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SOLID WASTE SECTION
ASHEVILLE REGIONAL OFFICE

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Fee Amt: $26.00 Page 1 of 9
Revenue Tax: $0.00
Instr# 201200019245
Gaston, NC
Susan S. Lockridge Register of Deeds
BK 4644 PG 1264-1272

| Permit No. | Scan Date | DIN |
|---|---|---|
| **3615-TP-2012** | **December 21, 2012** | **17961** |

9 RECORDING FEE 26.00

PERMIT TO OPERATE

**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 GASTON COUNTY AND SAID PROPERTY BEING OWNED BY BARKLEY ENTERPRISES INC. AND FURTHER IDENTIFIED BY THE DEED RECORDED AS IDENTIFIED IN THE TABLE INSERTED HERE:

| **Gaston County, N.C. Register of Deeds** | | | | |
|---|---|---|---|---|
| Book | Page | Acreage | Grantor | Grantee |
| 1032 | 0153 | 6.13 | Barkley Enterprises Inc. | Barkley Enterprises Inc. |
| | | | | |
| | | 6.13 | 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.

RETURN TO: ASSURED WASTE SOLUTIONS
PO BOX 536
GASTONIA, NC 28053

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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

# SOLID WASTE MANAGEMENT FACILITY

Permit No. 3615-TP-2012

Assured Waste Solutions, LLC (Owner and Operator)
and
Barkley Enterprises Inc. (Landowner)

## PERMIT TO OPERATE

A MEDICAL WASTE TREATMENT FACILITY

located at 148 Boxwood Lane, Gastonia, Gaston 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 deed recorded for this property listed in Attachment 1, Part III of this permit.

Digitally signed by Edward F. Mussler III, P.E.
DN: cn=Edward F. Mussler III, P.E., o=Solid Waste Section, ou=NC DWM, email=ed.mussler@ncdenr.gov, c=US
Date: 2012.11.15 10:41:39 -05'00'

Edward F. Mussler, III, P.E.
Permitting Branch Supervisor
Solid Waste Section

# ATTACHMENT 1

PART I: PERMITTING HISTORY

1. The facility was issued a Permit to Operate (PTO), December 2011.DIN 15688.

2. **Modification of the PTO for name change from MedWaste Solutions, LLC to Assured Waste Solutions, LLC, November 2011. DIN 17639.**

| **Permit Type** | **Date Issued** |
|---|---|
| Permit to Operate (original) | December 12, 2011 |
| **Permit to Operate - Modification** | **November15, 2012** |

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *MedWaste Solutions, LLC, Medical Waste Treatment Facility, Gastonia, North Carolina, OPERATIONS PLAN, October 1, 2011.*Prepared by MedWaste Solutions, LLC. October 2011. DIN 15333.

2. *MedWaste Solutions, LLC, Medical Waste Treatment Facility, Gastonia, North Carolina, OPERATIONS PLAN, Original date: October 1, 2011, Revised date: October 27, 2011, Revised date: November 30, 2011.* Prepared by MedWaste Solutions, LLC. November 2011. DIN 15687.

3. *Assured Waste Solutions, LLC, Medical Waste Treatment Facility, Gastonia, North Carolina, NC Permit #3615, OPERATIONS PLAN, October 15, 2012, Revised: November 8, 2012.* Prepared by Assured Solutions, LLC. November 2012. DIN 17634.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

| **Gaston County, N. C. Register of Deeds** | | | |
|---|---|---|---|
| Book | Page | Owner | Acres |
| 1032 | 0153 | Barkley Enterprises Inc. | 6.13 |
| | | Total Property Acreage | 6.13 |

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. The permit shall not be effective until the certified copy of this permit which shows current ownership and 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 Section within 30 calendar days of issuance of this permit. If the 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 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 solid waste management facility 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. Failure to comply may result in compliance action or permit revocation.

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 must 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: GENERAL FACILITY CONDITIONS
*Not Applicable*

PART II: MEDICAL WASTE TREATMENT UNIT SPECIFIC CONDITIONS
*Not Applicable*

PART III: MISCELLANEOUS SOLID WASTE MANAGEMENT SPECIFIC CONDITIONS
*Not Applicable*

*-End of Section –*

## ATTACHMENT 3

CONDITIONS OF PERMIT TO OPERATE

PART I: GENERAL MEDICAL WASTE FACILITY CONDITIONS

1. This permit shall expire December 12, 2016. Pursuant to 15A NCAC 13B .0201(g), no later than June 12, 2016 (6 months prior to permit expiration), 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.

2. Copies of this permit, the approved plans, and all records required to be maintained by the permittee must be maintained at the facility and made available to the Section upon request during normal business hours.

3. 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.

4. A responsible individual trained in facility operations must be on-site at all times during all operating hours of the facility.

5. 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, in accordance with the approved documents, Attachment 1, Part II. Scales must be used to weigh the amount of

materials received, recovered and disposed. The daily records should be summarized into a monthly report for use in the required annual reports.

6. 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 or city of origin.
      iii) By diversion to alternative management facilities.
   c. The completed report must be forwarded to the Regional Waste Management 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 Waste Management Specialist by the date due on the prescribed annual facility report form.

7. Signs must be posted at the facility that state no hazardous waste or liquid waste can be received at the facility and provide information on handling procedures, hours of operation, the permit number, and other pertinent information. Traffic signs or markers must be provided as necessary to promote an orderly traffic pattern to maintain efficient operating conditions.

8. The Regional Waste Management Specialist will be notified of any plant shutdown, other than normal course of business, due to the business closing, major repairs, or similar interruptions in operation. The specialist will be given the opportunity to perform an inspection, including a demonstration showing that the facility meets the operational requirements listed in 15A NCAC 13B .1200, prior to re-opening.

9. The facility is permitted to only receive medical waste as defined in NCGS 130A-290 (17a) and as described in the approved plan.

10. Hazardous wastes, radioactive wastes, non-processible, and other wastes that may pose a threat to public health or the environment are prohibited.

11. Medical Waste is subject to the general requirements of 15A NCAC 13B .1202.

12. Regulated Medical Waste is subject to the requirements of 15A NCAC 13B .1203.

13. Transportation of untreated regulated medical waste shall conform to the requirements of 15A NCAC 13B .1205.

14. Storage facilities for untreated medical waste shall be provided at the treatment facility as described in the approved plan and in accordance with 15A NCAC 13B .0104, .1206 and .1207(1).

15. Contingency plans for transport of non-processible and/or non-conforming wastes to an approved disposal and/or treatment facility shall be implemented as described in the approved plans.

16. The facility must not cause nuisance conditions.
    a. The facility must be maintained in a clean, sanitary condition at all times.
    b. The operating floor, trailer storage and unloading dock area must be cleaned at least daily during facility operations.
    c. The 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.

17. 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 operating floor must drain away from the building entrance and into the leachate collection system.

18. This facility shall conform to all operating procedures described in the approved plans, 15A NCAC 13B .1207(1), (2), and the conditions specified herein.

19. Treated medical waste shall be properly disposed of at a permitted municipal solid waste landfill, medical waste incinerator, or municipal solid waste incinerator.

20. Recycled containers will be washed, disinfected, and inspected for damage prior to be being returned to the customer.

21. Financial assurance as required by state rules and statutes must be continuously maintained for the duration of the facility in accordance with applicable rules and statutes. Closure and Post-Closure cost estimates and financial instruments must be updated annually.

PART II: MEDICAL WASTE TREATMENT UNIT SPECIFIC CONDITIONS

22. This permit approves; the operation of a medical waste treatment facility consisting of four (4) steam sterilization units and associated facility appurtenances for storage and processing of treated and untreated medical waste, **and the Facility name change from MedWaste Solutions, LLC to Assured Waste Solutions, LLC.**

23. Steam sterilization shall not be employed for treatment of pathological wastes. All pathological wastes accepted at the facility shall be handled, stored and subsequently transported to a permitted medical waste incinerator, in accordance with all applicable sections of 15A NCAC 13B .1200.

PART III: MISCELLANEOUS SOLID WASTE MANAGEMENT SPECIFIC CONDITIONS
*Not Applicable*

*-End of Conditions-*

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 3615-TP-2012 for the ASSURED WASTE TREATMENT, LLC, MEDICAL WASTE TREATMENT FACILITY.

Larry Frost, Environmental Engineer
Permitting Branch
Solid Waste Section
Division of Waste Management

North Carolina

Buncombe County

I, Linda J. Stamey, Notary Public for Buncombe County, North Carolina, do hereby certify that Larry Frost, Environmental Engineer of the Permitting Branch, Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal,

This the 16th day of November, 2012.

OFFICIAL SEAL

LINDA J STAMEY
NOTARY PUBLIC
BUNCOMBE COUNTY, NC

Linda J Stamey
NOTARY PUBLIC
Linda J. Stamey

My commission expires January 6, 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.**
**Note to Permittee: The certified original affixed with the Register's seal and the date, book, and page number of recording shall be returned to Larry Frost, Division of Waste Management, Solid Waste Section, 2090 US Highway 70, Swannanoa, NC 28791.**