a Treatment and Processing (T&P) Facility permit application for his operation located off of Shallowford Road in Lewisville, North Carolina.

The purpose of this manual is to provide the permitting application and information necessary for approval of a 5-year permit for the T&P facility in a comprehensive format. This application has been prepared to meet the requirements of and to ensure compliance with the North Carolina Administrative Code, 15 NCAC 13B. 0563 through 0566 (the rules).

The Myers Treatment and Processing (T&P) consists of approximately 15.9 acres and is located at 7775 Shallowford Road in Lewisville, Forsyth County, North Carolina. The property is currently identified as Tax Block 4439, Lot 12A, 14W, 110A, 14Y, 41A and 41 B.

A T&P has been previously permitted by the North Carolina Department of Environment and Natural Resources (NCDENR), Division of Waste Management, Solid Waste Section for this property. The existing permit number is 34-18-TP.

B. Summary

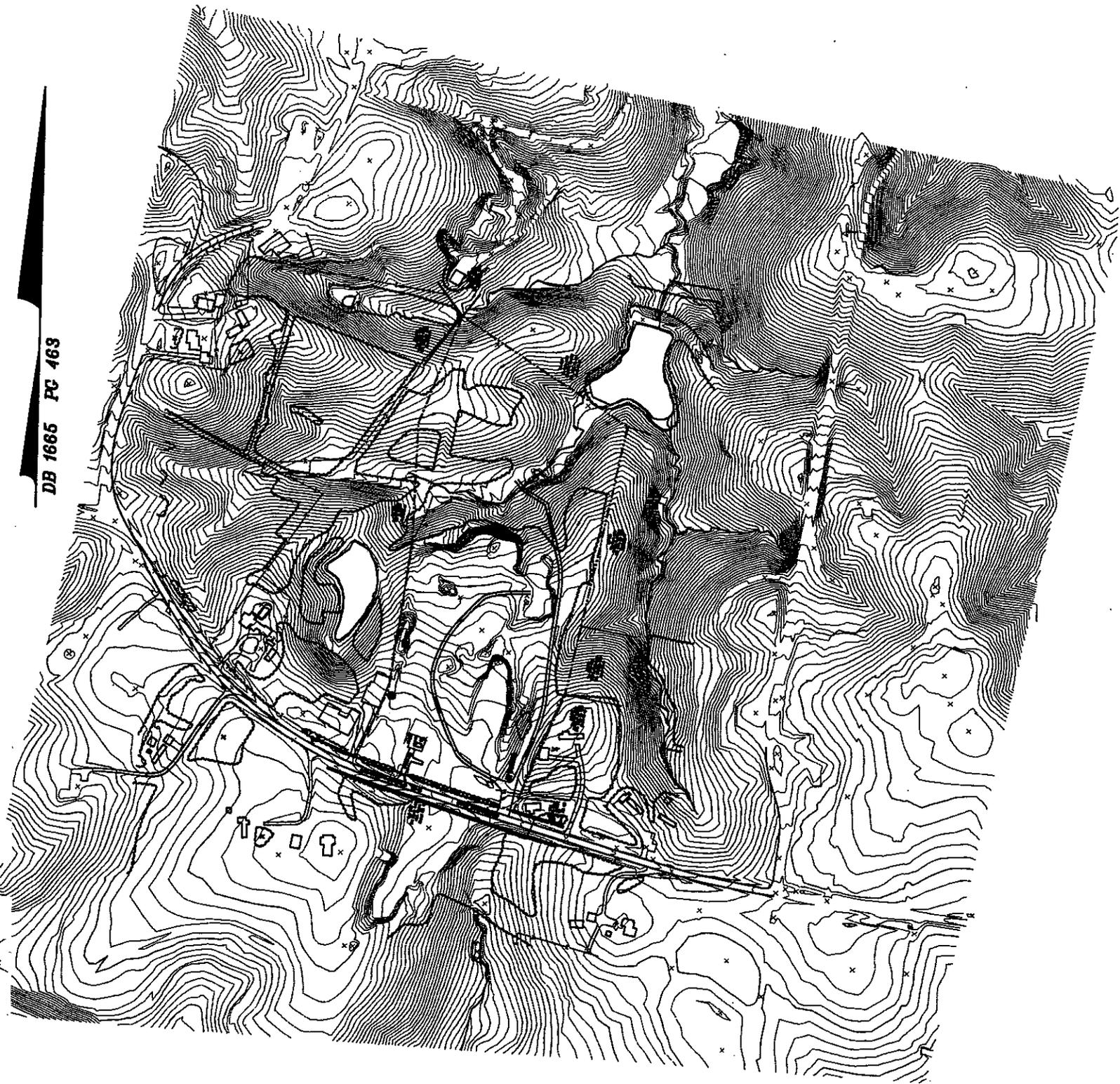
This permitting and operations manual attempts to compile the complete permitting requirements of the NCDENR Division of Waste Management and provides a complete summary and record of the documentation. This manual should be annually and periodically updated to reflect new permitting requirements and operational changes.

II. SITE MAPS AND INFORMATION



Figure 1 – Myers Property L.C.I.D. Landfill
USGS Map “Clemmons, North Carolina” Quadrangle (7.5 minute series) revised in 1994 at a scale of 1” = 2,000’

DB 1665 PC 463



MYERS LCID
VICINITY MAP
1"=400'



Drafted by: J. Matthew Dillon, White and Crumpler *Boj*

RK1682 P3766

Mail to: (Name) (Street and Number) (City) (State) (Zip)
Mail future tax bills to: (Name) (Street and Number) (City) (State) (Zip)

THIS DEED Made this the 21 day of December, 19 89 by GAIL M. BARGOIL and husband, GEORGE BARGOIL

of Forsyth County, North Carolina, part ies of the first part, to HERBERT G. MYERS, SR. and MARTY LEE MYERS

of Forsyth County, North Carolina, part ies of the second part; Witnesseth that the said part ies of the first part, in consideration of (\$ 10.00 & o.v.c.) Ten Dollars and other valuable considerations to them paid by the said part ies of the second part, the receipt of which is hereby acknowledged, has/have bargained and sold, and by these presents do _____ bargain, sell and convey unto the said part ies of the second part and their heirs a tract or parcel of land in Forsyth County, North Carolina, in Lewisville Township, and bounded as follows:

BEGINNING at an existing iron pin in the southwest corner of the H.G. Myers and Marty L. Myers Land recorded in Deed Book 1665, page 463 in the office of the Forsyth County Register of Deeds; said corner bordering on Shallowford Road; running thence North 70° 30' 40" West 143.79 feet with a curve to the right, the radius of which is 2055.67; along said curve to the right to a new iron pin (with said curve, being the northern right-of-way of Shallowford Road, to be the actual property line); running thence North 25° 4' 40" East 219.39 feet to a new iron pin; running thence North 7° 45' 15" East 439.80 feet to an existing iron pin; said pin being along the eastern boundary line of the Gail M. Bargoil property as recorded in the office of the Register of Deeds of Forsyth County in Book 630, page 256; running thence South 16° 7' 52" East 99.94 feet to an existing iron pin; thence South 10° 4' 24" West 345.35 feet to an existing iron pin; thence South 89° 27' 46" East 69.59 feet to an existing iron pin; thence South 12° 18' 06" West 251.60 feet to the point and place of beginning; said parcel contains .944 acres, more or less, as outlined in a survey dated November 30, 1989 by Richard P. Bennett, Registered Land Surveyor.

PROPERTY ADDRESS _____ BLOCK 4439 LOT 14X & part of Lot 41B

The above land was conveyed to grantor by See Estate File 83E-1225 (See Book No. 630 Page 256) TO HAVE AND TO HOLD the aforesaid tract or parcel of land all privileges and appurtenances thereunto belonging to the said part ies of the second part and their heirs and assigns forever. And the said part ies of the first part do _____ covenant that they are seized of said premises in fee and they the right to convey the same in fee simple; that the same are free from encumbrances; and that they will warrant and defend the said title to the same against the claims of all persons whatsoever.

IN WITNESS WHEREOF the said part ies of the first part do hereunto set their hands and seal S
Gail M. Bargoil (Seal) *George Bargoil* (Seal)
GAIL M. BARGOIL (Seal) GEORGE BARGOIL (Seal)

STATE OF NORTH CAROLINA - Forsyth County Jean Kleitche a Notary Public of Forsyth County, North Carolina, do hereby certify that GAIL M. BARGOIL and husband, GEORGE BARGOIL

grantor(s), each personally appeared before me this day and acknowledged the execution of the foregoing deed of conveyance. My commission expires: Witness my hand and notarial seal or stamp this the 21 day of December, 19 89
Jean Kleitche Notary Public
11-20-1992

STATE OF NORTH CAROLINA - Forsyth County I, _____ a Notary Public of Forsyth County, North Carolina, do hereby certify that _____ grantor(s), each personally appeared before me this day and acknowledged the execution of the foregoing deed of conveyance. (Notarial Stamp or Seal) Witness my hand and notarial seal or stamp this the _____ day of _____, 19 _____ My commission expires _____, 19 _____, Notary Public

STATE OF NORTH CAROLINA - Forsyth County The foregoing (or annexed) certificate of Jean Kleitche (here give name and official title of the officer signing the certificate, passed upon N.C. is (are) certified to be correct. This the 21 day of Dec, 19 89

STATE OF NORTH CAROLINA Real Estate Excise Tax 008.50
DEC 21 1989 PB. 10765

PRESENTED FOR REGISTRATION N.P. Forsyth Co
L. E. Speas, Register of Deeds
600 PD

Exhibit A

Beginning at a new iron pin located in the northern right-of-way of Shallowford Road and running from said point of beginning North 12 degrees 18 minutes 6 seconds East 251.60 feet to a new iron pin; thence North 89 degrees 27 minutes 46 seconds West 69.59 feet to a new iron pin; thence North 10 degrees 04 minutes 24 seconds East 345.35 feet to a new iron pin; thence North 16 degrees 7 minutes 52 seconds West 99.94 feet to a new iron pin; thence North 01 degrees 30 minutes East 380 feet to a new iron pin; thence North 21 degrees 06 minutes 56 seconds East 348.62 feet to an existing iron pin, said existing iron pin being at the corner of the within described tract and in Maxwell Bailey tract as described in Deed Book 1448, page 196 and the Ronald E. Simonds tract described in Deed Book 1138, page 888; thence running along the Ronald E. Simonds tract the following course: South 55 degrees, 48 minutes 00 seconds East 584.05 feet to an existing iron pin, said iron pin being the corner of the within described tract and the Ronald E. Simonds Tract and the Rodney C. Williams tract as described in Deed Book 1581, page 1013; thence along the common boundary with Rodney C. Williams, South 11 degrees 13 minutes 17 seconds West 832.86 feet to a new iron pin; thence South 21 degrees 49 minutes West 334.41 feet to a new iron pin; thence South 21 degrees 49 minutes West 42.98 feet to a new iron pin in the northern right-of-way of Shallowford Road; thence along Shallowford Road North 72 degrees 01 minutes 38 seconds West 350.00 feet to the point and place of beginning containing (15) acres, plus or minus, according to the survey by Larry L. Callahan, Registered Land Surveyor, dated March 20, 1989 and identified as Job Number 2901-3.

The above described tract is all of Tax Lot 12A and a portion of Tax Lots 14A, 41 and 110 of Block 4439. The property was obtained by the Grantor through the Will of John A. McInnis, see Estate File, 83 E 1225.

16650465

**MYERS LCID LANDFILL
FORSYTH COUNTY, NORTH CAROLINA**

BEGINNING at the Southeast corner of Gail M. Bargoil Tax Lot 4D Block 4439 along the right of way of Shallowford Road, Thence with her property line the following four calls N 25° 04' 40" E 219.39'; Thence N 07° 45' 29" E 439.85'; Thence N 01° 31' 05" E 380.02'; Thence N 21° 07' 14" E 348.56' to a 1 ¾" EIP; Thence with the property line of Ronald E. Simonds S 55° 47' 32" E 583.91'; Thence with the property line of Rodney C. Williams S 11° 13' 15" E 832.86'; Thence S 21° 49' W 377.39' to the right of way of Shallowford Road; Thence with the right of way of Shallowford Road N 72° 01' 30" W 350.08'; Thence with a curve to right N 70° 31' 05" W 143.84' chord distance with a radius of 2055.67' to the point and place of beginning containing 15.944 acres +/-

City of Lewisville

YADKIN RIVER

ZONE A

FORSYTH COUNTY
CITY OF LEWISVILLE

CONRAD RD

RD

ZONE X

Forsyth County
Unincorporated Areas
375349

DORSE RD

SITE

PILOT VIEW DR

CORPORATE LIMITS FOR THE CITY OF LEWISVILLE ARE SHOWN FOR INFORMATION PURPOSES ONLY. THE UNINCORPORATED AREAS OF FORSYTH COUNTY HAVE LAND USE JURISDICTION OVER THIS AREA.

1304

421

SHALLOWFORD RD

ZONE X

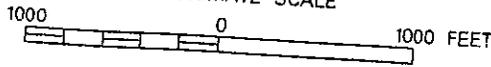
1175

COUNTRY LN

City of Lewisville



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

**FIRM
FLOOD INSURANCE RATE MAP
FORSYTH COUNTY,
NORTH CAROLINA
AND INCORPORATED AREAS**

PANEL 230 OF 377

(SEE MAP INDEX FOR PANELS NOT PRINTED)

CONTAINS:

<u>COMMUNITY</u>	<u>NUMBER</u>	<u>PANEL</u>	<u>SUFFIX</u>
FORSYTH COUNTY	375349	0230	H

Notice to User: The MAP NUMBER shown below should be used when placing map orders; the COMMUNITY NUMBER shown above should be used on insurance applications for the subject community.

**MAP NUMBER
37067C0230 H**

**EFFECTIVE DATE:
OCTOBER 20, 1998**



Federal Emergency Management Agency

M

D)

K

cy

36° 03' 45 "
5"

III. CORRESPONDENCE AND DOCUMENTATION



CITY OF WINSTON-SALEM

INSPECTIONS DIVISION

100 E. FIRST STREET, SUITE 328 • WINSTON-SALEM, NORTH CAROLINA 27101
FAX 336-727-2792

November 8, 2001

*Allied Land Surveying Company, P.A.
4720 Kester Mill Road
Winston-Salem, NC 27103*

*Re: Herbert Myers (LCID)
Block 4439, Lots 208, 210, 211, 212 & 41A
Forsyth County Tax Maps*

To Whom It May Concern:

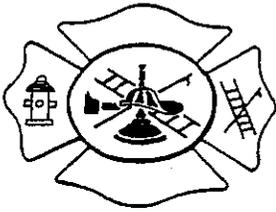
As of this date the zoning maps in the Inspections Division show the above referenced property to be zoned Residential Single Family-40 (RS-40) which does allow Landfills, Land Clearing/Inert Debris (LCID).

If we can be of further assistance, please call me at (3336) 727-2625.

Sincerely,

*Richard Little
Permit Office Supervisor*

RL/vmp



LEWISVILLE FIRE DEPARTMENT

216 Lewisville-Clemmons Road
Lewisville, North Carolina 27023
Phone: (336) 945-5983



April 29, 2002

To Whom It May Concern:

The property located at 7815 Shallowford Road, Lewisville, N.C. is in Lewisville Fire Department's fire and rescue district. Our department responds to any call for service at the above-mentioned address.

Chief Wes Lail
Lewisville Fire Department



Allied Design, Inc.

CIVIL ENGINEERING ♦ LAND SURVEYING

April 14, 2000

Mr. Randy Wilson
North Carolina Wildlife Resources Commission
512 North Salisbury Street
Raleigh, North Carolina 27604

**SUBJECT: IMPACTS TO ENDANGERED OR THREATENED SPECIES
LAND CLEARING AND INERT DEBRIS LANDFILL
LEWISVILLE, NORTH CAROLINA**

Dear Mr. Wilson:

This letter is being written in order to investigate whether an existing Land Clearing/Inert Debris (LCID) Landfill possess a threat to any endangered and/or threatened species of plant, fish or wildlife or to the destruction of their habitat as identified in 50 CFR Part 17. The LCID Landfill is located at 7805 Shallowford Road, Lewisville, North Carolina. Attached is Figure 1, which shows the LCID Landfill location on the Clemmons Quadrangle map.

Currently, there is an LCID Landfill operating at this location that was previously permitted by the NCDENR, Division of Waste Management, under North Carolina Administrative Code 15A NCAC 13B 0.0506 and 0.0507 for Demolition Landfills. The LCID Landfill now requires permitting under the newly adopted rules of 15A NCAC 13B 0.0560 - 0.0566.

In accordance with the subject permitting requirements we are requesting a letter from your office stating whether or not the LCID possess a threat to any endangered and/or threatened species of plant, fish or wildlife or to the destruction of their habitat as identified in 50 CFR Part 17. Please forward a letter to our office summarizing your findings as soon as you have completed an investigation.

If there are any questions or if additional information is needed, please contact me at (336) 765-2377. We appreciate your assistance with this project.

Sincerely,

Steve M. Causey, P.E.

Enclosures: As Noted Above

cc: Mr. Herb Myers



Allied Design, Inc.

CIVIL ENGINEERING ♦ LAND SURVEYING

April 14, 2000

Mr. David Brooks
Archaeology and Historic Preservation
4617 Mail Service Center
Raleigh, North Carolina 27699-4617

**SUBJECT: IMPACTS TO ARCHAEOLOGICAL/HISTORIC SITES
LAND CLEARING AND INERT DEBRIS LANDFILL
LEWISVILLE, NORTH CAROLINA**

Dear Mr. Brooks:

This letter is being written in order to investigate whether an existing Land Clearing/Inert Debris (LCID) Landfill poses a threat to any archaeological and/or historical site. The LCID Landfill is located at 7805 Shallowford Road, Lewisville, North Carolina. Attached is Figure 1, which shows the LCID Landfill location on the Clemmons Quadrangle map.

Currently, there is an LCID Landfill operating at this location that was previously permitted by the NCDENR, Division of Waste Management, under North Carolina Administrative Code 15A NCAC 13B 0.0506 and 0.0507 for Demolition Landfills. The LCID Landfill now requires permitting under the newly adopted rules of 15A NCAC 13B 0.0560 - 0.0566.

In accordance with the subject permitting requirements we are requesting a letter from your office stating whether or not the LCID Landfill possess a threat to any archaeological and/or historical sites. Please forward a letter to our office summarizing your findings as soon as you have completed an investigation.

If there are any questions or if additional information is needed, please contact me at (336) 765-2377. We appreciate your assistance with this project.

Sincerely,

Steve M. Causey, P.E.

Enclosures: As Noted Above

cc: Mr. Herb Myers



North Carolina Department of Cultural Resources

State Historic Preservation Office

David L. S. Brook, Administrator

James B. Hunt Jr., Governor
Betty Ray McCain, Secretary

Division of Archives and History
Jeffrey J. Crow, Director

May 4, 2000

Steve M. Causey, PE
Allied Designs, Inc.
4720 Kester Mill Road
Winston Salem, NC 27103

Re: LCID Landfill, 7805 Shallowford Rd., Lewisville, Forsyth County, ER 00-9576

Dear Mr. Causey:

Thank you for your letter of April 14, 2000, concerning the above project.

We have conducted a review of the project and are aware of no properties of architectural, historic, or archaeological significance which would be affected by the project. Therefore, we have no comment on the project as currently proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, please contact Renee Gledhill-Earley, environmental review coordinator, at 919/733-4763.

Sincerely,

David Brook
Deputy State Historic Preservation Officer

DB: scb

	Location	Mailing Address	Telephone/Fax
ADMINISTRATION	507 N. Blount St., Raleigh NC	4617 Mail Service Center, Raleigh NC 27699-4617	(919) 733-4763 • 733-8653
ARCHAEOLOGY	421 N. Blount St., Raleigh NC	4619 Mail Service Center, Raleigh NC 27699-4619	(919) 733-7342 • 715-2671
RESTORATION	515 N. Blount St., Raleigh NC	4613 Mail Service Center, Raleigh NC 27699-4613	(919) 733-6547 • 715-4801
SURVEY & PLANNING	515 N. Blount St., Raleigh NC	4618 Mail Service Center, Raleigh NC 27699-4618	(919) 733-6545 • 715-4801



Allied Design, Inc.

CIVIL ENGINEERING ♦ LAND SURVEYING

April 12, 2000

Ms. Linda Pearsall
Natural Heritage Program
Division of Parks & Recreation
1615 Mail Service Center
Raleigh, North Carolina 27699-1615

**SUBJECT: IMPACTS TO PARKS AND RECREATIONAL SITES
LAND CLEARING AND INERT DEBRIS LANDFILL
LEWISVILLE, NORTH CAROLINA**

Dear Ms. Pearsall:

This letter is being written in order to investigate whether an existing Land Clearing/Inert Debris (LCID) Landfill causes any adverse impacts on a state park, recreation or scenic area, or any lands in the state nature and historic preserve. The LCID Landfill is located at 7805 Shallowford Road, Lewisville, North Carolina. Attached is Figure 1, which shows the LCID Landfill location on the Clemmons Quadrangle map.

Currently, there is an LCID Landfill operating at this location that was previously permitted by the NCDENR, Division of Waste Management, under North Carolina Administrative Code 15A NCAC 13B 0.0506 and 0.0507 for Demolition Landfills. The LCID Landfill now requires permitting under the newly adopted rules of 15A NCAC 13B 0.0560 - 0.0566.

In accordance with the subject permitting requirements we are requesting a letter from your office stating whether or not the LCID causes any adverse impacts on a state park, recreation or scenic area, or any lands in the state nature and historic preserve. Please forward a letter to our office summarizing your findings as soon as you have completed an investigation.

If there are any questions or if additional information is needed, please contact me at (336) 765-2377. We appreciate your assistance with this project.

Sincerely,

Steve M. Causey, P.E.

Enclosures: As Noted Above

cc: Mr. Herb Myers



Allied Design, Inc.

CIVIL ENGINEERING ♦ LAND SURVEYING

April 12, 2000

Mr. John Thomas
U. S. Army Corps of Engineers
6508 Falls of the Neuse Road, Suite 120
Raleigh, North Carolina 27615

**SUBJECT: IMPACTS TO JURISDICTIONAL WETLANDS
LAND CLEARING AND INERT DEBRIS LANDFILL
LEWISVILLE, NORTH CAROLINA**

Dear Mr. Thomas:

This letter is being written in order to investigate whether an existing Land Clearing/Inert Debris (LCID) Landfill encroaches on jurisdictional wetlands. The LCID Landfill is located at 7805 Shallowford Road, Lewisville, North Carolina. Attached is Figure 1, which shows the LCID Landfill location on the Clemmons Quadrangle map.

Currently, there is an LCID Landfill operating at this location that was previously permitted by the NCDENR, Division of Waste Management, under North Carolina Administrative Code 15A NCAC 13B 0.0506 and 0.0507 for Demolition Landfills. The LCID Landfill now requires permitting under the newly adopted rules of 15A NCAC 13B 0.0560 - 0.0566.

In accordance with the subject permitting requirements we are requesting a letter from your office stating whether or not the LCID Landfill will encroach on jurisdictional wetlands. Please forward a letter to our office summarizing your findings as soon as you have completed an investigation.

If there are any questions or if additional information is needed, please contact me at (336) 765-2377. We appreciate your assistance with this project.

Sincerely,

Steve M. Causey, P.E.

Enclosures: As Noted Above

cc: Mr. Herb Myers



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS

P.O. BOX 1890
WILMINGTON, NORTH CAROLINA 28402-1890
October 5, 2001

IN REPLY REFER TO

Regulatory Division

Action ID No. 200220051

Mr. Herb Myers
820 Ellington Drive
Lewisville, North Carolina 27104

Dear Mr. Myers:

Reference is made to our meeting of September 12, 2001 on your property located on the north side of Shallowford Road, in Lewisville, Forsyth County, North Carolina. Also attending the meeting were Mr. Richard Bennett and Mr. Steve Causey with Allied Design, Inc. The site is adjacent to an unnamed tributary of Tomahawk Creek in the Yadkin River Basin. The purpose of the meeting was to review the site for potential wetland impacts associated with the existing land clearing and inert debris landfill located on your property.

During the meeting it was determined that a road crossing was recently constructed across the intermittent tributary located on your property. The purpose of the crossing was to gain access to high ground located toward the back of the site. In certain circumstances, where impacts are confined within the banks of stream channels, Nationwide permit 14 allows the construction of roads across stream channels without prior notification. As this is the case on your property, the existing road crossing is covered by Nationwide permit 14.

You should be aware, however, that there are other waters of the U.S., including wetlands, located on your property that are subject to our regulatory authority pursuant to Section 404 of the Clean Water Act. While none of these areas were disturbed at the time of the visit, any discharge of excavated or fill material into these areas will require prior Department of the Army (DA) permit authorization. The type of DA authorization required (i.e., general or individual permit) will be determined by the location, type, and extent of jurisdictional area impacted by the project, and by the project design and construction limits. Additionally, we recommend that a more detailed delineation of the wetlands present within the project area be performed. When this information becomes available, it should be forwarded to our office for review and comment, as well as a determination of DA permit eligibility.

Should you have any further questions related to DA permits for this project, please contact me at 919-876-8441, extension 26.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd J. Tugwell". The signature is written in a cursive style with a large, sweeping initial "T".

Todd J. Tugwell
Regulatory Specialist,
Raleigh Field Office

Copy Furnished:

Mr. Steve Causey
Allied Design, Inc.
4720 Kester Mill Road
Winston-Salem, NC 27103



State of North Carolina
Department of Environment, Health, and Natural Resources
Division of Environmental Management
512 North Salisbury Street • Raleigh, North Carolina 27611

James G. Martin, Governor
William W. Cobey, Jr., Secretary

January 22, 1990

R. Paul Wilms
Director

Mr. Richard P. Bennett, R.L.S.
Allied Land Surveying Company
165 Elliot Drive
Winston-Salem, North Carolina 27104

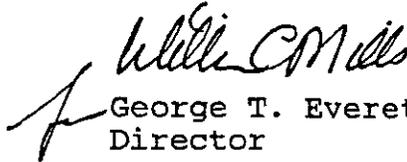
Dear Mr. Bennett:

Subject: Proposed Fill in Headwaters or Isolated Wetlands
Myers Property
Forsyth County

Upon review of your request for Water Quality Certification to place fill material in a wetland area adjacent to a tributary of Yadkin River, we have determined that the proposed fill can be covered by General Water Quality Certification No. 2176 issued November 4, 1987. A copy of the General Certification is attached. This Certification may be used in qualifying for coverage under Corps of Engineers' Nationwide Permit No. 26.

If you have any questions, please contact Bill Mills at 919/733-5083.

Sincerely,


George T. Everett
Director

Attachment

cc: Wilmington District Corps of Engineers
Winston-Salem Regional Office

Copies Furnished (without enclosure):

Mr. John Parker
North Carolina Department of
Environment, Health, and
Natural Resources
Post Office Box 27687
Raleigh, North Carolina 27611-7687

Mr. William Mills
Water Quality Section
Division of Environmental Management
North Carolina Department of Environment,
Health, and Natural Resources
Post Office Box 27687
Raleigh, North Carolina 27611-7687

Regional Office Manager
North Carolina Department of Environment,
Health, and Natural Resources
8025 North Point Boulevard
Suite 100
Winston-Salem, North Carolina 27106

Copy Furnished (with wetland form and map):

Environmental Protection Agency
Agency -Region IV
Wetlands Section - Water Quality Branch
345 Courtland Street, N.E.
Atlanta, Georgia 30365

GENERAL CERTIFICATION

THIS GENERAL CERTIFICATION is issued in conformity with the requirements of Section 401, Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Environmental Management Regulations in 15NCAC2H, Section .0500 for the discharge of fill material to navigable waters or adjacent wetlands areas which are above the headwaters or to wetland areas that are not a part of the surface tributary system to interstate waters or navigable waters of the United States (i.e. isolated wetlands) as described in 33 CFR 330.5(a)(26) of the Corps of Engineers' regulations. The category of activities shall include any fill activity in these headwaters and isolated wetlands areas where the activity does not result in the loss or substantial modification of 10 acres or more of waters of the United States, including wetlands.

The State of North Carolina certifies that the specified category of activity will not violate Sections 301, 302, 303, 306 and 307 of the Public Laws 92-500 and 95-217 if conducted in accordance with the conditions hereinafter set forth.

Conditions of Certification:

1. Proposed fill or substantial modification of 1 to 10 acres of such waters, including wetlands, requires a written concurrence from the Division of Environmental Management. Activities involving less than one acre do not require written concurrence.
2. Excluded from this General Certification are discharges of fill in waters classified WS I, II, or III (public water supplies) and SA (shellfish waters). This exclusion also applies to fill in wetlands adjacent to these waters. Discharge proposed for these waters or wetlands must be considered for certification on a case-by-case basis;



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1890
WILMINGTON, NORTH CAROLINA 28402-1890

January 25, 1990

IN REPLY REFER TO

Regulatory Branch

SUBJECT: CESAW-C089-D-034 and Nationwide Permit No. 26

Mr. Richard P. Bennett
Allied Land Surveying Company
165 Elliot Drive
Winston-Salem, North Carolina 27104

Dear Mr. Bennett:

Reference is made to your meeting of January 11, 1990, with Mr. Ken Jolly of my staff on a 15-acre tract north of Shallowford Road near Lewisville, Forsyth County, North Carolina. The purpose of that meeting was to inspect the site for the presence of waters or wetlands subject to Department of the Army regulatory jurisdiction. Reference also your letter of January 12, 1990, in which you submitted plans for the proposed work and requested Department of the Army permit authorization for the placement of fill into 0.38 acre of wetlands located adjacent to, and above the headwaters of, an unnamed tributary to the Yadkin River.

For the purposes of the Corps of Engineers' Regulatory Program, Title 33, Code of Federal Regulations (CFR), Part 330, published in the Federal Register on November 13, 1986, lists nationwide permits. Authorization was provided for discharges of dredged or fill material into non-tidal rivers, streams, and their lakes and impoundments, including adjacent wetlands, that are located above the headwaters and other non-tidal waters of the United States, including adjacent wetlands, that are not a part of a surface tributary system to interstate waters or navigable waters of the United States.

Your work, involving the discharge of fill material into 0.38 acre of waters and wetlands located above the headwaters of the aforementioned tributary, is authorized by nationwide permit provided it is accomplished in strict accordance with the enclosed conditions. This authorization is valid for a period of two years from the date of this letter.

You should contact Mr. William Mills, N.C. Division of Environmental Management, (919) 733-5083, to obtain the necessary Section 401, Water Quality Certification prior to starting work. Please be aware that this authorization does not relieve you of the responsibility to obtain any other required State or local approval.

Thank you for your time and cooperation. If you have any questions, please contact Mr. Ken Jolly, Raleigh Regulatory Field Office, telephone (919) 846-1217.

Sincerely,


G. Wayne Wright
Acting Chief, Regulatory Branch

Enclosure

CONDITIONS

a. Any discharge of dredged or fill material will not occur in the proximity of a public water supply.

b. The activity will not jeopardize a threatened or endangered species as identified under the Endangered Species Act, or destroy or adversely modify the critical habitat of such species.

c. The activity will not significantly disrupt the movement of those species of aquatic life indigenous to the waterbody (unless the primary purpose of the fill is to impound water).

d. Any discharge of dredged or fill material will consist of suitable material free from toxic pollutants.

e. Any structure or fill will be properly maintained.

f. If the activity may adversely affect historic properties which the National Park Service has listed on, or determined eligible for listing on, the National Register of Historic Places, or if significant historic properties are encountered before or during work, the permittee will notify the District Engineer.

g. An individual state water quality certification must be obtained or waived. Conditions of certification will be considered to be special conditions of the Federal nationwide permit.

h. The following management practices will be followed to the maximum extent:

(1) Discharges of dredged or fill material into waters of the United States will be avoided or minimized through the use of other practical alternatives.

(2) Discharges in spawning areas during spawning seasons will be avoided.

(3) Discharges will not restrict or impede the movement of aquatic species indigenous to the waters or the passage of normal or expected high flows or cause the relocation of the waters (unless the primary purpose of the fill is to impound water).

(4) If the discharge creates an impoundment of water, adverse impacts on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow will be minimized.

(5) Discharge in wetland areas will be avoided.

(6) Heavy equipment working in wetlands will be placed on mats.

(7) Discharges into breeding areas for migratory waterfowl will be avoided.

(8) All temporary fills will be removed in their entirety.

IV. OPERATIONAL PLAN

A. Name and Address

Mr. Herbert G. Myers
820 Ellington Drive
Lewisville, North Carolina 27104
(336) 765-2362 (LCID Site)
(336) 407-1010 (Mobile)

B. Site Specific Operational Plan¹

1. A sign shall be posted at the facility entrance showing the facility permit number and the contact name and telephone number in case of an emergency and the.
2. Vehicles entering the T&P facility for material disposition will be met by on-site employees/personnel. Staff will inspect to the extent possible the material content of the load. Vehicles loaded with material not acceptable for processing will be immediately turned around and not allowed to dump. Staff will estimate the volume of material to be received and make a record of the volume and type of material. Materials that will be accepted are specified in Section E below. Estimated waste stream volumes for the materials to be received are provided in Section F below.
3. Materials deemed acceptable will be directed to the proper disposal or stockpile areas. Unsuitable materials that were not originally detected will be immediately reloaded on the truck. If during later screening operations, unsuitable materials are discovered, these items will be stockpiled in a suitable area on-site for later disposal in an approved sanitary landfill (Hanes Mill Landfill) or an approved LCID landfill (Old Salisbury Road Landfill). Steel products will be disposed of at a local salvage facility. Unsuitable materials will be removed as the volume accumulates to a truck load capacity (approximately 12 cubic yards) or no less than annually.
4. Dumped materials that are not immediately processed will be stockpiled in designated areas and processed as operations permit.
5. Surface water will be directed via permanent and/or temporary ditches and swales as necessary to prevent water from ponding and softening work areas. Access roads shall be of all-weather construction and properly maintained. Adequate erosion control measures, structures, or devices shall be utilized to prevent silt and sediment from leaving the site and to prevent excessive on-site erosion.

Erosion control measures will be inspected after each rainfall event of greater than 0.5 inches or no less than once a month. Sediment shall be cleaned when silt and sediment accumulated to one-half of basin capacity. Silt fences shall be cleaned when silt and sediment has accumulated to a depth of one-foot.

¹ North Carolina Administrative Code, NCAC 13B.0566

6. Asphalt, brick and concrete materials will be screened, sorted, crushed and stockpiled on-site for recycling. Quantities are removed from the site as the market determines.
7. Wooded materials brought on-site will be separated. Materials will be processed to remove excessive soil materials. Logs and large limbs suitable for saw milling operations will be stored on-site in designated areas. These materials will be sawn into lumber on-site. Large stumps will be ground or stockpiled for later splitting or reduction to manageable sizes. Limbs and other wood debris will be ground on-site. Wood products will be processed, ground, and stored on-site to produce a viable and marketable mulch or chip product. Mulch products will be made available for sale to the public. Excess will be sold for fuel.
8. Soil materials removed from the waste stream process will be stockpiled on-site, screened and sold as topsoil.
9. The Operator will maintain appropriate equipment on-site to process and handle the waste products. Equipment will be of sufficient size and capacity to move, process and dispose of received materials.
10. Appropriate measure shall be taken to control flies, rodents and other insects and vermin on-site. This may include use of insecticides, traps and other measures.
11. The Owner/Operator will perform routine inspections of the grounds and surrounding areas to collect and dispose of windblown materials from the site.
12. The Operator will provide sufficient means for dust control from the site. This may include watering and temporary ground covers. Necessary provisions will be in place to remove mud and sediment that may be transported from the site.

Roads and working areas are sprayed on a regular basis or as needed to provide dust control. Open burning of solid waste is prohibited.
13. The facility shall be adequately secured by means of gates, chains, berms, fences, etc. to prevent unauthorized access except when an operator is on duty. An attendant shall be on duty at all times while the landfill is open for public use to assure compliance with operational requirements and to prevent acceptance of unauthorized wastes.
14. The Owner/Operator will not receive material for processing if receiving area is to capacity for any reason (i.e. equipment failure).

E. Acceptable Waste Stream

The T&P facility will accept only the materials allowed by the North Carolina Solid Waste Section that are generated solely through land clearing activities. As defined by the Solid Waste Section rules, acceptable materials will be limited to: stumps, logs, trees, limbs, brush, and other naturally occurring vegetative matter, land clearing waste, concrete, brick, concrete block, uncontaminated soil, gravel and rock, untreated and

unpainted wood, and yard trash. (Yard trash is defined as solid waste resulting from landscaping and yard maintenance such as tree limbs, and similar material.)

F. Estimated Waste Stream Volume

It is estimated that approximately 10 truckloads of material are received weekly with an average volume of six to eight cubic yards each. This equates to approximately 3,500 cubic yards of waste materials are received and processed at the facility annually. This amount is broken down into the following estimated volumes:

Waste Stream Material (Estimated Annual Volumes)	Received		Recycled	
	%	Volume	%	Volume
1. Asphalt, Brick, Concrete	0%	0	0%	0
2. Saw Logs	12%	420	12%	420
3. Limbs, Brush, Stumps, Wood & Other Wood Materials	88%	3,080	88%	3,080
4. Unacceptable Materials	<.1%	35	NA	
TOTAL	100%	3,500	100%	3,500

Wood products are recycled and sold as mulch or chip products. Stumps and debris are manipulated to remove topsoil material. Topsoil is stockpiled and sold to homeowners and landscapers.

Clean limbs, brush and stumps are ground into chips and/or a mulch product. Mulch is sold to homeowners, landscapers and to institutional facilities for use in landscaping applications. Chip products are trucked from the site to industrial facilities such as Corn Products for use as boiler fuel.

Logs suitable for pulpwood are sold to logging companies as market demands. Suitable logs are sawn into firewood for sawing are sawn on-site with a portable sawmill into lumber products that are sold to industry and individuals for use as packing timbers and other lumber products.

Although none are anticipated in the estimated waste stream volume, if they are received, asphalt, brick and concrete materials are ground into a usable product. Unprocessed material will be stored on-site until it is economical to bring-in a crusher. Quantities and materials suitable for use as beneficial fill will be resold to residential and/or commercial construction contractors for use as backfill. It should be noted that the City of Winston-Salem Inspectors have approved this material for excavation backfill. Significant amounts of ground concrete are also used on-site for road maintenance.

G. Emergency Management Plan

In the event of fire or accidents on-site during normal operating hours, the Operator or employee(s) on-site will make emergency contact through the Forsyth County 911 system who will dispatch the appropriate emergency unit(s). The Lewisville Fire

Department is located approximately 2 miles from the site. *(See attached letter from Lewisville Volunteer Fire Department regarding response.)*

The operator maintains equipment on-site with capabilities of turning mulch piles and removing combustible materials from a fire. The Owner/Operator maintains a fire pumper truck on-site to assist in emergency management and fire control.

In the event of fire on-site during non-operating hours, persons observing the incident should be able to contact the Owner/Operator from the contact information provided on the front gate. The Owner/Operator will contact the 911 system and respond to the site. Persons observing an incident could also contact 911.

H. Equipment List

The Owner/Operator currently maintains the following equipment on-site:

1. 1-Grinder
2. 2-Track Loaders
3. 1-Track Excavator
4. 2-Tandem Axle Dump Trucks
5. 1-Fire Pumper Truck

In the event of equipment failure, the Owner has arrangements with various local contractors to borrow equipment. Leasing options are also available to provide solutions for equipment replacement.

I. Annual Notification

The Annual Notification will be received from the Raleigh NCDENR office. The Owner/Operator will complete the form and return the completed form to the Division of Waste Management. Copies of the notification will be kept on file as required by the rules.