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. 45-04T

HENDERSON COUNTY
are hereby issued a

PERMIT TO CONSTRUCT/OPERATE

HENDERSON COUNTY TRANSFER STATION
A MUNICIPAL SOLID WASTE TRANSFER FACILITY

Located at the *Henderson County Landfill, 802 Stoney Mountain Road, Henderson* 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 deeds 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
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Edward F. Mussler, III, P.E.,
Permitting Branch Supervisor
Solid Waste Section

ATTACHMENT 1

PART I: PERMITTING HISTORY

1. Original Permit for construction of the facility was issued July 1997. DIN 5447.
2. Initial construction completed the original permit to operate was issued in May 1998. DIN 5448.
3. Permit was renewed August 2003. DIN 5449.
4. Permit renewed March 2006. DIN 5450.
5. Permit was modified for the addition of a permanent household hazardous waste unit at the facility, September 2008. DIN 5491.
6. Permit was modified for the improvement of the existing facilities and expansion of on-site services, July 2010. DIN 11096.
7. Permit is modified to include changes to the existing plans. December 2010. DIN 12316.
8. **Permit is modified to include changes to the approved disposal sites. December 2010. DIN 12378.**

Permit Type	**Date Issued**
Permit to Construct	July 29, 1997
Permit to Operate	May 1, 1998
Permit to Operate – Amendment	August 22, 2003
Permit to Operate – Amendment	March 21, 2006
Permit to Operate – Modification	September 2, 2008
Permit to Operate – Modification	July 26, 2010
Permit to Operate/Construct – Modification	November 30, 2010
Permit to Operate/Construct – Modification	**December 14, 2010**

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. Approved Site and Construction Plans. May 1997.
2. Approved Transfer facility permit application and operations plan. May 29, 1997 and received February 19, 1997.
3. Letter dated 14 May 1997 from Donna M. Fain and Zoning Permit. June 2, 1997.
4. Letter from the Division of Land Resources, approving the Erosion and Sedimentation Control Plan. June 26, 1996

5. Electronic message requesting permit for the next five year period. No changes in operations anticipated. May 7, 2003.
6. *Henderson County MSW Transfer Station Phase II, Construction Plans*. Prepared by CDM, Raleigh NC. Prepared for Henderson County, NC, including a drawing set, Sheets, C1-2, A1-3, S1-6, H1-2, P1-5, and E1-4. February 2006.
7. Zoning Compliance Letter from the Henderson County Zoning Administration. February 14, 2006.
8. *Operations Plan.* Prepared by CDM, Raleigh NC. Prepared for Henderson County, NC. February 22, 2006. Document Id No. 5454
9. *Site Specific Health and Safety Plan for Henderson County Household Hazardous Waste Facility*. Prepared by Mountain Environmental Group. Prepared for Henderson County. January 31, 2008. Document ID No. 4620.
10. *Application for Household Hazardous Waste Identification Number.* Prepared by Mountain Environmental Group. Prepared for Henderson County. May 2008. Document ID No. 4622.
11. *Henderson County Household Hazardous Waste Facility, Operations Plan*. Prepared by Mountain Environmental Group. Prepared for Henderson County. July 22, 2008. Document No. 5453.
12. *Request For Permit Modification, Capital Improvement Project, Stoney Mountain Road Landfill, Henderson County, North Carolina, Permit # 45-04-T.* Prepared for Henderson County. Prepared by McGill. June 30, 2010. DIN 11095
13. *Request for Permit Modification, Capital Improvement Project, Stoney Mountain Road Landfill, Henderson County, North Carolina, Permit # 45*-04-T. Prepared for Henderson County. Prepared by McGill. October 4, 2010. DIN 11970.
14. *Permit modification for 45-04T Attachment 3, Part I, Condition No. 4 of the permit.* Prepared by Henderson County. December 8, 2010. DIN 12377.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Henderson County, N.C., Register of Deeds			
Book	Page	Acreage	Grantee
1029	73	4.62	Henderson County
1006	097	0.42	Henderson County
1029	073	0.53	Henderson County

Henderson County, N.C., Register of Deeds			
1019	459	0.39	Henderson County
1029	073	0.94	Henderson County
0613	175	5.78	Henderson County
0554	171	6.4	Henderson Co. Stoney Mtn. Activity Center
0450	127	0.41	Henderson Co. Humane Society Inc.
1055	631	6.97	Henderson County; Board of Commissioners
1381	308	6.96	Henderson County
0660	017	37.6	Henderson County Board of Commissioners
Parcel Number	9904095	61.89	Henderson Co. Landfill
0894	311	12.03	Henderson Co. Board of Commissioners
		144.94	Total Site Acreage

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. (Intentionally blank)
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, "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 CONSTRUCTION CONDITIONS

1. This permit authorizes construction at the transfer facility in accordance with the approved plans, Attachment 1, Part II. Any revision or modification to these plans shall be submitted to the NC Solid Waste Section (Section) for review and approval prior to installation, construction or implementation of the change.

2. The initial, substantial, construction authorized by this Permit to Construct must commence within 18 months from the issuance date of this permit. If substantial construction does not begin within 18 months from the issuance date of this permit, then the permit to construct shall expire. Substantial construction includes, but is not limited to, issuance of construction contracts, mobilization of equipment on site, and construction activities including installation of sedimentation and erosion control structures. The

permittee may reapply for the permit to construct prior to the expiration date. The re-application will be subject to the statutes and rules in effect on that date and may be subject to additional fees.

3. An approval to operate by the Section is required prior to commencement of operations at the referenced transfer facility. The following requirements shall be met prior to issuance of an approval to operate:

   a. A site inspection shall be made by a representative of the Section.
   b. Construction must be completed in accordance with the approved plan. A certification letter stating that the facility and related infrastructure was constructed in accordance with the approved plan shall be submitted to the Section by the Project Engineer who shall be a North Carolina registered professional engineer.
   c. Three (3) copies of the construction record (As-built) drawings shall be submitted to the Section for filing and records.

4. A representative of the Section shall notify the Permitting Branch Supervisor in writing, either by letter or e-mail, that the conditions have been met. The owner and operator shall be copied on the correspondence. The notification shall suffice as permission to operate as of the date of the notification.

5. Pursuant to the NC Solid Waste Management Rule (Rule) 15A NCAC 13B .1626(5) burning of land-clearing debris generated on site as a result of construction activities requires approval by the Section prior to initiating the burn. In addition, the Division of Air Quality and local fire department must approve the activity prior to burning.

Erosion and Sedimentation Control Requirements

7. All required sedimentation and erosion control measures must be installed and operable to mitigate excessive on-site erosion and to prevent silt from leaving the area of the landfill unit during the service life of the facility.

8. 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.

9. 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.

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

ATTACHMENT 3

CONDITIONS OF OPERATING PERMIT

PART I: OPERATING CONDITIONS

1. The Permit to Operate shall expire **March 21, 2011.** Pursuant to 15A NCAC 13B .0201(g), no later than **December 21, 2010**, 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 municipal solid waste generated within Henderson County. Waste must be transported for disposal to the **Upstate Regional Landfill, 868 Wildcat Road, Enoree, South Carolina**. 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, a maximum of 24 hours except that a minimal amount of waste may be stored for a maximum of 72 hours when the facility is closed during a weekend or holiday. 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 at 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 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 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.

22. White goods collection areas shall provide for the proper removal of chlorofluorocarbon refrigerants.

Operational Conditions – Tires

23. 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).

24. Scrap tire collection areas shall be operated in accordance with the requirements of 15A NCAC 13B, Rule .1107.

25. The facility must manage tires according to the Operation Plan included in Attachment 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.

Operational Conditions – Household Hazardous Waste (HHW)

26. This permit is for operation of a Permanent Household Hazardous Waste Collection Unit.

27. This permanent household hazardous waste collection unit is permitted to receive household hazardous waste (HHW) generated by homeowners and conditionally exempt small quantity generators of Henderson County. Unacceptable HHW that shall not be collected at this facility includes radioactive waste, explosives, and infectious waste.

28. Document number 11 of Attachment 3, "Approved Documents", 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.

29. This facility shall conform to all operating procedures in the approved plan, 15A NCAC 13B .0400, and the current Section policies and guidelines for HHW Collection Facilities.

30. Household Hazardous Waste Identification Number **NCPH0450801** shall be used to ship wastes off site for recycling, treatment or disposal.

31. The permittee shall maintain records for the amount of HHW received at the facility and the amounts shipped off-site for recycling, treatment, and disposal. Records must be compiled on a monthly basis and maintained at the facility for inspection upon request by Solid Waste Section personnel.

32. On or before August 1 of each year, the permittee shall report to the Solid Waste Section, the amount of HHW waste (in pounds) received at this facility and the amounts shipped off-site for recycling, reuse, and/or disposal. The reporting period shall be for the previous year, beginning July 1 and ending June 30.

33. A copy of this permit and the approved plan shall be maintained at the facility. Copies of this permit shall be forwarded to the local fire department, local hospitals, and other appropriate emergency agencies.

- End of Permit Conditions -