

Fac/Perm/Co ID #	Date	Doc ID#
P1181	05/11/09	DIN 2740



P.O. Box 10806 ■ Goldsboro, NC 27532 ■ (919) 581-8055 phone ■ (919) 581-8045 fax ■ main@gurleyengineering.com

May 27, 2009

Mr. Agyemang Adupoku  
NC Division of Waste Management  
1646 Mail Service Center  
Raleigh, NC 27699-1646

RE: LCID Landfill  
Country "E" Mine  
Everett Clearing and Grading  
NCSR 1515/Aldrige Store Road  
Institute Township  
Lenoir County, NC

Mr. Adupoku:

Enclosed are the following items:

1. Three sets of development plans
2. Three copies of operations plan

Per your request, we are submitting the above for approval.

Your review and approval of these items is appreciated. If I may answer any questions regarding this letter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "D. E. Gurley, III", written over a white background.

D. E. (Trey) Gurley, III, PE

Enclosures

Cc: Lynn Everett, Everett Clearing and Grading

Fac/Perm/Co ID #	Date	Doc ID#
P1181	6/11/09	DIN 7742

**OPERATIONS PLAN  
LAND CLEARING/INERT DEBRIS  
LANDFILL  
COUNTRY E MINE  
EVERETT LAND CLEARING  
NCSR 1515/Aldridge Store Road  
Institute Township  
Lenoir County, NC**

February 19, 2009  
Prepared for:  
Lynn Everett  
Everett Clearing & Grading  
2402 Fred Everett Rd  
Kinston, NC 28504  
Phone: (252) 522-5260  
Fax: (252) 522-9992



P.O. Box 10806 ■ Goldsboro, NC 27532  
(919) 581-8055 phone ■ (919) 581-8045 fax  
main@gurleyengineering.com

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## **1.0 PROJECT DESCRIPTION**

The County "E" Mine is located off NCSR 1515/Aldridge Store Road in the Institute Township of western Lenoir County, NC. The existing site has been used by the Owner, Everett's Clearing and Grading, for several years as a mining location for borrow material for construction sites around Eastern North Carolina. The proposed project involves

## **2.0 SITE LOCATION SELECTION**

The Country "E" Mine LCID Landfill is to be located at the existing Country "E" Mine previously used as a borrow pit. The pit has been excavated of all useful borrow material. The site will meet the following guidelines and buffers:

- All waste materials must be situated at least four feet above seasonal high groundwater level. Beneficial fill will be used to fill areas to four feet above the seasonal high groundwater level of 80.57'
- 50 feet from the waste boundary to all surfaces waters of the State as defined in G.S. 143-212
- 100 feet from the disposal area to property lines, residential dwellings, commercial or public buildings, and wells.

## **3.0 PHASED DEVELOPMENT PLAN**

The mine shall be filled with beneficial fill material to a level four (4) feet above the seasonal high water table. No solid waste shall be disposed of in water. Also, beneficial fill will be used in areas encroaching on the buffers listed above. Once a base fill elevation has been reached, land clearing and inert debris will be accepted at the landfill and placed in cells no greater than an acre in size.

Debris will be covered by an adequate layer of soil once a cell reaches one acre in size and another cell will be started.

## **4.0 DAILY WASTE PLACEMENT PLAN**

Wastes will be placed within the allowable areas on an as needed basis. Materials will be transported to the site by dump trucks, or other conventional method, and deposited within the landfill. Earth moving equipment will be available on site to push the waste to areas not accessible by an on-road dump truck.

Sufficient cover material shall be stockpiled in areas in a manner to maintain runoff and keeping material well-drained.

Open burning of materials shall be prohibited unless a burn permit is secured from the governing agency.

## **5.0 LANDFILL CLOSURE**

Upon completion of the final phase of waste disposal, the site should be graded to minimize erosion and optimize drainage of precipitation falling on the landfill. The landfill must be closed with a final cover a minimum of 36" thick. Care should be taken to avoid instances of localized runoff from site causing sedimentation and erosion control problems. After the site is covered, it must be planted with shallow rooted native grasses. The entire cap will be planted with pine trees for a timber harvesting.

The Owner/Operator of the LCID Landfill shall conduct post-closure care for a period of five (5) years after closure. Post-closure care shall include annual inspection to ensure the integrity and effectiveness of the final cover, and making repairs to the cover to correct effects of settlement, subsidence, and other events, and preventing run-on and runoff from eroding or otherwise damaging the final cover.

## **6.0 WASTE ACCEPTANCE**

### **6.1 Acceptable Waste in the LCID Landfill:**

Only wastes generated by Everett Clearing and Grading may be disposed of in the Country "E" Mine LCID Landfill. Disposal at the landfill must be limited to land clearing and inert debris. A list of allowable wastes is presented below:

- Land Clearing Waste
- Inert Debris
- Untreated Wood
- Yard Trash
- Bricks
- Concrete
- Asphalt
- The Owner reserves the right to remove and recycle concrete and asphalt. The Owner typically transports asphalt to a local asphalt plant for recycling. Concrete is hauled to a facility that crushes the concrete for use as stone bedding.

### **6.2 Prohibited Waste in the LCID Landfill:**

A list of prohibited wastes is presented below:

- Municipal waste
- Sewage waste
- Infectious waste
- Radioactive waste
- Scrap Metal
- Oily waste
- Batteries
- Liquids

- A review of the emergency medical procedures, escape and emergency evacuation plans, in effect at the mine, and instruction on the fire warning signals and firefighting procedures
- Instruction on the health and safety aspects of the tasks to be assigned, including the safe work procedures of such tasks, and the mandatory health and safety standards pertinent to such tasks
- An introduction to the site rules and procedures

## **9.2 Safety Plan**

This section describes contingencies and emergency planning procedures to be implemented at the Site.

All Everett Clearing and Grading personnel that will visit the LCID Landfill will receive training and reminded of provisions of the emergency response plan, communication systems, and evacuation routes.

- In the event of an accident or fire, employees shall telephone 911 immediately. Once emergency personnel have contacted, the Owner/Operator shall be phoned at the contact number on the entrance sign.
- In the event of a fire, the personnel on site shall notify the responding fire department upon their arrival of the nature of the materials disposed of on site.
- In the event of injury, get first aid for the victim immediately.
- The access/entrance/exit road shall be used an emergency evacuation road.

# Matrix East, PLLC

906 N. Queen St., Ste. A  
Kinston, NC 28501  
Phone 252-522-2500  
Fax 252-522-4747  
matrixeast@embarqmail.com

March 12, 2009

Donna Wilson  
Division of Waste Management – Solid Waste Section  
1646 Mail Service Center  
Raleigh, NC 27699 - 1646

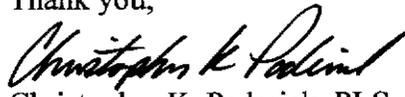
RE: Country "E" Mine, Lenoir County, NC

Ms. Wilson,

My client would like to apply for a "Land Clearing and Inert Debris" landfill permit. The purpose of this permit is to allow my client to fill in a sand and clay mine and plant trees on this parcel.

I have attached various documents and plans for use in the application process. Please do not hesitate to call if you need any other documentation or if I can be of any other assistance.

Thank you,

  
Christopher K. Paderick, PLS





**LENOIR COUNTY  
PLANNING & INSPECTIONS DEPARTMENT**

PO BOX 3289  
101 NORTH QUEEN STREET  
KINSTON, NC 28502  
PHONE: 252-559-2260  
FAX: 252-559-2261



---

**MEMO**

**March 12, 2009**

**Subject: Lenoir County Zoning Compliance**

**Reference: Everett Property – (P.L.N.: 3577-99-4506)  
Mining Permit Update  
Aldridge Store Rd off, Lenoir County, NC**

**To Whom It May Concern:**

**The proposed use at the above referenced property is in compliance with the Lenoir County Zoning Ordinance based upon the use being pre-existing at the time of ordinance adoption. Pre-existing uses may be continued but may not hereafter be enlarged or extended in any way. Please contact this office during normal business hours if there are any questions concerning this matter.**

Regards,

A handwritten signature in black ink that reads 'Wayland Humphrey'.

**Wayland Humphrey  
G.I.S./Planning Coordinator**



**North Carolina Department of Cultural Resources  
State Historic Preservation Office**

Peter B. Sandbeck, Administrator

Michael F. Easley, Governor  
Lisbeth C. Evans, Secretary  
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History  
Division of Historical Resources  
David Brook, Director

October 21, 2008

Ivan Monroe  
Matrix East, PLLC  
906 N. Queen Street  
Suite A  
Kinston, NC 28501

Re: Landfill, Country E Mine, near SR 1515, Lenoir County, ER 08-2406

Dear Mr. Monroe:

Thank you for your letter of October 3, 2008, concerning the above project.

We have conducted a review of the proposed undertaking and are aware of no historic resources that would be affected by the project. Therefore, we have no comment on the undertaking as 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, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,

*Peter B Sandbeck*

Peter Sandbeck

MPM



## North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor

William G. Ross Jr., Secretary

October 14, 2008

Ivan Monroe  
Matrix East, PLLC  
906 North Queen Street, Ste. A  
Kinston, NC 28501

Re: Country "E" Mine, Lenoir County, NC

Dear Mr. Monroe:

The NC Natural Heritage Program has no records of rare species, high quality natural communities, significant natural heritage areas, or state parks within 2 kilometers of the project site in North Carolina shown on the maps included with your letter dated 7 October 2008.

The use of Natural Heritage Program data should not be substituted for actual field surveys, particularly if the project area contains suitable habitat for rare species, significant natural communities, or priority natural areas.

You may wish to check the Natural Heritage Program database website at [www.ncnhp.org](http://www.ncnhp.org) for a listing of rare plants and animals and significant natural communities in the county and on the quad map.

Our Program also has a website that allows users to obtain information on element occurrences and significant natural heritage areas within two miles of a given location:

[http://nhpweb.enr.state.nc.us/nhis/public/gmap75\\_main.phtml](http://nhpweb.enr.state.nc.us/nhis/public/gmap75_main.phtml). The user name is "public" and the password is "heritage". You may want to click "Help" to download the user's manual before you use the application. This website gives you instant answers to information requests about specific locations, without waiting for NHP staff to respond.

NC OneMap provides digital Natural Heritage data online for free. This service provides site specific information on GIS layers with Natural Heritage Program rare species occurrences and Significant Natural Heritage Areas. The NC OneMap website provides Element Occurrence (EO) ID numbers (instead of species name), and the data user is then encouraged to contact the Natural Heritage Program for detailed information. This service allows the user to quickly and efficiently get site specific NHP data without visiting the NHP workroom or waiting for the Information Request to be answered by NHP staff. For more information about data formats and access, visit [www.nconemap.com](http://www.nconemap.com), then click on "FTP Data Download", and then "nheo.zip" [to the right of "Natural Heritage Element Occurrences"]. You may also e-mail NC OneMap at [dataq@ncmail.net](mailto:dataq@ncmail.net) for more information.

1601 Mail Service Center, Raleigh, North Carolina 27699-1601  
Phone: 919-715-8700 \ Email: [misty.buchanan@ncmail.net](mailto:misty.buchanan@ncmail.net) \ [www.ncnhp.org](http://www.ncnhp.org)

An Equal Opportunity / Affirmative Action Employer - 50 % Recycled \ 10 % Post Consumer Paper



We appreciate your interest in Natural Heritage Program data. If you have any questions or need additional information, please contact me at (919) 715-8700.

Sincerely,

*Misty Buchanan*  
Misty Buchanan  
Botanist

1601 Mail Service Center, Raleigh, North Carolina 27699-1601  
Phone: 919-715-8700 \ Email: [misty.buchanan@ncmail.net](mailto:misty.buchanan@ncmail.net) \ [www.ncnhp.org](http://www.ncnhp.org)





North Carolina Department of Environment and Natural Resources  
Division of Parks and Recreation

Michael F. Easley, Governor

William G. Ross Jr., Secretary

Lewis R. Ledford, Director

October 21, 2008

Mr. Ivan Monroe  
Matrix East, PLLC  
906 N. Queen St., Ste. A  
Kinston, North Carolina 28501

Dear Mr. Monroe:

Per your letter dated October 8, 2008, the North Carolina Division of Parks and Recreation has reviewed your site location for proposed fill on a site currently mined for sand and clay, located along Aldridge Store Road (SR 1515) in Lenoir County, NC. Our review did not indicate the presence of designated environmental areas in the vicinity of this site. Therefore, we do not anticipate adverse impacts on these areas as a result of the proposed project.

We recommend that your organization contact the North Carolina State Historic Preservation Office regarding the potential presence of cultural or historic resources within the vicinity of your proposed project.

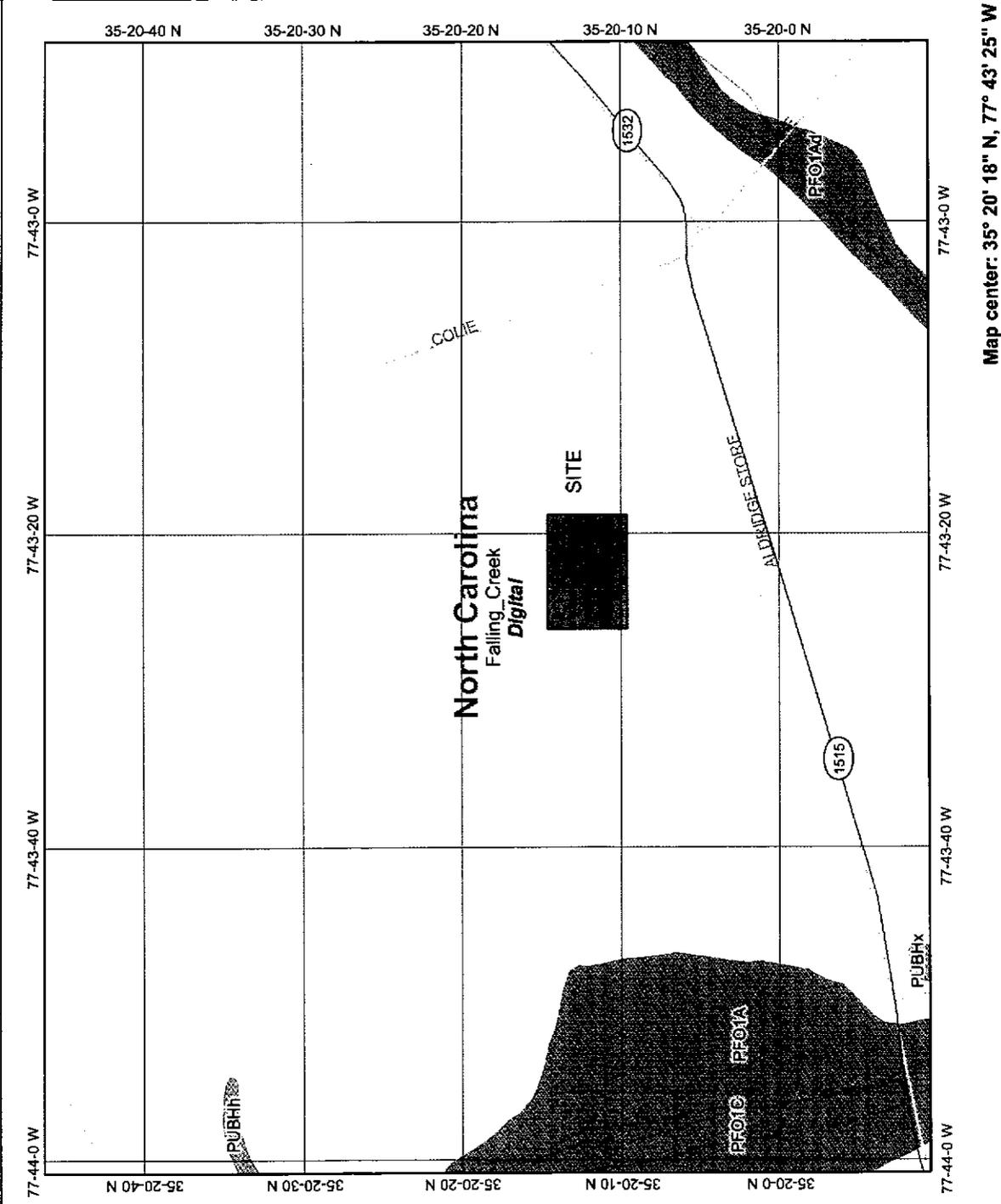
Please let me know if you need additional information.

Sincerely,

Amin K. Davis  
Environmental Specialist/Compliance Coordinator  
Division of Parks and Recreation, Natural Resources Program  
North Carolina Department of Environment and Natural Resources



# COUNTRY "E" MINE



Map center: 35° 20' 18" N, 77° 43' 25" W

Notes: EVERETT'S LOT CLEARING AND GRADING  
COUNTRY "E" MINE  
INSTITUTE TOWNSHIP, LENOIR COUNTY, NC

This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

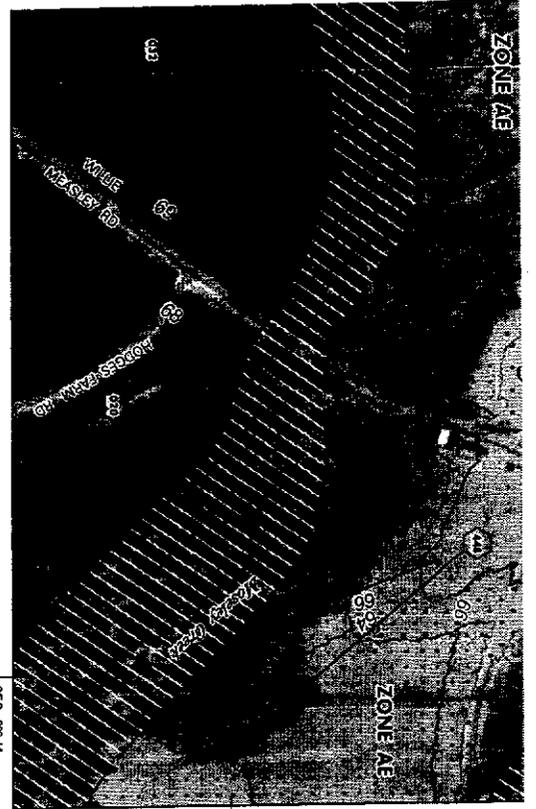


## Legend

- Ohio\_wet\_scan
  - 0
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- Out of range
- Interstate
- Major Roads
- Other Road
- Interstate
- State highway
- US highway
- Roads
- Cities
- USGS Quad Index 24K
- Lower 48 Wetland Polygons
  - Estuarine and Marine Deepwater
  - Estuarine and Marine Wetland
  - Freshwater Emergent Wetland
  - Freshwater Forested/Shrub Wetland
  - Freshwater Pond
  - Lake
  - Other
  - Riverine
- Lower 48 Available Wetland Data
  - Non-Digital
  - Digital
  - No Data
  - Scan
- NHD Streams
- Counties 100K
- States 100K
- South America
- North America



Scale: 1:12,040



774,440' 00"

252,000' 00"

391,000' 00"

570,000' 00"

MAP REPOSITORY  
Refer to listing of Map Repositories on Map Index or visit [www.nfipmaps.com](http://www.nfipmaps.com).

EFFECTIVE DATE OF FLOOD INSURANCE RATE MAP PANEL  
JULY 2, 2004

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

Figurations than  
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the National Flood  
-2627) or visit the  
1 (LOMRI) or Letter  
alversions of this  
Program website  
at 1-800-358-8616  
EMA Map Services  
[www.fema.gov/msc](http://www.fema.gov/msc).

For community map revision history prior to statewide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.  
To determine if flood insurance is available in this community, contact your insurance agent, the North Carolina Division of Emergency Management or the National Flood Insurance Program at the following phone numbers or websites:  
NC Division of Emergency Management (919) 715-8000 [www.nfip.ncem.org](http://www.nfip.ncem.org)  
National Flood Insurance Program (1-800-638-6620) [www.fema.gov/nfip](http://www.fema.gov/nfip)

**NFIP**  
**NATIONAL FLOOD INSURANCE PROGRAM**

PANEL 3577J

**FIRM**  
**FLOOD INSURANCE RATE MAP**  
**NORTH CAROLINA**

PANEL 3577

(SEE LOCATOR DIAGRAM OR MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
LINCOLN COUNTY	37044	3577	J

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.

EFFECTIVE DATE  
JULY 2, 2004

MAP NUMBER  
3720357700J



State of North Carolina  
Federal Emergency Management Agency

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**INDEXED**  
LENOIR COUNTY

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11-17-93

\$5.00

STATE OF  
**NORTH CAROLINA**



Real Estate  
Excise Tax

93 NOV 17 PM 2:52

GWYNN ROUSE  
REGISTER OF DEEDS  
LENOIR COUNTY

OFFICE OF LENOIR COUNTY  
TAX ADMINISTRATOR  
by Scott  
date 11-17-93  
Excise Tax

Recording Time, Book and Page

Tax Lot No.

Parcel Identifier No.

Verified by

**INDEXED**

County on the

day of

19

by

Mail after recording to Wm. A. Allen, Jr., Attorney, P.O. Box 3169, Kinston, North Carolina, 28502.

This instrument was prepared by Wm. A. Allen, Jr., Attorney

Brief description for the Index

Tract 5 in MB 19-35.

### NORTH CAROLINA NON-WARRANTY DEED

THIS DEED made this 27th day of June, 1987, by and between

GRANTOR

GRANTEE

CHARLES C. SUTTON, III and wife,  
LYCRECIA S. SUTTON, of Lenoir  
County, North Carolina

HENRY LEON EVERETT, of Lenoir County

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in ~~XXXXXX~~ Institute Township

Lenoir County, North Carolina and more particularly described as follows:

BEING AN UNDIVIDED ONE-HALF (1/2) INTEREST in and to that tract of land which is more particularly described as follows:

BEING Tract Five (5), containing 35.63 acres, more or less, which is shown on that map entitled "Survey for Otis S. Bryant," prepared by Averette & King Engineering Co., P.A., dated December 28, 1976, and recorded in Map Book 19, Page 35, Lenoir County Registry, and reference is hereby made to said recorded map for a more accurate description; and also being one of the tracts described in that deed recorded in Book 700, Page 311, Lenoir County Registry.

IT IS EXPRESSLY STIPULATED AND AGREED AS A MATERIAL PART OF THE CONSIDERATION FOR THIS CONVEYANCE that the above described tract of land is conveyed expressly subject to the lien of that Deed of Trust to William A. Allen, Jr., Trustee for The Federal Land Bank of Columbia, which is recorded in Book 706, Page 693, Lenoir County Registry, and that the said Grantee herein does expressly assume payment as and when due of any and all indebtedness secured thereby and, for himself and his heirs and assigns, and by his acceptance of this conveyance, warrants and agrees to indemnify and hold harmless the said Grantor(s), their heirs and assigns, from any and all losses or damages whatsoever on account thereof.

The interest conveyed hereby is an undivided one-half (1/2) interest in and to the above described tract of land, which interest was devised to the said Charles C. Sutton, III, by "Section B, ITEM IX," of the "Last Will and Testament of Charles C. Sutton, Jr.," which has been duly probated and appears of record in the Office of the Clerk of Superior Court of Lenoir County, North Carolina.

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 700, Page 311, Lenoir County Registry

A map showing the above described property is recorded in MAP Book 19 page 35

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

By: \_\_\_\_\_  
\_\_\_\_\_  
President  
ATTEST: \_\_\_\_\_  
\_\_\_\_\_  
Secretary (Corporate Seal)

USE BLACK INK ONLY

Charles C. Sutton III (SEAL)  
CHARLES C. SUTTON, III  
Lycrecia S. Sutton (SEAL)  
LYCRECIA S. SUTTON (SEAL)



SEAL - STAMP

NORTH CAROLINA, Lenoir County.  
I, a Notary Public of the County and State aforesaid, certify that CHARLES C. SUTTON, III and wife, LYCRECIA S. SUTTON Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 29<sup>th</sup> day of June Nov. 19-87 93 JTC  
My commission expires: 9/29/95 Jessica Turner Clonare Notary Public

NORTH CAROLINA, \_\_\_\_\_ County.  
I, a Notary Public of the County and State aforesaid, certify that \_\_\_\_\_ Secretary of \_\_\_\_\_ a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its \_\_\_\_\_ Secretary. President, sealed with its corporate seal and attested by \_\_\_\_\_ as its \_\_\_\_\_ Secretary.  
Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
My commission expires: \_\_\_\_\_ Notary Public

The foregoing Certificate(s) of Jessica Turner Clonare, Notary Public, Lenoir County