



Facility Permit No: 38-03T  
Permit to Construct/Operate  
Graham County Transfer Facility  
Issuance Date: March 10, 2010  
Doc ID: 9847  
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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

**MUNICIPAL SOLID WASTE TRANSFER FACILITY**  
**Permit No. 38-03T**

*GRAHAM COUNTY (Operator)*  
*HERVE CODY (Land Owner)*  
is hereby issued a

**PERMIT TO CONSTRUCT/OPERATE**

GRAHAM COUNTY TRANSFER FACILITY

Located at *400 Snowbird Road (SR 1127)*, Robbinsville, 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 deeds recorded for this property listed in Attachment 1, Part III of this permit.

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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>

One  
North Carolina  
*Naturally*

## ATTACHMENT 1

### PART I: PERMITTING HISTORY

1. The original Permit to Construct was issued on August 22, 2003.
2. The original Permit to Operate was issued on November 5, 2004.
3. On March 10, 2010 an amendment was made to the Permit to Operate for a five-year renewal.

Permit Type	Date Issued	Document ID No.
Permit to Construct	August 22, 2003	
Permit to Operate	November 5, 2004	
<b>Permit to Operate</b>	<b>March 10, 2010</b>	<b>9847</b>

### PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

NO.	DOCUMENT DESCRIPTION	DOC. ID NO.
1.	<i>Revised Operations Plan.</i> Prepared by: Graham County. Prepared for: Graham County. December 15, 2009	9097
2.	<i>Owner &amp; Operator Compliance Certifications.</i> Prepared by: Graham County. Prepared for: Graham County. August 6, 2003	9848
3.	<i>Record (As-built) Drawings.</i> Prepared by: McGill Associates. Prepared for: Graham County. October 20, 2004	9849

### PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

<b>Graham County, N.C. Register of Deeds</b>				
Book	Page	Acreage	Grantor	Grantee
143	329	4.8±		Herve Cody
		4.8±	Total Facility Acreage	

Notes:

1. Deed book references are from Appendix 4. Lease of Property in Document No. 9097.

#### 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(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct must be implemented in accordance with Attachment 2 of this permit. The Permit to Operate must be implemented in accordance with 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. *(Intentionally Blank)*
4. When this property is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer shall contain in the description section in no smaller type than that used in the body of the deed or instrument, a statement that the property has been used as a solid waste management facility and a reference by book and page to the recordation of the permit.
5. By receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
6. Operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of the Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit; and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.
7. This permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 1, Part II: “List of Documents for Approved Plan”, and which constitute the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.
8. This permit may be transferred only with the approval of the Section, through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g) the permittee shall notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.

9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for a General or Individual NPDES Stormwater Discharge Permit. Issuance of this permit does not remove the permittee's responsibilities for compliance with any other local, state or federal rule, regulation or statute.

*- End of Section -*

**ATTACHMENT 2**  
**CONDITIONS OF PERMIT TO CONSTRUCT**

**PART I – TRANSFER FACILITY SPECIFIC CONDITIONS**

*Not Applicable*

**PART II – MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS**

*Not Applicable*

*- End of Section-*

**ATTACHMENT 3**  
**CONDITIONS OF OPERATING PERMIT**

**PART I - TRANSFER FACILITY SPECIFIC CONDITIONS**

1. The Permit to Operate shall expire **March 10, 2015**. Pursuant to 15A NCAC 13B .0201(e), no later than **September 10, 2014**, the owner or operator must submit a request to the Section for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.
2. The facility is permitted to receive solid waste as defined in NCGS 130A -290 (35).
3. The facility must meet the requirements of 15A NCAC 13B.0105. In addition, the following, at a minimum, must not be accepted at the facility; hazardous waste, liquid wastes, regulated medical waste, sharps not properly packaged, regulated-asbestos containing material as defined in 40 CFR 61, PCB waste as defined in 40 CFR 761.
4. This facility is permitted to receive solid waste generated within Graham County. Waste must be transported for disposal to the Waste Management Pine Bluff Municipal Solid Waste landfill (Permit No. 028-039D) in Cherokee County, Georgia. Proposed changes to the service area and/or the disposal facility must be approved by the Section and will constitute a permit modification and be subject to the applicable permitting fee.
5. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, municipal solid waste that is generated within the boundaries of a unit of local government that by ordinance:
  - a. Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.
  - b. Requires generators or collectors of municipal solid waste to recycle that type or form of municipal solid waste.
6. A responsible individual trained and certified in facility operations must be on-site at all times during all operating hours of the facility, in accordance with G.S. 130A-309.25.
7. The permittee must develop, and use, a training and screening program at the facility for detecting and preventing unauthorized wastes from being accepted at the facility. At a minimum, the program must include:
  - a. Random inspections of incoming loads or other comparable procedures.
  - b. Records of all inspections.
  - c. Training of personnel to recognize hazardous, liquid and other excluded waste types.
8. The facility must not cause nuisance conditions.

- a. The tipping floor and transfer trailer loading area must be maintained in a clean, sanitary condition at all times and must be cleaned at least daily in accordance with the approved Operational Plan.
  - b. Waste must only be deposited on a “tipping floor” or directly into a transfer container. Waste must not be stored on the “tipping floor” after operating hours.
  - c. Waste may be stored on-site, in leak proof transfer trailers, with watertight covers. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.
  - d. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.
  - e. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter.
    - i) Fugitive dust emissions are prohibited.
    - ii) Windblown materials must be collected by the end of the day and no windblown material may be allowed to leave the facility boundary.
9. All water that comes in contact with solid waste, including vehicle wash-down water, is leachate and must be captured and properly treated before release to the environment.
- a. The leachate control system, such as floor drains, leachate collection devices, sanitary sewer connections and leachate storage tanks, must be operational during facility operations.
  - b. The tipping floor must drain away from the building entrance and into the leachate collection system.
10. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated under 15A NCAC 4.
11. Copies of this permit, the approved plans and all records required to be maintained by the permittee must be maintained at the facility, unless otherwise approved by the Section, and made available to the Section upon request during normal business hours.
12. The permittee must maintain a record of the amount of solid waste received at the facility, including daily records of waste received and origins of the loads. Scales must be used to weigh the amount of waste received. The daily records are to be summarized into a monthly report for use in the required annual reports.
13. On or before August 1 annually, the Permittee must submit an annual facility report to the Solid Waste Section, on forms prescribed by the Section.
- a. The reporting period shall be for the previous year beginning July 1 and ending June 30.

- b. The annual facility report must list the amount of waste received in tons and be compiled:
  - i) On a monthly basis.
  - ii) By county, city or transfer station of origin.
  - iii) By specific waste type.
  - iv) By receiving disposal facility.
  - v) By diversion to alternative management facilities.
- c. The completed report must be forwarded to the Regional Environmental Specialist for the facility by the date due on the prescribed annual facility report form.
- d. A copy of the completed report must be forwarded to each county manager for each county from which waste was received the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Specialist by the date due on the prescribed annual facility report form.

## PART II- MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS

### General Conditions

- 14. Wastes received and product stored shall be maintained in containers or reasonably sized piles with adequate fire breaks and lanes in accordance with the approved operational plans and the pertinent rules.
- 15. Surface water shall be diverted from all operational and storage areas to prevent standing water in operational areas and under or around storage piles. Water that comes in contact with solid waste shall be contained on-site or properly treated prior to discharge.
- 16. These areas shall be operated and maintained with sufficient dust control measures to minimize airborne emissions and to prevent dust from becoming a nuisance or safety hazard.
- 17. These areas shall be operated and maintained in a manner so as to minimize odors, prevent the creation of a nuisance, potential health hazard, or a potential fire hazard.
- 18. Effective vector control measures shall be applied as necessary to control flies, rodents, insects, or vermin.
- 19. The facility must manage all operations according to all applicable statutes and rules of the State of North Carolina.

### Operational Conditions – White Goods

- 20. The facility is permitted to receive white goods as defined in North Carolina General Statute Article 9, Chapter 130A-290(44).

21. The facility must manage white goods according to the Operation Plan included in Attachment 1, Part II, List of Documents for the Approved Plan. Any revisions to the approved plan shall be approved by the North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.
22. The facility must manage white goods according to all applicable statutes and rules of the State of North Carolina.
23. White goods collection areas shall provide for the proper removal of chlorofluorocarbon refrigerants.

Operational Conditions – Tires

24. The facility is permitted to receive tires and scrap tires as defined in North Carolina General Statute Article 9, Chapter 130A-309.53(6) & (7).
25. Scrap tire collection areas shall be operated in accordance with the requirements of 15A NCAC 13B, Rule .1107.
26. The facility must manage tires according to the Operation Plan included in Attachment 1, Part II, List of Documents for the Approved Plan. This document is included in the approved plan. Any revisions to the approved plan shall be approved by the North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.
27. The facility must manage tires according to all applicable statutes and rules of the State of North Carolina.

*- End of Permit Conditions -*