

Permit No.	Date	DIN
06-01	April 23, 2013	18845

RECEIVED

April 23, 2013

Solid Waste Section
Asheville Regional Office



2013001473

AVERY CO, NC FEE \$0.00

PRESENTED & RECORDED:

04-23-2013 01:58:30 PM

RENEE DELLINGER

REGISTER OF DEEDS

BY: ERIN GRINDSTAFF

ASSISTANT

BK: RE 474

PG: 705-710

✓ Henry Noonis

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 at the Register of Deeds and indexed as follows:

Grantor/Landowner: AVERY COUNTY

Grantee/Holder of Permit: NC DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Document Type: PERMIT

The property is identified by the deeds recorded as listed below:

Avery County, N.C. Register of Deeds				
Book	Page	Acreage	Parcel ID Number	Landowner
172	837	8.7±	181100431139	Avery County
180	567	6.0±	181100422706	Avery County
		14.7±	Total Facility Acreage	

Notes:

1. Deed book references and parcel information are from the document titled *Parcel Information Verification – Closed MSW Landfill (DIN18779)* submitted by Smith+Gardner Engineers on behalf of Avery County.

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A SANITARY LANDFILL HAS OPERATED ON THE PROPERTY.

State of North Carolina
 Department of Environment,
 Health and Natural Resources
 Division of Solid Waste Management



James B. Hunt, Jr., Governor
 Jonathan B. Howes, Secretary
 William L. Meyer, Director

December 29, 1995

Randall Fletcher, County Manager
 Avery County
 P.O. Box 54
 Newland, NC 28657

**SUBJECT: Closure of the Avery County Landfill
 Permit #06-01**

Dear Mr. Fletcher:

The Solid Waste Section (the Section) has received and reviewed documentation submitted by your consultant, Municipal Engineering, on your behalf regarding the subject facility. Based on this documentation, the Section has determined that the subject facility has been closed in accordance with the applicable requirements. This determination may be rescinded should any of the documentation prove to be inaccurate.

The subject facility is considered closed subject to the attached post closure conditions. The owner of the facility, Avery County, is responsible for compliance with these conditions.

This closure shall become effective upon written notification by Avery County that the facility shall be maintained in compliance with the post closure conditions specified in this letter. Also, Rule .0510 states that when a disposal unit is closed, the permit to operate that unit is terminated and any future disposal operations will require approval by the Section.

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POST CLOSURE CONDITIONS

1. **MANAGEMENT OF LANDFILL GAS:** The owner shall take the measures necessary to ensure that the closed site shall continue to meet the design standards for landfill gas found in Rule .0503(2)(a).
2. **MANAGEMENT OF SURFACE WATER:** The owner shall take the measures necessary to ensure that the closed site shall meet the requirements of Rule .0503(2)(c). In addition, the landfill unit shall be maintained such that surface water runoff occurs in a controlled manner, and surface water shall not be impounded over waste.
3. **AIR QUALITY:** The owner shall ensure that landfill units do not violate any applicable requirements developed under a State Implementation Plan approved or promulgated by the U.S. EPA Administrator pursuant to Section 110 of the Clean Air Act, as amended.
4. **FINAL COVER SYSTEM:** The integrity and effectiveness of the final cover system and any permanent erosion control devices must be maintained. This could include making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events.
5. **PROPOSED USES:** The owner shall submit a proposal for the Section's review and approval addressing post closure uses of the facility. Proposed post closure uses shall not violate any post closure conditions found in this letter. In particular, plans for post closure uses shall avoid possibilities for the entrapment of methane gas. Routine landfill gas monitoring within structures and at the facility boundary may not be sufficient to detect potentially dangerous situations.
6. **ONGOING SOLID WASTE MANAGEMENT ACTIVITIES:** Continuing solid waste management activities (e.g. yard waste composting, scrap tire collection, solid waste transfer) shall not violate any post closure conditions found in this letter, and must meet any other applicable requirements.
7. **RECORDATION:** The owner shall ensure that the recordation requirements for land disposal sites found in Rule .0204 are met.

8. WATER QUALITY MONITORING AND REPORTING REQUIREMENTS:

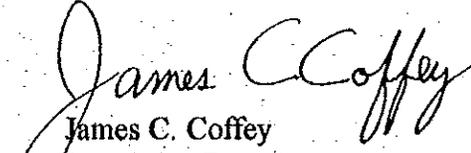
- a. Groundwater quality at this facility is subject to the "Classifications and Water Quality Standards Applicable to the Groundwaters of North Carolina", 15A NCAC 2L. This includes, but is not limited to, the provisions for detection monitoring, assessment, and corrective action.
- b. The permittee shall sample the detection monitoring wells and surface water sampling locations at a minimum on a semi-annual basis.
- c. Water quality detection monitoring shall continue for a minimum of five years from the date of the Section's receipt of Avery County's notification that the facility will be maintained in compliance with the post-closure conditions specified in this letter. After five years the Section will determine if further monitoring is to be required.
- d. Sampling equipment and methods shall conform to specifications in Attachment 1, "North Carolina Water Quality Monitoring Guidance Document for Solid Waste Facilities". The sampling parameters and methods shall be those found in Attachment 2, "Sampling and Analysis Requirements for Construction and Demolition Landfills and Closed Sanitary Landfills", or an alternate parameter list as approved by the Section.
- e. The permittee shall maintain a record of all monitoring events and analytical data. Reports of the sampling events and analytical data shall be submitted to the Section in a timely manner.
- f. The water quality monitoring system shall be upgraded for post closure monitoring purposes. Additional surface water monitoring sites shall be incorporated into the approved monitoring plan; the number and location to be approved by the Solid Waste Section. The sampling of these sites shall be included in the next scheduled sampling event.

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If there are questions regarding this closure letter, please call Janis McHargue in the Winston-Salem Regional Office at (910) 771-4600, or the Solid Waste Section at (919) 733-0692.

Sincerely,


James C. Coffey
Permitting Branch
Solid Waste Section

cc: Julian Foscué
Jan McHargue
Bobby Lutfy
Al Hetzell
Consultant
Central Files

I do hereby certify that the attached LETTER OF CLOSURE is an exact and true copy issued by the Solid Waste Section regarding PERMIT NUMBER 0601-MSWLF-1987 for the closed Avery County MSW Landfill Facility.

Allen Gaither
Environmental Engineer
Permitting Branch
Solid Waste Section
Division of Waste Management

North Carolina

Buncombe County

I, Carol C. Lagace, Notary Public for Buncombe County,

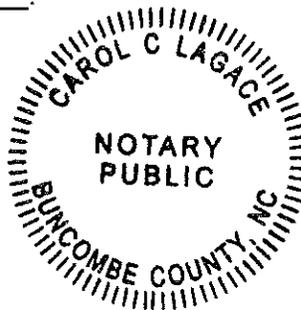
North Carolina, do hereby certify that Allen Gaither, Environmental Engineer of the Permitting Branch, Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal,

This the 16th day of April, 2013.

OFFICIAL SEAL

Carol C. Lagace
NOTARY PUBLIC



My commission expires January 3, 2015.

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. Allen Gaither, Division of Waste Management, Solid Waste Section, 2090 US Highway 70, Swannanoa, NC 28778.