

Permit No.	Scan Date	DIN
5504	March 2, 2011	13102

October 11, 2010

RECEIVED

February 23, 2011

Solid Waste Section

Asheville Regional Office

Larry Frost
Environmental Engineer
Solid Waste Section
Division of Waste Management
NC Department of Environment and Natural Resources

RE: Lake Norman C&D Landfill
Application for Permit Amendment, Five (5) Year Renewal
Permit No. 55-04
Response to Comments

Mr. Larry Frost

On behalf of Lake Norman C&D Landfill (Lake Norman), I am submitting the response to comments for a Determination of Completion and Technical Review letter dated August 31, 2010. Please note that both items listed in the letter has been addressed and completed. Both an updated Operations Plan and the Financial Assurance Mechanism is attached for your review.

If you should have any questions, please don't hesitate to contact me at (704) 400-6557 or Mgurley@republicservices.com. Thanks for your help on this matter.

Sincerely,

Mike Gurley
Environmental Manager
Republic Services, Inc.

PERFORMANCE BOND

Date bond executed: September 15, 2010

Effective date: October 1, 2010

Principal: Republic Services of North Carolina, LLC

Type of organization: Corporation

State of incorporation: Delaware

Surety: Ohio Indemnity Company

6140 Parkland Blvd.
Suite 321
Cleveland, Ohio 44124

Solid Waste Section Permit Number: 55-04

Closure Amount:

Post-Closure Amount:

Corrective Action: \$3,000,000.00

Total penal sum of bond: \$3,000,000.00

Surety's bond number: 400045

Know All Persons By These Presents, That we, the Principal and Surety(ies) hereto are firmly bound to the North Carolina Division of Solid Waste Management (hereinafter called the Division), in the above penal sum for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally; provided that, where the Surety(ies) are corporations acting as co-sureties, we, the Sureties, bind ourselves in such sum "jointly and severally" only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as is set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

Whereas, said Principal is required, under the Solid Waste Management Rule .0201 as amended, to have a permit in order to own or operate each solid waste management facility identified above, and

Whereas, said Principal is required to provide financial assurance for closure or post-closure care, as a condition of the permit, and

Whereas, said Principal shall establish a standby trust fund as is required when a surety bond is used to provide such financial assurance;

Now, Therefore, the conditions of the obligation are such that if the Principal shall faithfully, before the beginning of final closure and post-closure of each facility identified above, fund the standby trust fund in the amount(s) identified above for the facility,

Or, if the Principal shall fund the standby trust fund in such amount(s) within 15 days after a final order to begin closure and post-closure is issued by the Division or a U.S. district court or other court of competent jurisdiction,

Or, if the Principal shall provide alternate financial assurance and obtain the Division's written approval of such assurance, within 90 days after the date notice of cancellation is received by both the Principal and the Division from the Surety(ies), then this obligation shall be null and void; otherwise it is to remain in full force and effect

The Surety(ies) shall become liable on this bond obligation only when the Principal has failed to fulfill the conditions described above. Upon notification by the Division that the Principal has failed to perform as guaranteed by this bond, the Surety(ies) shall place funds in the amount guaranteed for the facility(ies) into the standby trust fund as directed by the Division.

The liability of the Surety(ies) shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the penal sum of the bond, but in no event shall the obligation of the Surety(ies) hereunder exceed the amount of said penal sum.

The Surety(ies) may cancel the bond by sending notice of cancellation by certified mail to the Principal and to the Division, provided, however, that cancellation shall not occur during the 120 days beginning on the date of receipt of the notice of cancellation by both the Principal and the Division, as evidenced by the return receipts.

The Principal may terminate this bond by sending written notice to the Surety(ies), provided, however, that no such notice shall become effective until the Surety(ies) receive(s) written authorization for termination of the bond by the Division.

In Witness Whereof, the Principal and Surety(ies) have executed this Financial Guarantee Bond and have affixed their seals on the date set forth above.

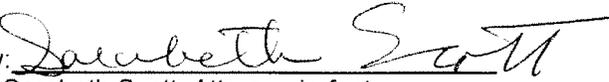
The persons whose signatures appear below hereby certify that they are authorized to execute this surety bond on behalf of the Principal and Surety(ies) and that the wording of this surety bond is identical to the wording specified in Paragraph (e)(2)(B) of this Rule as were constituted on the date this bond was executed.

Principal: Republic Services of North Carolina, LLC

By: 
Johanne S. Puckett,

Corporate Surety:
State of incorporation:
Liability limit:

Ohio Indemnity Company
Ohio
\$3,000,000

By: 
Sarabeth Scott, Attorney-in-fact

Bond premium: \$24,000.00

OHIO INDEMNITY COMPANY
COLUMBUS, OHIO
POWER OF ATTORNEY

POWER NO. 400045

KNOW ALL MEN BY THESE PRESENTS, that Ohio Indemnity Company, a corporation organized and existing under the laws of the State of Ohio with its principal office at 250 East Broad Street, 7th Floor, Columbus Ohio 43215, by and through the undersigned, its President, does hereby nominate, constitute and appoint:

Johanne Puckett and Sarabeth Scott

as its true and lawful Attorneys-in-Fact to make, execute, attest, seal, acknowledge and deliver for and on its behalf, as Surety, and as its act and deed, where required, any and all bonds, undertakings, recognizances and written obligations in the nature thereof, PROVIDED, however, that the obligation of the Company under this Power of Attorney shall not exceed Four Million Dollars (\$4,000,000).

IN WITNESS WHEREOF, the Ohio Indemnity Company has caused its corporate seal to be affixed hereunto, and these presents to be signed by its duly authorized officers this 21st day of April, 2010.



OHIO INDEMNITY COMPANY

BY: John S. Sokol
John S. Sokol, President

BY: Stephen J. Toth
Stephen J. Toth, Vice President

Notary Public)
State of Ohio) SS:

On this 21st day of April, 2010, before the subscriber, a Notary for the State of Ohio, duly commissioned and qualified, personally came John S. Sokol and Stephen J. Toth of the Ohio Indemnity Company, to me personally known to be the individuals and officers described herein, and who executed the preceding instrument and acknowledged the execution of the same and being by me duly sworn, deposed and said that they are the officers of said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and signatures as officers were duly affixed and subscribed to the said instrument by the authority and direction of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Columbus, Ohio, the day and year above written.



OFFICIAL SEAL
SHERRY E. BIXLER
NOTARY PUBLIC, STATE OF OHIO
RECORDED IN PICKAWAY COUNTY
MY COMMISSION EXPIRES
01/06/2015

BY: Sherry E. Bixler
Sherry E. Bixler, Notary Public
My Commission Expires 01/06/2015

State of Ohio) SS:

I, the undersigned, Secretary of the Ohio Indemnity Company, a stock corporation of the State of Ohio, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force.

Signed and sealed in Columbus, Ohio this 15th day of September, 2010



BY: Matthew C. Nolan
Matthew C. Nolan, Secretary

Any reproduction or facsimile of this form is void and invalid.

APPENDIX A

Equipment and Site Personnel Requirements

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EQUIPMENT AND SITE PERSONNEL REQUIREMENTS FOR THE LAKE NORMAN CONSTRUCTION AND DEMOLITION LANDFILL FACILITY

A. STAFFING AND EQUIPMENT

The following plan generally describes the number of personnel employed at the site and the equipment to be used on the site. The staffing levels in Table A-1 are based on the assumption that work activities will take place 10 hours per day, 6 days per week.

A.1 Staffing

Qualifications and anticipated duties of the site personnel for the supervision and operation of the Landfill are discussed below. The Landfill will be operated under the direct supervision of a Landfill Operator authorized by the state.

A.1.1 Site Manager

The Site Manager shall be responsible for overall management and supervision of all site activities. This person shall ensure that the Landfill is operated in accordance with all applicable regulations and permit requirements. All site personnel shall report directly or indirectly to the Site Manager.

A.1.2 Operations Manager

This employee will work directly under the Site Manager and will direct all waste placement, earthmoving, and cover operations. This person may also act as the Equipment Operator.

A.1.3 Equipment Operators

Equipment Operators shall be responsible for the operation of the waste-spreading and compaction equipment, as well as other equipment necessary for the operation and maintenance of the Landfill. The number of operators will vary based on the amount of waste accepted at the Landfill and on the extent of any ongoing earthmoving operations. Additional operators and equipment from an outside contractor may be utilized to assist with construction activities

A.1.4 Office Personnel

A sufficient number of office personnel shall be retained on staff (on-site or off-site at another affiliated location) to handle all office duties including customer service, billing, payroll, and sales. A scale operator will be on staff to operate the scales for incoming and outgoing waste delivery trucks. The scale operator will direct trucks to the appropriate unloading area, screen open loads, and accept manifests.

A.1.5 Laborers

A sufficient number of laborers shall be retained to perform miscellaneous tasks associated with the construction and maintenance of the Landfill, such as general housekeeping, upkeep and litter collection. Additional laborers may be retained on a temporary basis to address increases in workload.

A.2 Equipment

Landfill construction and routine operations will generally be accomplished with the equipment listed in Table A-1. Equipment capable of performing comparably to the listed equipment is expected to be maintained on site throughout the operational life of the Landfill. Additional equipment will be leased or purchased as necessary. In addition, subcontractors may be hired to perform all or a portion of the Landfill earthwork. The exact number and type of equipment may vary depending on tonnage intake, facility maintenance needs, cover placement requirements, and construction.

Table A-1. Equipment and Site Personnel Recommendations

Daily Tonnage Range (tons/day)	Equipment Type and Use	Minimum Operating Units Recommended	Personnel Type	Minimum Personnel Recommended	Max. Uncovered Area (Working Face Size) (square ft)	Max. Weekly Cover Soil Required (cy)
300-500	Water Dispersion equipment	1	Site Manager	1	4,490	110
	Dozer (spread refuse and cover, compact waste bin, berm construction)	1	Operations	1		
	Compactor (compaction of waste and cover material)	1	Manager/Equipment Operator			
	Off-Road Truck or Scraper (haul and discharging cover material)	1				
	Excavator (soil excavation loading)	1	Scale Operator	1		
500-1,000	Water Dispersion equipment	1	Site Manager	1	7,604	187
	Dozer (spread refuse and cover, compact waste bin, berm construction)	1	Operations Manager	1		
	Compactor (compaction of waste and cover material)	1	Scale Operator	1		
	Off-Road Truck or Scraper (haul and discharging cover material)	1	Equipment Operator	1		
	Excavator (soil excavation loading)	1				
1,000-1,500	Water Dispersion equipment	1	Site Manager	1	10,036	248
	Dozer (spread refuse and cover, compact waste bin, berm construction)	1	Operations Manager	1		
	Compactor (compaction of waste and cover material)	1	Scale Operator	1		
	Off-Road Truck or Scraper (haul and discharging cover material)	1	Equipment Operator	1		
	Excavator (soil excavation loading)	1	Laborer/Truck Driver	1		

Notes:

- Dozer, Compactor, Truck, Excavator, (or Loader) and Water Dispersion Equipment sizes will vary to match operating needs. Minimum Operating Units calculations based on smallest make and model of each given class of equipment except for the compactor. Each piece of equipment is matched with one or more operators to meet personnel needs over the daily operating period.*
- Larger and/or equivalent equipment may be used in place of those units listed above.*
- Other non-major landfill equipment may be used on site for various non-working face activities.*
- Weekly covering of wastes is accomplished with covers approved for use at the site. If soil cover is needed, it is readily available from on-site stockpiles. Sol cover will be transported to the working face by Off-Road Truck or Scraper*

Unauthorized Waste Control Program

- Site rules
- Site emergency procedures
- Unacceptable waste training
- Identification of hazardous and PCB-containing wastes

The following types of training will be provided on a regular basis at the facility to ensure that the facility employees are adequately trained and understand their responsibilities in the event that unauthorized waste is identified.

D.5.1 Annual Safety Training

Annual safety training classes will be given by the landfill manager regarding current safety practices. If an accident has occurred, it will be addressed and thoroughly discussed, so that the accident does not happen again. Outside guests, such as the fire, police, and rescue squad departments will be asked to address the facility employees on safety management practices.

D.5.2 Environmental Compliance Training

Compliance with environmental regulations will be the duty of each person employed at the landfill. Compliance training will be provided to all employees, covering all operations of the landfill. Various topics will include but not be limited to leachate and methane gas control, environmental monitoring, and surface water control.

D.5.3 Waste Identification Training

All employees will be given training in the types of waste accepted at the facility and in recognizing PCBs, hazardous wastes, and all other unauthorized wastes. The training will be initiated before the individual's start date. Training will be updated yearly, whenever the regulations are changed, or when new waste types can be accepted at the facility.

D.6 Record Keeping

All inspections will be documented in writing by the inspector and retained by the Landfill for a minimum of five years. The following information will be logged for each formal inspection which takes place:

- Name of inspector
- Date and time of inspection
- Name of the hauling firm
- Name of the driver
- Source of the waste as reported by the driver
- Inspector observations
- Signature of inspector

LOAD INSPECTION FORM

Date: _____

Time: _____

Hauler Information:

Company Name: _____

Driver's Name: _____

Company Truck #: _____

Source of Waste: _____

Physical Inspection of the Load:

The inspector must check the following:

The load was discharged with in a separate area of the facility and unloading of the entire load's contents was observed. _____

There is no evidence of regulated hazardous wastes (e.g., drums containing hazardous waste labels, PCB wastes, sludges, other industrial process wastes) or evidence of other unacceptable materials. _____

There was no evidence of Potentially Infectious Medical Waste (i.e., red-bagged material, syringes, etc.). _____

NOTE: If it is discovered that there is evidence of unacceptable waste materials within the load, such information must be provided in detail on the reverse side, and the site manager must be notified. All action taken to address the situation must also be reported on the reverse side.

Inspector's Name

Signature