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Fac/Perm/Co ID #	Date	Doc ID#
60-15	7/22/10	11207

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SOLID WASTE SECTION
ASHEVILLE REGIONAL OFFICE

NCDENR

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

LAND CLEARING AND INERT DEBRIS TREATMENT AND PROCESSING FACILITY
Permit No. 60-15-TP

FOR REGISTRATION J. DAVID GRANBERRY
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2010 JUL 07 11:45:08 AM
BK:25744 PG:457-465 FEE:$35.00
NS:$25.00
INSTRUMENT # 2010078293
2010078293

HENSONS' INC.
is hereby issued a

PERMIT TO OPERATE

HENSONS' INC. PINEVILLE WOOD YARD

Located at *13010 Lancaster Highway, Town of Pineville, Mecklenburg 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 1, Part III 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
2010.06.29 10:25:57 -04'00'

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

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ATTACHMENT 1

PART I: PERMITTING HISTORY

1. The original Permit to Construct/Operate was issued November 1998.
2. Permit to Operate, Amendment – 5 year renewal.

Permit Type	Date Issued	DIN
Permit to Operate	November 4, 1998	
Permit to Operate – Amendment	June 7, 2010	10271

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

NO.	DOCUMENT DESCRIPTION	DIN
1.	*Hensons' Inc., Pineville Wood Yard, Operations Plan, June 1998, (Revised February 1, 2010). Prepared for Hensons'.* Prepared by E&A Environmental. Revised April 2010.	10374
2.	*Type 1 Small Composting Unit Permit Modification.* Prepared by Hensons'. June 23, 2010.	10939

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Mecklenburg County, N.C. Register of Deeds				
Book	Page	Acreage	Grantor	Grantee
19628	389	9.2±	Ellis Fincher	Linell LLC
		9.2±	Total Facility Acreage	

Notes:

1. Deed book references are from Mecklenburg County Geographic Information Systems website, accessed March 2010.

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.

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2. The persons to whom this permit is issued ("permittee") are the owners and operators of the solid waste management facility.

3. This permit shall not be effective until the certified copy of this permit which references legal descriptions for all land within the solid waste management facility boundary is recorded in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit affixed with the Register's seal and the date, book, and page number of recording must be returned to the Solid Waste Section within thirty (30) calendar days of issuance of this permit. If the Solid Waste Section does not receive the certified copy of the recorded permit within 30 calendar days of issuance of the permit, then and in that event, the permit is suspended and of no effect until the date the Solid Waste Section receives the certified copy of the recorded permit.

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 sanitary landfill 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

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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 – TREATMENT AND PROCESSING 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 – LAND CLEARING AND INERT DEBRIS TREATMENT AND PROCESSING FACILITY CONDITIONS

1. The Permit to Operate shall expire June 7, 2015. Pursuant to 15A NCAC 13B .0201(e), no later than **February 7, 2015**, 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 has a total permitted gross capacity of 100,000 cubic yards of permitted materials.
3. The facility is permitted to receive the following materials:
   a. land clearing waste as defined in 15A NCAC 13B, Rule .0101(23);
   b. unpainted and untreated natural wood;
   c. wooden pallets constructed of unpainted and untreated natural wood;
4. Only materials specifically listed in the permit application may be managed at this facility without adequate testing and prior approval of the Division of Waste Management. Should materials begin to compost, generate heat in excess of 110 degrees Fahrenheit, resulting in a change in physical appearance of the ground material, it will be necessary to obtain a compost permit for operation.
5. 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.

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6. 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.

7. The facility must not cause nuisance conditions.
   a. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.
   b. 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.
   c. Areas shall be operated and maintained in a manner so as to minimize odors.

8. 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.

9. 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.

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. 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 Facility name, address and permit number;

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c. The total quantity in tons and type of waste received at the facility during the reporting year (based on 450 lbs. per cubic yard);

d. The total quantity in tons and type of waste processed at the facility during the reporting year (based on 450 lbs. per cubic yard);

e. The total quantity in tons and type of material produced at the facility during the reporting year (based on 625 lbs. per cubic yard);

f. The total quantity in tons and type of material removed for use or disposal from the facility, along with a description of the market use, for the facility during the reporting year (based on 625 lbs. per cubic yard);

g. The completed report must be forwarded to Mecklenburg County Land Use and Environmental Services "LUESA".

14. The facility must manage the treatment and processing 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 Section, prior to implementation.

PART II- MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS

Operational Conditions – Type 1 Small Composting Unit

1. The facility is permitted to operate a compost facility as defined in 15A NCAC 13B.0101(7).

2. The facility is only permitted to receive waste materials described in 15A NCAC 13B.1402(f)(1) and (6).

3. The facility must monitor and maintain records to demonstrate the requirements of 15A NCAC 13B.1406 (10).

4. The facility must manage the composting unit 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 Section, prior to implementation.

- End of Permit Conditions -

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NOTE: THE SPACE ABOVE IS FOR THE REGISTER OF DEEDS USE

THIS PAGE IS PROVIDED FOR RECORDATION PURPOSES. THE ENTIRE DOCUMENT, INCLUDING THIS PAGE, SHOULD BE RECORDED IN THE GRANTOR INDEX UNDER THE NAME OF THE LANDOWNER FOR THE PARCEL OF PROPERTY LOCATED IN MECKLENBURG COUNTY AND SAID PROPERTY BEING OWNED BY THE LINELL LLC AND FURTHER IDENTIFIED BY THE DEED RECORDED AS IDENTIFIED IN THE TABLE INSERTED HERE:

Mecklenburg County, N.C. Register of Deeds				
Book	Page	Acreage	Grantor	Grantee
19628	389	9.2±	Ellis Fincher	Linell LLC
		9.2±	Total Facility Acreage	

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A SOLID WASTE MANAGEMENT FACILITY EXISTED ON THE PROPERTY.

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 60-15 for the Hensons' Pineville Wood Yard Land Clearing and Inert Debris (LCID) Treatment and Processing Facility.

Larry Frost, Environmental Engineer
Asheville Regional Office
Division of Waste Management
Solid Waste Section

North Carolina

Buncombe County

I, Magdalene E. Briggs, Notary Public for Buncombe County,

North Carolina, do hereby certify that Larry Frost, Environmental Engineer of the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section, Permitting Branch, personally appeared before me this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal,

This the 30th day of June, 20 10.

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SOLID WASTE SECTION
ASHEVILLE REGIONAL OFFICE

OFFICIAL SEAL

MAGDALENE E. BRIGGS Notary Public Buncombe County, NC

Magdalene E. Briggs
NOTARY PUBLIC

My commission expires 3-22, 20 12.

Note to Register of Deeds: This certified original permit shall be recorded by the Register of Deeds and indexed in the grantor index under the name of the land owner. The certified original affixed with the Register's seal and the date, book, and page number of recording shall be returned to;

Mr. Larry Frost, Environmental Engineer
Division of Waste Management, Solid Waste Section
2090 US Highway 70
Swannanoa, NC 28778.

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ASHEVILLE REGIONAL OFFICE

J. DAVID GRANBERRY
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

PLEASE RETAIN YELLOW TRAILER PAGE

It is part of the recorded document, and must be submitted with original for re-recording and/or cancellation.

****

Filed For Registration:	**07/07/2010 11:45:08 AM**
Book:	**RE 25744 Page: 457-465**
Document No.:	**2010078293**
	PRMIT 9 PGS $35.00
NS:	**$25.00**
Recorder:	**TERESITA BYRUM**

A NS (non standard) fee is in accordance with NC G.S. 161-10 (a) (18b)

2010078293