Fac/Perm/Co ID #	Date	Doc ID#
50-03	4,29,13	18862

Doc ID: 004627160013 Type: CRP
Recorded: 04/22/2013 at 10:49:48 AM
Fee Amt: $0.00 Page 1 of 13
Jackson County, NC
Joe Hamilton Register of Deeds
BK 1986 PG 137-149

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: JACKSON 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:

Jackson County, N.C. Register of Deeds				
Book	Page	Acreage	Landowner	PIN
950	372	24.9±	Jackson County	7662-07-5050
		24.9±	Total Facility Acreage	

Notes:

1. Deed book references are from the Jackson County Land Records GIS website (http://maps.jacksonnc.org/gomaps/) accessed March 2013.

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

RECEIVED
APR 25 2013
SOLID WASTE SECTION
ASHEVILLE REGIONAL OFFICE

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 5003T-TRANSFER for the Jackson County Scott Creek Transfer 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 17th day of April, 2013

OFFICIAL SEAL

CAROL C LAGACE NOTARY PUBLIC BUNCOMBE COUNTY, NC

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

NCDENR

North Carolina Department of Environment and Natural Resources
Division of Waste Management

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

MUNICIPAL SOLID WASTE TRANSFER FACILITY
Permit No. 5003T-TRANSFER

JACKSON COUNTY
is hereby issued a

PERMIT TO OPERATE

SCOTT CREEK TRANSFER STATION

Located at *48 Recycle Place*, northeast of Sylva, Jackson 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.

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

ATTACHMENT 1

PART I: PERMITTING HISTORY

1. On March 1, 2000 a Permit was issued for the construction of a new transfer facility
2. On February 5, 2002 a Permit was issued for the operation of a new transfer facility.
3. On February 9, 2009 an amendment was made to the Permit for the five-year renewal of operations.
4. On April 12, 2013 an amendment was made to the Permit for the five-year renewal of operations.

No.	Permit Type	Date Issued	Document ID No.
1.	Permit to Construct	March 1, 2000	
2.	Permit to Operate	February 5, 2002	
3.	Permit Amendment	February 9, 2009	6622
4.	**Permit Amendment**	**April 12, 2013**	**18730**

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

NO.	DOCUMENT DESCRIPTION	DOCUMENT ID NO.
1.	Approved transfer facility permit application and Operations Plan submitted by the Fletcher Group, Inc., dated 19 February 2001, including letters addressing zoning, leachate disposal, and sediment and erosion control approval.	
2.	Letter dated 30 November 2001 from Altamont Environmental, Inc. including as-built record drawings for the facility, deed for the facility property, and requesting a permit to operate on behalf of Jackson County.	
3.	Letter dated 27 December 2001 from Altamont Environmental, Inc. including a revised Operations Plan for the Jackson County C&D Transfer Facility.	
4.	Letter dated 7 January 2002 from Altamont Environmental, Inc. including revisions to the Operations Plan and a revised site plan for the Jackson County C&D Transfer Facility.	
5.	*Jackson County Type I Small Composting Unit Request For Acknowledgement Letter (RAL)*. Prepared by: Chad Parker – Solid Waste Director. Prepared for: Jackson County. May 19, 2008.	4596

6.	*Acknowledgement Letter-Small Type I Composting Unit.* Prepared by: Allen Gaither. Prepared for: Division of Waste Management. May 27, 2008.	4595
7.	*Jackson County Transfer Station Permit Renewal Request letter.* Prepared by: Chad Parker – Solid Waste Director. Prepared for: Jackson County. June 13, 2008.	4868
8.	*Layout and revised operations plan for new (proposed) transfer station building.* Prepared by: D. Wayne Sullivan – Municipal Engineering Services. Prepared for: Jackson County. August 25, 2008.	5736
9.	*Five year permit review & proposed new building and scales letter.* Prepared by: Allen Gaither. Prepared for: Division of Waste Management. October 24, 2008.	6099
10.	*Operations Plan Scott Creek Transfer Station.* Prepared by: Chad Parker – Solid Waste Director. Prepared for: Jackson County. November 12, 2008.	6451
11.	*Preliminary Plans for the Jackson County Municipal Solid Waste Transfer Station.* Prepared by: D. Wayne Sullivan – Municipal Engineering Services. Prepared for: Jackson County. December 10, 2008.	6450
12.	*Operations Plan Scott Creek Transfer Station.* Prepared by: Chad Parker – Solid Waste Director. Prepared for: Jackson County. February 3, 2008.	6740
13.	*Operations Plan Scott Creek Transfer Station.* Prepared by: Chad Parker – Solid Waste Director. Prepared for: Jackson County. Revised November 15, 2010.	18219

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Jackson County, N.C. Register of Deeds				
Book	Page	Acreage	Landowner	PIN
950	372	24.9±	Jackson County	7662-07-5050
		24.9±	Total Facility Acreage	

Notes:

1. Deed book references are from the Jackson County Land Records GIS website (http://maps.jacksonnc.org/gomaps/) accessed March 2013.

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. 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. 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 I, Part II, "List of Documents for the 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 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 – TRANSFER 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 - OPERATING CONDITIONS

1. The Permit to Operate shall expire **February 9, 2019**. Pursuant to 15A NCAC 13B .0201(e), no later than **August 9, 2018**, 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 is permitted to receive solid waste as defined in NCGS 130A -290 (35).

3. The following, at a minimum, must not be accepted for disposal at the facility; hazardous waste, liquid wastes, regulated medical waste, sharps not properly packaged, regulated-asbestos containing material as defined in 40 CFR 61, PCB waste as defined in 40 CFR 761, and wastes banned from disposal in North Carolina by G.S. 130A-309.10(f).

4. This facility is permitted to receive municipal solid waste generated within Jackson County. Waste must be transported for disposal to the Waste Management Subtitle D landfill in Homer, Georgia (Permit No. 006-006D (SL); R&B Landfill; 610 Bennett Road; Homer, Georgia; 30547). Proposed modifications of the service area and/or the disposal facility constitute a permit modification and are subject to a permitting fee and must be approved by the Section.

5. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, municipal solid waste that is generated within the boundaries of a unit of local government that by ordinance:

   a. Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.

   b. Requires generators or collectors of municipal solid waste to recycle that type or form of municipal solid waste.

6. 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.

7. 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.

8. The facility must not cause nuisance conditions.

   a. The tipping floor and transfer trailer loading area must be maintained in a clean, sanitary condition at all times and must be cleaned at least daily in accordance with the approved Operational Plan.

   b. Waste must only be deposited on a "tipping floor" or directly into a transfer container. Waste must not be stored on the "tipping floor" after operating hours.

   c. Waste may be stored on-site, in leak proof transfer trailers, with watertight covers, a maximum of 24 hours except that a minimal amount of waste may be stored for a maximum of 72 hours when the facility is closed during a weekend or holiday. 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.

9. 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 tipping floor must drain away from the building entrance and into the leachate collection system.

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. Scales must be used to

weigh the amount of waste received. 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 annual facility report must list the amount of waste received in tons and be compiled:

        i) On a monthly basis.

        ii) By county, city or transfer station of origin.

        iii) By specific waste type.

        iv) By receiving disposal facility.

        v) By diversion to alternative management facilities.

    c. The completed report must be forwarded to the Regional Environmental 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 the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Specialist by the date due on the prescribed annual facility report form.

PART II- MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS

General Conditions

14. Wastes received and product stored shall be maintained in reasonably sized piles with adequate fire breaks and lanes in accordance with the approved operational plans and the pertinent rules.

15. 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.

16. These areas shall be operated and maintained with sufficient dust control measures to minimize airborne emissions and to prevent dust from becoming a nuisance or safety hazard.

17. These areas shall be operated and maintained in a manner so as to minimize odors, prevent the creation of a nuisance, potential health hazard, or a potential fire hazard.

18. Effective vector control measures shall be applied as necessary to control flies, rodents, insects, or vermin.

19. The facility must manage all operations according to all applicable statutes and rules of the State of North Carolina.

Operational Conditions – White Goods

20. The facility is permitted to receive white goods as defined in North Carolina General Statute Article 9, Chapter 130A-290(44).

21. The facility must manage white goods according to the Operation Plan included in Attachment I, 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 North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

22. White goods collection areas shall provide for the proper removal of chlorofluorocarbon refrigerants.

Operational Conditions – Tires

23. The facility is permitted to receive tires and scrap tires as defined in North Carolina General Statute Article 9, Chapter 130A-309.53(6) & (7).

24. Scrap tire collection areas shall be operated in accordance with the requirements of 15A NCAC 13B, Rule .1107.

25. The facility must manage tires according to the Operation Plan included in Attachment I, 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 North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

Operational Conditions – Treatment & Processing (Wood Grinding)

26. The facility is permitted to operate a treatment and processing facility as defined in 15A NCAC 13B, Rule .0101(49).

27. The facility is permitted to receive land clearing waste as defined in 15A NCAC 13B, Rule .0101(23).

28. The facility is permitted to receive wooden pallets constructed of unpainted and untreated natural wood.

29. The facility is not permitted to receive yard waste as defined in 15A NCAC 13B, Rule .0101(56).

30. 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 North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

Operational Conditions – Yard Trash

31. The facility is permitted to receive yard trash as defined in 15A NCAC 13B, Rule .0101(56).

32. Yard trash shall be managed in accordance with the requirements of 15A NCAC 13B, Rule .1400 or transported for disposal at a facility permitted to receive yard trash.

33. The facility must manage yard waste according to the Operation Plan included in Attachment 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 North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

Operational Conditions – Small Type 1 Compost Facility

34. This facility is permitted to operate a small Type 1 compost facility as defined in 15A NCAC 13B, Rule .1402(f)(1).

35. The facility is only permitted to receive yard and garden waste, silvicultural waste, land clearing waste, untreated and unpainted wood waste or any combination thereof.

36. The compost facility shall be operated in accordance with the requirements of 15A NCAC 13B, Rule .1400.

37. The facility must manage the compost facility according to the Operation Plan included in Attachment I, 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 North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

- End of Permit Conditions -