

Scanned By	Date	DOC ID	Permit
Backus	10/24/2012	17508	9227-TRANSFER-2012

WAKE COUNTY, NC 452
 LAURA M RIDDICK
 REGISTER OF DEEDS
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 10/18/2012 AT 15:14:28



Facility Permit No: 9227T-TRANSFER-2012
 Thornton Road Mixed Waste Transfer
 & Recycling Center
 Permit to Operate
 September 24, 2012
 Doc ID: 17161
 Page 1 of 15

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North Carolina Department of Environment and Natural Resources

Division of Waste Management

Dexter R. Matthews

Director

Beverly Eaves Perdue
 Governor

Dee Freeman
 Secretary

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

**SOLID WASTE TRANSFER FACILITY
 Permit No. 9227T-TRANSFER-2012**

DYNASTY HOLDINGS, LLC (LANDOWNER)
 AND
 REPUBLIC SERVICES OF NORTH CAROLINA, LLC (OPERATOR)
 (a wholly-owned subsidiary of Republic Services, Inc.)
 are hereby issued a

PERMIT TO OPERATE

THORNTON ROAD MIXED WASTE TRANSFER AND RECYCLING CENTER
 (A MUNICIPAL SOLID WASTE TRANSFER FACILITY and
 A CONSTRUCTION AND DEMOLITION WASTE TRANSFER FACILITY)

Located at 5565 Thornton Road (SR 2043), in northern Raleigh, Wake 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 No. 1 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: 2012.09.24 09:18:33 -04'00'

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

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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 WAKE COUNTY AND SAID PROPERTY BEING OWNED BY DYNASTY HOLDINGS, INC AND FURTHER IDENTIFIED BY THE DEED RECORDED IN BOOK 13204 , PAGES 806 THROUGH 808 .

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

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 9227-TRANSFER-2012 for the THORNTON ROAD MIXED WASTE TRANSFER AND RECYCLING CENTER.

Patricia M. Backus
Patricia M. Backus, P.E.
Environmental Engineer
Permitting Branch
Solid Waste Section
Division of Waste Management

STATE OF NORTH CAROLINA

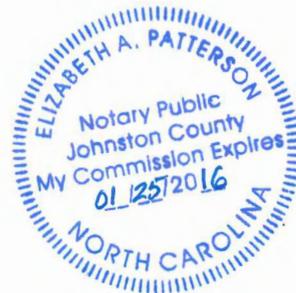
COUNTY OF WAKE

I, ELIZABETH A. PATTERSON, a Notary Public for ~~said~~ JOHNSTON County and State, do hereby certify that PATRICIA M. BACKUS, P.E. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal,
this the 3RD day of OCTOBER, 20 12.

Elizabeth A. Patterson
Notary Public

My commission expires: JANUARY 25, 20 16.



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 Permitting Branch Supervisor, Division of Waste Management, Solid Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646.

ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit Type	Date Issued	Document ID
Original Permit to Construct (PTC)	February 12, 2001	
Original Permit to Operate (PTO)	March 5, 2001	
PTC Modification – Sorting area added	May 19, 2003	
PTO Amendment – 5-yr renewal	September 16, 2005	4495
PTC and PTO - Thornton Road Mixed Waste Transfer and Recycling Center	September 4, 2008	5461
PTC and PTO – permit reissuance	February 26, 2010	9256
PTO – Change in Ownership	September 24, 2012	17161

1. From 1988 to 1999, the Neuse Landfill operated on this property as a permitted Land-Clearing and Inert Debris landfill (LCID) with Lemuel H. Thornton, as landowner, and Neuse Landfill, Inc., as operator. A notification that the landfill closure was in compliance with all closure requirements was issued on February 8, 1999, by Wake County Solid Waste Management. The operation was permitted as 92-T (DENR) and 98-001 (Wake County).
2. In 2001, Permits to Construct (PTC) and to Operate (PTO) a Construction and Demolition Debris (C&D) transfer station on this property were issued to Lemuel H. Thornton, landowner, and PCM Construction, operator, as Permit No. 92-27T. The facility, PCM North Raleigh C&D Transfer Facility, was approved to receive new construction debris only.
3. In November 2006, the property was sold from Lemuel H. Thornton to Dynasty Holdings, LLC and recorded in Book 12249, Pages 225-227 in the Wake County Register of Deeds. PCM Construction continued as operator until December 31, 2007.
4. In December 2007, an application to construct and operate a new transfer facility was submitted by Shotwell Transfer Station, Inc. The application requested approval of a new transfer facility building, including both a C&D transfer facility, with sorting of recyclables, and a municipal solid waste (MSW) transfer facility.
5. Subsequent to the purchase of the facility, Shotwell Transfer Station, Inc. submitted information and documentation to the Solid Waste Section to apply for the permit to operate the facility to be re-issued to Dynasty Holdings, LLC and Shotwell Transfer Station, Inc. Both Dynasty Holdings, LLC and Shotwell Transfer Station, Inc. are owned

by David W. King, Jr. During this period, Shotwell Transfer Station, Inc. continued to operate the C&D transfer station as previously permitted to PCM Construction.

6. In September 2008, a PTC and PTO were issued to Dynasty Holdings, LLC and Shotwell Transfer Station. The facility name was changed to Thornton Road Mixed Waste Transfer and Recycling Center. The facility permit allows the construction and operation of a transfer facility for both C&D waste and MSW.
7. Republic Services of North Carolina, LLC submitted a request to change the name of the operator on July 17, 2012 (DIN 17021). Copies of a lease agreement with Dynasty Holdings, LLC, an asset purchase agreement, and a transition operating agreement were provided. The permit to operate issued in September 2012 reflects the change in operator.

PART II: LIST OF DOCUMENTS FOR APPROVED PLAN

1. *Permit to Construct Application and Operations Plan, PCM North Raleigh Transfer, Raleigh, North Carolina.* Prepared by: Bass, Nixon and Kennedy, Inc., Raleigh, NC. Prepared for PCM Construction. Dated January 11, 2001.
2. Site plan for the PCM North Raleigh transfer station. Prepared by Bass, Nixon and Kennedy, Inc., Raleigh, NC. December 11, 2000. Revised February 13, 2001.
3. Site plan for PCM North Raleigh transfer station. Prepared by Bass, Nixon and Kennedy, Inc., Raleigh, NC. Dated December 11, 2000. Revised February 1, 2001 and March 26, 2003. Revision addressed the addition of a sorting area for the management of clean lumber, metal, cardboard and designated areas for inert debris.
4. *Permit Application for Thornton Road Mixed Waste Transfer and Recycling Center, Raleigh, North Carolina.* Prepared by: Richardson Smith Gardner and Associates, Raleigh, NC. Prepared for: Shotwell Transfer Station, Inc., Raleigh, NC. December 14, 2007. Revised June 3, 2008, July 18, 2008, and July 23, 2008.
5. *Application for Permit Reissuance, Thornton Road Mixed Waste Transfer and Recycling Center.* December 21, 2009. Doc ID 9245.
6. Letter from Stacey A. Smith, P.E., Richardson Smith Gardner and Associates, Raleigh, NC. Construction Documentation and Certification. October 18, 2010. Doc ID 11881.
7. *Operation Plan for Sorting Tear-off Shingles for Recycling.* Prepared by Shotwell Transfer Station, LLC, Youngsville, NC. December 9, 2011. Approved July 23, 2012. Doc ID 16945.

8. Request for change in operator. Prepared by Republic Services of North Carolina, LLC. July 17, 2012. Doc ID 17021.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Wake County, N.C. Register of Deeds					
Book	Page	Grantee	Grantor	Tract	Parcel No.
Book of Maps 2007	2838	Recombination Plat New Lot 3 Area			173 842 9684
13204	806-808	Dynasty Holdings, LLC	Dynasty Holdings, LLC	3	173 842 9684
14803	2333-2339	Memorandum of Lease between Dynasty Holdings, LLC and Republic Services of North Carolina, LLC (June 14, 2012 - DIN 17023)			
					Total Site Acreage: 9.849

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 expired when construction of the facility was completed. The Permit to Operate shall expire September 5, 2014. 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 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 received 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 must contain in the deed 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 transfer station and a reference by book and page to the recordation of the permit.
5. By beginning construction or receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
6. Construction and operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of 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 identified in Attachment 1, "List of Documents for Approved Plan," which constitutes 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 sedimentation and erosion control, and a General or Individual National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit, if applicable. 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: FACILITY SPECIFIC CONDITIONS

1. The construction of the facility was completed and an approval to operate was issued on October 19, 2010 (Doc ID 11886).
2. The permittee must comply with any driveway and road improvements, as required by the Department of Transportation, and in accordance with NCGS 130A 295.5.

- End of Section-

**ATTACHMENT 3
CONDITIONS OF PERMIT TO OPERATE**

PART I: OPERATING CONDITIONS

1. The Permit to Operate shall expire September 5, 2014. Pursuant to 15A NCAC 13B .0201(g), no later than May 5, 2014, 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 transfer facility is permitted to receive the following waste types:
 - a. "Municipal solid waste" as defined in NCGS 130A -290(a)(18a).
 - b. "Construction or demolition debris" as defined in G.S. 130A-290 (a)(4) means solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures. C&D waste does not include municipal and industrial wastes that may be generated by the on-going operations at buildings or structures.
 - c. "Inert debris" as defined in G.S. 130A-290 (a)(14) means solid waste that consists solely of material such as concrete, brick, concrete block, uncontaminated soil, rock, and gravel.
 - d. "Land-clearing debris" as defined in G.S. 130A-290 (a)(15) means solid waste that is generated solely from land-clearing activities, such as stumps, trees, limbs, brush, grass, and other naturally occurring vegetative material.
 - e. "Asphalt" in accordance with G.S. 130-294(m).
3. The following, at a minimum must not be accepted for disposal at the facility: hazardous waste, yard trash, 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). The C&D transfer facility must not accept those wastes prohibited from disposal in a C&D landfill, as listed in 15A NCAC 13B .0542(e). Barrels and drums must not be accepted unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein.
4. This facility is permitted to receive solid waste generated within Wake, Johnston, Durham, Granville, Franklin, Nash, Harnett, Lee, and Chatham counties. Waste must only be transported to facilities whose service area includes the generation source. Proposed changes to the service area and/or the disposal facilities must be approved by

the Section, are considered a modification to the permit, and may be subject to a permitting fee.

- a. MSW waste must be transported for disposal to the Upper Piedmont Regional Landfill located in Rougemont, Permit Number 73-04; the Sampson County Disposal Landfill located in Roseboro, Permit Number 82-02; the South Wake MSW Landfill, located in Holly Springs, Permit Number 92-22; the Uwharrie Environmental Regional Landfill, Permit Number 62-04; the East Carolina Regional Landfill located in Aulander, Permit Number 08-03; the Foothills Environmental Landfill, located in Lenoir, Permit Number 14-03; and/or the Brunswick Waste Management Facility, located in Lawrenceville, VA, Permit Number SWP583.
 - b. C&D waste must be transported for disposal to the Shotwell C&D Landfill located in Wendell, Permit Number 92-26; the Upper Piedmont Regional Landfill in Rougemont, Permit No. 73-04; the East Carolina Regional Landfill located in Aulander, Permit Number 08-03; the Uwharrie Environmental Regional Landfill, Permit Number 62-04; the Foothills Environmental Landfill, located in Lenoir, Permit Number 14-03; WCA Material Recovery C&D Landfill located in Raleigh, Permit Number 92-31; the Red Rock Disposal C&D Landfill located in Holly Springs, Permit Number 92-28; and/or the Brunswick Waste Management Facility, located in Lawrenceville, VA, Permit Number SWP583
5. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, solid waste that is generated within the boundaries of a unit of local government that by ordinance:
- a. Prohibits generators or collectors of solid waste from disposing of that type or form of solid waste.
 - b. Requires generators or collectors of solid waste to recycle that type or form of 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. An attendant must be present to oversee the loading and unloading of waste.
7. The permittee must actively employ 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.
 - d. Development of a contingency plan to properly manage any identified hazardous, liquid, or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.
8. The facility must be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the Section to prevent unauthorized entry.
 9. Interior roadways must be of all-weather construction and maintained in good condition.
 10. Signs must be posted at the entrance to the facility that state that no hazardous waste or liquid waste can be received at the facility; and that provide information on dumping procedures, the 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 and from the discharge area and to maintain efficient operating conditions. Signs must be placed on the tipping building and in the tipping area to differentiate the MSW and C&D tipping floor areas.
 11. Open burning of solid waste is prohibited. Fires must be reported to the Regional Waste Management Specialist within 24 (twenty-four) hours of the occurrence with a written notification to be submitted within 15 (fifteen) calendar days of the occurrence. The report must include the cause, the location(s) on the premises, the dimensions and volume of material involved, a description of emergency response activities with results, and a description of mitigation measures implemented to reduce or eliminate conditions leading to the fire. Fire lanes must be maintained and passable at all times. Dimensions of the fire lanes must be coordinated with the Fire Marshall having jurisdiction over the site.
 12. 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 Operation Plan.
 - b. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.

- c. Control measures must be utilized to minimize and eliminate visible fugitive dust emissions and blowing litter. Windblown materials must be collected by the end of the day and no windblown material may be allowed to leave the facility boundary.
- 13. MSW must only be deposited on the tipping floor designated for MSW or directly into a transfer container in accordance with the approved Operation Plan. Waste must not be stored on the tipping floor after operating hours.
- 14. C&D waste must only be deposited on the tipping floor designated for C&D waste, directly into a transfer container, or directly into a recycling container in accordance with the approved Operation Plan. C&D waste must not be stored on the tipping floor after operating hours.
- 15. Any waste stored on-site after operating hours must be stored in leak proof transfer trailers, with watertight covers, a maximum of 24 hours. However, a minimal amount of waste may be stored for a maximum of 48 hours when the facility is closed during a weekend and a maximum of 72 hours when closed for a weekend holiday. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.
- 16. Only cardboard, clean wood debris, pallets, metals, clean brick and concrete blocks, and clean concrete are approved for recycling. Engineered or glued wood (such as particle board) and painted debris are not approved for recycling.
- 17. Demolition debris waste must not be sorted for recycling, unless an asbestos screening plan has been submitted to the Division of Epidemiology of the Department of Health and Human Services for approval and the approved plan forwarded to the Section for inclusion in the operations plan for the facility.
- 18. Except for inert debris, all recyclables must be sorted and stored in containers by the end of each operating day. Containers must be covered at the end of each operating day, and during precipitation events. All non-recyclables in the sorting area must be placed in transfer trailers for disposal by the end of each operating day.
- 19. Recycled materials placed in containers must be removed from the site once the container is full. Recyclable material must not be stored onsite longer than one year. The approved maximum storage volume of recycled materials is approximately 500 cubic yards.
- 20. 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.
21. 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.
 22. Facility construction, operations and practices must not cause or result in a discharge of pollution, dredged material, and/or fill material into waters of the state in violation of the requirements under Sections 401 and 404 of the Clean Water Act, as amended.
 23. 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.
 24. 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 permittee must identify MSW that is "commercial solid waste" or "industrial solid waste" as defined in 15A NCAC 13B .1602 in the records. Scales must be used to weigh the amount of waste received. The permittee must maintain a record of the amounts of waste transported out of the facility for disposal, amounts of materials transported out of the facility for recovery and recycling, and amounts of waste or material with any other final disposition, to be compiled on a monthly basis. The daily records are to be summarized into a monthly report for use in the required annual reports, to include a comparison of incoming versus outgoing amounts. Documentation of end-users/processors/recyclers must be maintained for recycled and recovered materials.
 25. Waste source summaries for each outgoing truckload must be maintained, as described in Section 2.6.4 of the Operations Manual (Document 4, Attachment 1, Part II), and made available to the Section upon request during normal business hours.
 26. On or before August 1 annually, the Permittee must submit an annual facility report to the 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 tons of C&D waste recycled, recovered or diverted from disposal including a description of how and where the material was ultimately managed must be included in the report.
 - d. 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.
 - e. 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.
27. Processing of materials, shredding, or grinding must not take place at the facility unless approval has been granted under the special use permit and a revised operations plan has been submitted to the Section.
28. Financial assurance as required by state rules and statutes must be established with proof submitted to the Division within 30 calendar days of the issuance of this permit. The financial assurance must be continuously maintained for the duration of the facility in accordance with the applicable rules and statutes. The financial assurance amount is calculated based on a maximum incoming rate of 1,000 tons per day and the maximum amount of materials to be stored onsite. The financial assurance amount must be increased if the actual average incoming rate is more than 1,000 tons per day.

PART II: MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS

29. Asphalt shingle recovery is approved for operation in accordance with the *Operation Plan for Sorting Tear-off Shingles for Recycling* (Doc ID 16945).

- End of Permit Conditions -



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**Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.**



**Wake County Register of Deeds
Laura M. Riddick
Register of Deeds**

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