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Backus	5/15/2012	16620	4116-CDLF

wyrickrobbins

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ATTORNEYS AT LAW
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GRADY L. SHIELDS
gshields@wyrick.com

February 28, 2012

Received
FEB 2012
Waste Management

RECEIVED
FEB 29 2012
SOLID WASTE SECTION

VIA HAND DELIVERY

Mr. Ed Mussler
Solid-Waste Permitting Supervisor
North Carolina Division of Waste Management
Central Office
217 West Jones Street
Raleigh, NC 27603

RE: ***Burnt Poplar C&D Transfer Station***
(NC Solid Waste Permit No. 41-22T-Transfer-2009)
Greensboro, North Carolina

WCA of High Point C&D Landfill and C&D Waste Reclamation Pad
(NC Solid Waste Permit No. 41-16-CDLF)
High Point, North Carolina

Material Recovery, LLC C&D Landfill Facility
(NC Solid Waste Permit No. 92-31)
Raleigh, North Carolina

WCA Material Reclamation
(NC Solid Waste Permit No. 92-24)
Raleigh, North Carolina

WCA Wake Transfer Station
(NC Solid Waste Permit No. 92-34T)
Raleigh, North Carolina

Dear Ed:

We trust this finds you well. As you know, this firm represents Waste Industries USA, Inc. (the "Company") and its various subsidiaries. We believe that you have already had initial discussions with David Pepper of the Company to the effect that the Company and certain of its operating subsidiaries will be acquiring the Burnt Poplar C&D Transfer Station in Greensboro,

the WCA C&D Landfill in High Point, the Material Recovery C&D Landfill in Raleigh, the WCA Material Reclamation facility in Raleigh, and the WCA Wake Transfer Station in Raleigh from various subsidiaries of WCA Waste Corporation. This letter and enclosed materials are intended to inform the Division of the transfer of these facilities and to request issuance of permits reflecting the facilities' new ownership, as detailed below. The change in ownership is in progress, and should be completed in late March. The acquiring entities are direct wholly-owned subsidiaries of the Company. A copy of the Company's Compliance History is included as Attachment A.

We address each facility in turn:

Burnt Poplar C&D Transfer Station, Greensboro, NC Solid Waste Permit No. 41-22T-Transfer-2009

The Burnt Poplar C&D Transfer Station is located at 6311 Burnt Poplar Road in western Greensboro, Guilford County, North Carolina. The facility is owned and operated by Burnt Poplar Transfer, LLC and WCA Waste Systems, Inc., which are wholly-owned subsidiaries of WCA Waste Corporation. The facility is located on 6.823 acres belonging to Burnt Poplar Transfer, LLC, which property is described at Guilford County Deed Book 6966, Page 1734.

After the transfer, the facility will be owned and operated by a new Company operating subsidiary, WI Burnt Poplar Transfer, LLC. Articles of Organization for WI Burnt Poplar Transfer, LLC are included as Attachment B1.

After the transfer, the contact information for the owner/operator will be as follows:

Owner/Operator:	Manager:	Address:	Phone:	Email:
WI Burnt Poplar Transfer, LLC	David Pepper	3301 Benson Drive Suite 601 Raleigh, NC 27609	(919) 325-3000	david.pepper@ wasteindustries.com

WI Burnt Poplar Transfer, LLC agrees to operate the facility in accordance with the terms of the existing permit, and a copy of that existing permit included as Attachment B2. An Applicant Certification has been prepared and executed by WI Burnt Poplar Landfill, LLC and is included as Attachment B3. WI Burnt Poplar Transfer, LLC will work with the Division and the existing permittees to arrange suitable replacement financial assurance upon approval by the Division.

WCA of High Point C&D Debris Landfill and C&D Waste Reclamation Pad, High Point, Guilford County, NC Solid Waste Permit No. 41-16-CDLF

The WCA of High Point C&D Debris Landfill and C&D Waste Reclamation Pad facilities are located at 5830 Riverdale Drive (State Road 1145), Jamestown, east of High Point, Guilford County, North Carolina. These facilities are owned and operated by WCA of High Point, LLC and WCA Waste Systems, Inc., wholly-owned subsidiaries of WCA Waste

Corporation. The facilities are operated on properties described in Guilford County Deed Book 5248, Page 914, Book 5350 Page 1568, Book 5018 Page 273, Book 5748 Page 914, Book 5759 Page 1144, Page 5248, Page 911, Book 5830, Pages 2290-2292, and Plat Book 150, Pages 96-97, covering a total of 149.83 acres. After the transfer, these facilities will be owned and operated by WI High Point Landfill, LLC. Articles of Organization for WI High Point Landfill, LLC are provided as Attachment C1.

Contact information for the owner operator after the transfer will be as follows:

Owner/Operator:	Manager:	Address:	Phone:	Email:
WI High Point Landfill, LLC	David Pepper	3301 Benson Drive Suite 601 Raleigh, NC 27609	(919) 325-3000	david.pepper@wasteindustries.com

WI High Point Landfill, LLC agrees to operate the facility in accordance with the terms of the existing permit, a copy of which permit is included as Attachment C2. A copy of the franchise for the Landfill is included as Attachment C3. An Applicant Certification has been prepared and executed by WI High Point Landfill LLC and is included as Attachment C4. WI High Point Landfill, LLC will work with the Division and the existing permittees to arrange suitable replacement financial assurance upon approval by the Division.

Material Recovery, LLC C&D Landfill Facility, Raleigh, Wake County, NC Solid Waste Permit No. 92-31

Material Recovery, LLC and WCA Waste Management Systems, Inc., wholly-owned subsidiaries of WCA Waste Corporation, own and operate a C&D landfill facility on Brownfield Road, Raleigh, North Carolina, under NC Solid Waste Permit No. 92-31. The facility is operated on land owned by Material Recovery, LLC, as described in Wake County Deed Book 8806, pages 845 and 849, Book of Maps 2002, page 791 and Book of Maps 2003 Page 1508. After the transfer, the facility will be owned and operated by Wake Reclamation, LLC. Articles of Organization for Wake Reclamation, LLC are included as Attachment D1.

Contact information for the owner/operator after the transfer will be as follows:

Owner/Operator:	Manager:	Address:	Phone:	Email:
Wake Reclamation, LLC	David Pepper	3301 Benson Drive Suite 601 Raleigh, NC 27609	(919) 325-3000	david.pepper@wasteindustries.com

Wake Reclamation, LLC agrees to operate the facility in accordance with the terms of the existing permit, a copy of which permit is included as Attachment D2; a copy of the franchise for the Landfill is included as Attachment D3. Wake Reclamation, LLC is asking that the service area for the landfill be expanded to include Harnett, Wayne, Wilson, Nash, Warren, Vance, Granville, Person, Caswell, Alamance and Lee Counties, consistent with the terms of the amended franchise for the Landfill. An Applicant Certification has been prepared and executed by Wake Reclamation, LLC and included as Attachment D4. Wake Reclamation, LLC will work with the Division and the existing permittees to arrange suitable replacement financial assurance upon approval by the Division.

WCA Material Reclamation Facility, Raleigh, Wake County, NC Solid Waste Permit No. 92-24

D.H. Griffin Holding Co., LLC (as landowner) and Material Reclamation, LLC and WCA Waste Systems, Inc., wholly-owned subsidiaries of WCA Waste Corporation (as operators) own and operate a material reclamation facility at 421 Raleigh View Rd., Raleigh, Wake County, North Carolina. The facility, covering a total of 10.852 acres, is located on property belonging to D.H. Griffin Holding Co., LLC, and described in the Wake County Deed Book 8750, page 307, and Book 8711, Page 1822. A Memorandum of Lease regarding the property is recorded at Wake County Deed Book 11294, Page 1690. After the transfer, the facility will be operated by Wake Reclamation, LLC. Articles of Organization for Wake Reclamation, LLC are included as Attachment E1.

After the transfer, contact information for the operator will be as follows:

Owner/Operator:	Manager:	Address:	Phone:	Email:
Wake Reclamation, LLC	David Pepper	3301 Benson Drive Suite 601 Raleigh, NC 27609	(919) 325-3000	david.pepper@wasteindustries.com

Wake Reclamation, LLC agrees to operate the facility in accordance with the terms of the existing permit, a copy of which is included as Attachment E2. An Applicant Certification has been prepared and executed by Wake Reclamation, LLC and is included as Attachment E3. Wake Reclamation, LLC will work with the Division and existing permittees to arrange suitable replacement financial assurance upon approval by the Division.

WCA Wake Transfer Station, Raleigh, Wake County, NC Solid Waste Permit No. 92-34T

WCA Wake Transfer Station, LLC and WCA Waste Systems, Inc., wholly-owned subsidiaries of WCA Waste Corporation, own and operate the transfer station at 9220 Durant Road in Raleigh, North Carolina. The facility is operated on 4.26 acres, belonging to WCA Wake Transfer Station, LLC, as described in Wake County Deed Book 10193, Page 904. The property was subject to a recombination as described in Wake County Book of Maps 1986, Page

1435. After the transfer, the facility will be owned and operated by Waste Industries, LLC. Articles of Organization for Waste Industries, LLC are included as Attachment F1.

After the transfer, contact information for the owner/operator will be as follows:

Owner/Operator:	Manager:	Address:	Phone:	Email:
Waste Industries, LLC	David Pepper	3301 Benson Drive Suite 601 Raleigh, NC 27609	(919) 325-3000	david.pepper@wasteindustries.com

Waste Industries, LLC agrees to operate the facility in accordance with the terms of the existing permit, a copy of which is included as Attachment F2. An Applicant Certification has been provided and executed by Waste Industries, LLC and is included as Attachment F3.

Waste Industries, LLC will work with the Division and the existing permittees to arrange suitable replacement financial assurance upon approval by the Division.

We look forward to working with you as the transaction proceeds. Please feel free to contact me at (919) 865-1109, or Stacey A. Smith, of Richardson Smith Garner & Associates, at (919) 828-0577 ext. 127, if you have any questions or require clarification.

Sincerely

WYRICK ROBBINS YATES & PONTON LLP

Grady L. Shields

Enclosures

cc: Lisa D. Inman, Esq. (w/ enclosures)
Stacey A. Smith, P.E. (w/ enclosures)
David Pepper (w/ enclosures)

A

NORTH CAROLINA
Department of the Secretary of State

To all whom these presents shall come, Greetings:

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF ORGANIZATION

OF

WI BURNT POPLAR TRANSFER, LLC

the original of which was filed in this office on the 27th day of February, 2012.

Scan to verify online.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 27th day of February, 2012.

Elaine F. Marshall

Secretary of State

SOSID: 1246131
Date Filed: 2/27/2012 8:39:00 AM
Elaine F. Marshall
North Carolina Secretary of State
C201205500468

ARTICLES OF ORGANIZATION
OF
WI BURNT POPLAR TRANSFER, LLC

Pursuant to Section 57C-2-20 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

1. The name of the limited liability company is WI Burnt Poplar Transfer, LLC.

2. The duration of this limited liability company shall be perpetual.

3. The organizer is executing these Articles of Organization in the capacity of an organizer and is not a member. The name and address of the organizer are as follows:

   Lisa D. Inman
   3301 Benson Drive, Suite 601
   Raleigh, North Carolina 27609

4. The street address and county of both the initial registered office and the initial principal office of the limited liability company are 3301 Benson Drive, Suite 601, Raleigh, Wake County, North Carolina 27609. The mailing address of both the initial registered office and initial principal office is the same as the street address.

5. The name of the initial registered agent of the limited liability company is Lisa D. Inman.

6. This limited liability company shall be manager-managed. Except as provided by N.C.G.S. Section 57C-3-20(a), the members of this limited liability company shall not be managers by virtue of their status as members.

7. Except to the extent that the North Carolina General Statutes prohibit such limitation or elimination of liability of managers for breaches of duty, no person who is serving, or who has served, as a manager of the Company shall be personally liable to the Company or to any of its members for monetary damages for breach of duty as a manager, except as provided in the Company's operating agreement, as amended from time to time. No amendment to or repeal of this provision and no adoption of a provision inconsistent herewith shall apply to or have any effect on the liability or alleged liability of any manager of the Company for or with respect to any acts or omissions of such manager occurring prior to such amendment, repeal, or adoption of an inconsistent provision. The provisions of this Article shall not be deemed to limit or preclude indemnification of a manager by the Company for any liability that has not been eliminated by the provisions of this Article.

8. These articles will be effective upon filing.

This the 24th day of February 2012.

Lisa D. Inman, Organizer, Not a Member

North Carolina Department of Environment and Natural Resources
Division of Waste Management
Dexter R. Matthews
Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

February 20, 2009

Mr. Vernon Smith, Regional Vice President
WCA Waste Corporation
40 Estes Plant Road
Piedmont, SC 29673

Re: Permit to Construct and Operate, Burnt Poplar C&D Transfer Station, Guilford County, North Carolina, Permit No. 41-22T-Transfer-2009, Doc ID 6855

Dear Mr. Smith:

Please find enclosed the Permit to Construct and Operate for the Burnt Poplar C&D Transfer Station, Permit No. 41-22T-Transfer-2009, which approves the initial construction and operation of the facility.

In general, the new facility permit does not reiterate permit conditions which are included in the Solid Waste Management Rules, 15A NCAC 13B, nor does it restate specific conditions which are included within the approved plans, such as site specific operations.

If you have any questions regarding the permit or conditions, please contact me at (919) 508-8510 or by email at Donna.Wilson@ncmail.net. The Waste Management Specialist for the facility is Hugh Jernigan. He can be reached at (336) 771-5093.

Sincerely,

Donna J. Wilson

Donna J. Wilson
Environmental Engineer
Solid Waste Section

RECORDED & MAILED BACK TO DENR ON 3-9-09
ATTN: DONNA WILSON

Enclosure
c: David Garrett
Hugh Jernigan
Jason Watkins

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-508-8400 \ FAX: 919-733-4810 \ Internet: www.wastenotnc.org/swhome

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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 MANAGEMENT FACILITY
Permit No. 41-22T-Transfer-2009

BURNT POPLAR TRANSFER, LLC
and WCA WASTE SYSTEMS, INC., wholly owned subsidiaries of
WCA WASTE CORPORATION
are all hereby issued a

PERMIT TO CONSTRUCT and OPERATE

BURNT POPLAR C&D TRANSFER STATION
A CONSTRUCTION AND DEMOLITION DEBRIS (C&D) TRANSFER FACILITY

Located at 6313 Burnt Poplar Road, in western Greensboro, Guilford 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.

Edward F. Mussler III, P.E.
cn=Edward F. Mussler III, P.E., c=US, o=Division of Waste Management, ou=Solid Waste Section, email=ed.mussler@ncmail.net
I have reviewed this document and am approving this document
2009.02.20 15:05:04 -05'00'

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

ATTACHMENT 1

PART I: PERMITTING HISTORY

Issuance	Date
Original Issue Permit to Construct and Operate	February 20, 2009

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *C&D Transfer Station Permit Application for Burnt Poplar Transfer, LLC.* Prepared by: David Garrett, P.G., P.E.; Raleigh, NC. December 14, 2007. Revised September 2, 2008 and February 10, 2009. DIN 5709.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Guilford County, N.C. Register of Deeds				
Book	Page	Grantee	Grantor	Parcel No.
6966	1734	Burnt Poplar Transfer, LLC	Hilltop Properties, LLC	00-94-7031-0-0959-00-038
				Total Site Acreage: 6.8 acres

The property is identified as Lot 2 on Plat Book 168, page 33.

PART IV: GENERAL 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 shall expire on August 20, 2010. The Permit to Construct must be implemented in accordance with Attachment 2 of this permit. The Permit to Operate shall expire February 20, 2015. 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 receives the certified copy of the recorded permit.

4. (Intentionally blank)

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.

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," that 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 and 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 National Pollutant Discharge Elimination System (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: FACILITY SPECIFIC CONDITIONS

1. Pursuant to the NC Solid Waste Management Rules (Rule) 15A NCAC 13B .0201(c) and (d)(1), this permit approves construction of the C&D transfer station.

2. The initial, substantial, construction authorized by this Permit to Construct must commence within 18 months from the issuance date of this permit. If substantial construction does not begin within 18 months from the issuance date of this permit, then the permit shall expire. Substantial construction includes, but is not limited to, issuance of construction contracts, mobilization of equipment on site, and construction activities including installation of sedimentation and erosion control structures. The permittee may re-apply for the Permit to Construct prior to the expiration date. The re-application will be subject to the statutes and rules in effect on that date and may be subject to additional fees.

3. Construction of the transfer facility must be in accordance with the approved plans, Attachment 1, Part II, Document 1. Any revision or modification to these plans shall be submitted to the Section for review and approval prior to installation, construction or implementation of the change, and may be subject to a permitting fee.

4. 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.

5. An approval to operate by the Section is required prior to commencement of operations at the referenced transfer facility. The following requirements shall be met prior to issuance of an approval to operate:

   a. A site inspection shall be made by a representative of the Section.

   b. Construction must be completed in accordance with the approved plan. A certification letter stating that the facility and related infrastructure was constructed in accordance with the approved plan shall be submitted to the Section by the Project Engineer who shall be a North Carolina registered professional engineer.

c. One copy of the construction record (As-built) drawings and one electronic copy must be submitted to the Section for filing and records.

d. Financial assurance documentation must be submitted in accordance with state rules and statutes, and reviewed and approved by the Solid Waste Section.

e. A copy of the erosion control/grading permit must be submitted to the Solid Waste Section. If there are changes to the proposed operation or facility layout because of the review and approval of these permits, the changes must be approved by the Solid Waste Section before implementation.

6. A representative of the Section shall notify the Permitting Branch Supervisor in writing, either by letter or e-mail, that the conditions have been met. The owner and operator shall be copied on the correspondence. The notification shall suffice as permission to operate as of the date of the notification.

- End of Section-

ATTACHMENT 3
CONDITIONS OF PERMIT TO OPERATE

PART I: OPERATING CONDITIONS

1. The Permit to Operate shall expire February 20, 2015. Pursuant to 15A NCAC 13B .0201(e), no later than October 20, 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. "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, but does not include inert debris, land-clearing debris or yard debris.

   b. "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.

   c. "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 and tree trunks.

   d. "Asphalt" in accordance with G.S. 130-294(m).

   e. Source separated cardboard, clean wood debris (including pallets), and metals from non-construction or demolition debris sources may be accepted for recycling, in accordance with condition 12 of Attachment 3, Part I.

3. Those wastes listed in 15A NCAC 13B .0542 (e), must not be accepted at the facility including, but not limited to, municipal solid waste, liquid waste, commercial and industrial wastes, and yard trash. Regulated asbestos containing material as defined in 40 CFR 61 must not be accepted at the transfer facility. Barrels and drums shall not be accepted unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste in contained therein.

4. This facility is permitted to receive construction and demolition debris waste generated within Guilford, Forsyth, Randolph, and Davidson counties. Waste must be transported

for disposal to the WCA Landfill located in Highpoint, Permit Number 41-16, or to the Cobles C&D Landfill at 5833 Foster's Store Road in Liberty, Permit Number 01-05. 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 and are a modification to the permit and may be subject to a permitting fee.

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

   a. Prohibits generators or collectors of C&D waste from disposing of that type or form of C&D waste.

   b. Requires generators or collectors of C&D waste to recycle that type or form of C&D 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 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.

   d. Development of a contingency plan to properly manage any identified hazardous, liquid, MSW 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 Solid Waste 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 MSW, hazardous waste or liquid waste can be received at the facility; and provides 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.

11. Only cardboard, clean wood debris (including pallets), and metals are approved for recycling. Engineered or glued wood (such as particle board) and painted debris are not approved for recycling.

12. Source separated recyclables from non-C&D waste sources, consisting of only cardboard, clean wood debris (including pallets), and metals, may be accepted at the facility. These recyclables must be unloaded directly into storage containers, and not placed on the tipping floor.

13. 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.

14. 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.

15. 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 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. 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 onsite at any time is approximately 300 cubic yards, or the volume of three (3) 45-foot tractor trailer loads.

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

18. 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.

19. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter. Fugitive dust emissions are prohibited. Windblown materials must be collected by the end of each operating day, and no windblown material may be allowed to leave the facility boundary.

20. 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.

21. 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 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.

22. 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 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.

23. 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 Solid Waste Section.

24. Financial assurance as required by state rules and statutes must be established with proof submitted to the Division before the facility begins receiving waste. The financial assurance must be continuously maintained for the duration of the facility in accordance with applicable rules and statutes.

PART II: MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS, (SPECIFY)

Not applicable

- End of Permit Conditions –

I do hereby certify that the attached PERMIT TO CONSTRUCT AND OPERATE is an exact and true original of PERMIT NUMBER 41-22T-Transfer-2009 for the Burnt Poplar C&D Transfer Station.

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

North Carolina

Wake County

I, Betty Jo Stanfield, Notary Public for Wake County, North Carolina, do hereby certify that Edward F. Mussler, III, Supervisor 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 23 day of February, 2009.

OFFICIAL SEAL

Betty Jo Stanfield
NOTARY PUBLIC

Betty Jo Stanfield NOTARY PUBLIC Wake County, NC

My commission expires December 29, 2009.

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.

WI Burnt Poplar Transfer, LLC -- Applicant Certification:

Name of Facility: Burnt Poplar C&D Transfer Station, Greensboro

On behalf of the Applicant, in my role as Area Landfill Manager:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision and that the information provided in this application is true, accurate, and complete to the best of my knowledge. I agree to submit a complete permit application for a new facility permit within 30 days in accordance with the North Carolina Solid Waste Management Rules and Statutes. Furthermore, I agree to operate this facility in accordance with (1) the solid waste permit (NC Solid Waste Permit No. 41-22T-Transfer 2009), (2) any approved Operating Plan, and the (3) the North Carolina Solid Waste Management Rules and Law until a new permit decision is made by the NCDENR Division of Waste Management. I understand that the Division's permit decision may be to issue or deny the new facility permit application.

I understand that the owner and land owner are jointly and severally liable for improper operations and proper closure of the solid waste management facility. I understand that North Carolina General Statute 130A-22 provides for administrative penalties of up to fifteen thousand dollars ($15,000.00) per day each violation of the Solid Waste Management Rules. I further understand that the Solid Waste Management Rules may be revised or amended in the future and that the facility citing and operations of this solid waste management facility will be required to comply with all such revisions or amendments.

David W. Pepper
Signature

David W. Pepper
Print Name

2/28/12
Date

Area Landfill Manager
Title

WI Burnt Poplar Transfer, LLC
Business or organization name

NORTH CAROLINA

Wake County

I, Cynthia D. Spencer, a Notary Public for said County and State, do hereby certify that David W. Pepper personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 28 day of Feb, 2012

(Official Seal)
Notary Public

My commission expires 4-16, 2016

NORTH CAROLINA
Department of the Secretary of State

To all whom these presents shall come, Greetings:

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF ORGANIZATION

OF

WI HIGH POINT LANDFILL, LLC

the original of which was filed in this office on the 27th day of February, 2012.

Scan to verify online.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 27th day of February, 2012.

Elaine F. Marshall

Secretary of State

SOSID: 1246130
Date Filed: 2/27/2012 8:37:00 AM
Elaine F. Marshall
North Carolina Secretary of State
C201205500467

ARTICLES OF ORGANIZATION
OF
WI HIGH POINT LANDFILL, LLC

Pursuant to Section 57C-2-20 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

1. The name of the limited liability company is WI High Point Landfill, LLC.

2. The duration of this limited liability company shall be perpetual.

3. The organizer is executing these Articles of Organization in the capacity of an organizer and is not a member. The name and address of the organizer are as follows:

   Lisa D. Inman
   3301 Benson Drive, Suite 601
   Raleigh, North Carolina 27609

4. The street address and county of both the initial registered office and the initial principal office of the limited liability company are 3301 Benson Drive, Suite 601, Raleigh, Wake County, North Carolina 27609. The mailing address of both the initial registered office and initial principal office is the same as the street address.

5. The name of the initial registered agent of the limited liability company is Lisa D. Inman.

6. This limited liability company shall be manager-managed. Except as provided by N.C.G.S. Section 57C-3-20(a), the members of this limited liability company shall not be managers by virtue of their status as members.

7. Except to the extent that the North Carolina General Statutes prohibit such limitation or elimination of liability of managers for breaches of duty, no person who is serving, or who has served, as a manager of the Company shall be personally liable to the Company or to any of its members for monetary damages for breach of duty as a manager, except as provided in the Company's operating agreement, as amended from time to time. No amendment to or repeal of this provision and no adoption of a provision inconsistent herewith shall apply to or have any effect on the liability or alleged liability of any manager of the Company for or with respect to any acts or omissions of such manager occurring prior to such amendment, repeal, or adoption of an inconsistent provision. The provisions of this Article shall not be deemed to limit or preclude indemnification of a manager by the Company for any liability that has not been eliminated by the provisions of this Article.

8. These articles will be effective upon filing.

This the 24th day of February 2012.

Lisa D. Inman, Organizer, Not a Member

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

CONSTRUCTION AND DEMOLITION LANDFILL FACILITY
Permit No. 41-16-CDLF

WCA OF HIGH POINT, LLC
and WCA WASTE SYSTEMS, INC., wholly owned subsidiaries of
WCA WASTE CORPORATION
are all hereby issued a

PERMIT TO CONSTRUCT - Phase 2
and
PERMIT TO OPERATE - Phase 1(Cells 1 -5), Phase 2A, and Reclamation Pad

WCA OF HIGH POINT
CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL and
CONSTRUCTION AND DEMOLITION WASTE RECLAMATION PAD

located on the west side of Riverdale Drive (SR 1145) approximately 800 feet south of the intersection with East Kivett Drive, east of the City of High Point, Guilford County, North Carolina. This permit is issued in accordance with Article 9 of Chapter 130A of the General Statutes of North Carolina and all rules promulgated thereunder, and is subject to the conditions set forth in this permit. The facility is described by the legal description of the site or property map contained within the approved application and further identified on the deeds recorded for this property listed in Attachment 1 of this permit.

cn=Edward F. Mussler III P.
E., o=Division of Waste
Mngt, ou=Solid Waste
Section, email=ed.
mussler@ncdenr.gov, c=US
2011.05.04 10:59:22 -04'00'

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

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-508-8400 \ FAX: 919-733-4810 \ Internet: http://portal.ncdenr.org/web/wm/sw

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ATTACHMENT 1

Part I. Permitting History

Issuance	Date
PTC Issued (T&P Reclamation Pad) to MRR of High Point, LLC	March 13, 2003
PTC Issued (C&D Landfill) for Phase 1	May 14, 2003
PTO Issued (Phase 1 Cell A, and Reclamation Pad)	February 10, 2004
PTO (Operations Plan, Service Area, Cells 2 and 3)	December 9, 2004
New Permit-PTO (Ownership Change to WCA of High Point, LLC, and Operate Cells 4 & 5) DIN 3286	December 28,2007
PTC (Phase 2) and PTO (Reclamation Pad and C&D Landfill Phase 1; Cells 1, 2, 3, 4, and 5) DIN 6710	February 20, 2009
PTO Issued (Phase 2A and Reclamation Pad) DIN 11138	July 21, 2010
PTC (Phase 2) and PTO Issued (Substantial Amendment – Phase 2A and Reclamation Pad) DIN 12929	May 5, 2011

Part II. List of Documents for the Approved Plan

1. *Volume One, Site Application, Section I, WCA of North Carolina, LLC, Construction and Demolition Debris Landfill, High Point, North Carolina.* Prepared by Joyce Engineering, Inc... June 2002, revised through January 24, March 5, and April 1, 2003.

2. *Volume One, Site Application, Section II - Hydrogeologic Report and Groundwater Monitoring Plan, WCA of North Carolina, LLC Construction and Demolition Debris Landfill, High Point, North Carolina.* Prepared by Joyce Engineering, Inc. June 2002, revised through January 24, March 5, and April 1, 2003.

3. *Volume Two, Construction Plan Application, WCA of North Carolina, LLC Construction and Demolition Debris Landfill, High Point, North Carolina.* Prepared by Joyce Engineering, Inc. June 2002, revised through January 24, March 5, and April 1, 2003.

4. Fax dated February 12, 2003, from the City of High Point containing certified copy of the minutes of the City Council Meeting of June 17, 2002, which approved the facility franchise agreement.

5. Fax dated February 12, 2003, from Joyce Engineering, Inc. containing a copy of the service area map referenced in the approved franchise agreement. Two full size maps of the service area received February 13, 2003.

6. Fax dated February 19, 2003, from Joyce Engineering, Inc. containing information submitted to the City of High Point for its review of the franchise agreement and local government approval of the C&D facility.

7. Sediment and Erosion control plan approval from the City of High Point dated February 25, 2003.

8. Instrument of Combination dated May 30, 2003, and submitted by Coggin, Blackwood & Brannan, Attorneys at Law, making the five previous parcels of land into one single tract of land for permitting purposes.

9. Letter from Joyce Engineering, Inc. addressing as-built certification for the reclamation pad area of the facility, including a drawing titled "As Built Survey for a Portion of MRR of High Point." December 22, 2003.

10. Letter from MRR Southern, LLC, as a follow up to a previous telephone conversation requesting a "temporary" Permit to Operate in order to conduct processing equipment tests with a nominal amount of waste material. December 22, 2003. Equipment testing was conducted on December 30, 2003, with a representative of the Solid Waste Section on site.

11. Letter from Joyce Engineering, Inc. providing hydro geologic subgrade inspection certification and well abandonment records for ten piezometers and one water well. January 21, 2004. Cover letter was replaced by an additional letter that addressed weathered bedrock encountered in the central portion of Cell A. January 29, 2004.

12. Letter from Joyce Engineering, Inc. addressing as built surveys for the reclamation pad and for Phase 1 - Cell A of the C&D Landfill. Three drawings were included: "Comparison of As-Built Grades to Permitted Base Grades," "As Built Survey for a Portion of WCA of North Carolina, LLC," and "As Built Survey Phase II for a Portion of WCA of North Carolina, LLC." January 29, 2004.

13. Letter from "Pat" Curran, Manager of the Health Hazards Control Unit, Epidemiology Section, Division of Public Health, NC Division of Health and Human Services. January 13, 2004. Received February 2, 2004. Letter addresses the Unit's review of MRR of High Point's Operation Plan for the proposed Reclamation Center.

14. Letter from David Garrett, P.G., P.E., Engineering and Geology, certifying that the base grades for Cells 2 and 3 of Phase 1 were constructed according to the approved plan. Letter includes an as-built survey drawing showing the limits of construction. December 2, 2004.

15. Letter from David Garrett, P.G., P.E. Engineering and Geology certifying that the base grades for Cells 4 and 5 of Phase 1 were constructed according to the approved plan. Letter includes an as-built survey drawing showing the limits of construction. April 18, 2006.

16. Series of correspondence relating to ownership, name and properties [Document Id Nos. RCO826, RCO827, RCO3177, RCO3196, RCO3246].

17. *Application for Permit to Construct WCA of High Point Construction and Demolition Landfill Phase 2 Expansion.* Prepared by: Golder Associates NC Inc., Greensboro, NC. March 2007, revised through November 17, 2008. Document ID No. 6646.

18. *Construction Quality Assurance Documentation for CDLF Phase 2A,* Prepared for WCA of High Point (Permit #41-16) Guilford County, North Carolina. Prepared by David Garrett, P.G., P.E., Engineering and Geology. Dated April 14, 2010, received April 29, 2010. DIN 11185

19. *Substantial Amendment Application for C&D Landfill Permit,* Prepared for WCA of High Point (Permit No. 41-16), Guilford County, North Carolina. Prepared by David Garrett, P.G., P.E., Engineering and Geology. Raleigh, NC. Dated June 2, 2010. Revised by Golder Associates NC, Inc., Greensboro, NC, through February 9, 2011. DIN 12930.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Guilford County, N.C. Register of Deeds		
Book	Page	Tax Reference
5248	914	Tax No. 18-523-1-1
5350	1568	Tax No. 18-523-1-1
5018	273	Tax No. 18-523-1-2
5248	914	Tax No. 18-523-1-3
5759	1144	Tax No. 18-523-1-4
5248	911	Tax No. 18-523-1-5
5830	2290-2292	Combination Instrument
Plat Book 150	96-97	Recombination Plat Map – New Lot "A"
	Total Acreage	149.83 acres

The Permit to Operate issued December 27, 2007, was recorded with the Guilford County Register of Deeds in Book 6838, pg 517-528.

PART IV: GENERAL 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 shall expire on February 20, 2014. The Permit to Operate shall also expire February 20, 2014. The Permit to Operate must be implemented in accordance with Attachment 3 of this permit. If Phase 2B is completed, the Permit to Operate for Phase 2B will require a modification fee.

2. The persons to whom this permit is issued (permittee) are the owners and operators of the solid waste management facility.

3. (Intentionally blank)

4. When this property is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer must 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 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 shall be in accordance with the North Carolina 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

7. This permit is issued based on the documents submitted in support of the application for permitting the facility identified in Attachment 1, Part II, "List of Documents for the Approved Plan," 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 and 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 National Pollutant Discharge Elimination System (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. Facility Specific Conditions

1. Construction of any C&D landfill future phases requires written approval of the Section. Application for Permit to Construct must be prepared in accordance with applicable statutes and rules in effect on that date and will be subject to a permitting fee.

2. Pursuant to the North Carolina Solid Waste Management Rules 15A NCAC 13B .0201 (c) and (d) (1) and Rule 15A NCAC 13B .0534 (b) (2) (H), this permit approves construction of Phase 2 of the WCA of High Point C&DLF. The construction was divided into two parts: Phase 2A, which has been constructed and approved for operation, and Phase 2B which requires construction. The construction of Phase 2A fulfilled the requirement of Item 2. The Permit to Construct Phase 2 shall expire February 20, 2014.

3. The initial, substantial, construction authorized by this Permit to construct must commence within 18 months from the issuance date of this permit. If substantial construction does not begin within 18 months from the issuance date of this permit, then the permit shall expire. Substantial construction includes, but is not limited to, issuance of construction contracts, mobilization of equipment on site, and construction activities including installation of sedimentation and erosion control structures. The permittee may re-apply for the Permit to Construct prior to the expiration date. The re-application will be subject to the statutes and rules in effect on that date and may be subject to additional fees.

4. Construction of all solid waste management units within this facility must be in accordance with the pertinent approved plans and only for those phases of development approved for construction as described in Attachment I, Part II, and "List of Documents for the Approved Plan."

5. The permittee must conduct a preconstruction meeting at the facility prior to initiating construction of any unit/cell and must notify the Section at least ten (10) days prior to the meeting.

6. Modifications or revisions of the approved documents or changes during construction of any landfill unit/cell require approval by the Section, and may constitute a permit modification and be subject to a permitting fee.

Geologic, Ground Water, and Monitoring Requirements

7. Prior to issuing the Permit to Operate, the ground water monitoring wells and surface water sampling locations must be sampled for the Appendix I constituent list.

8. Prior to construction of the phase or cell(s) within the phase, all piezometers, borings, and ground water monitoring wells within the footprint area must be properly abandoned in accordance with 15A NCAC 02C .0113 (b)(1), entitled "Abandonment of Wells." All piezometers within the footprint area must be overdrilled to the full depth of the boring, prior to cement or bentonite grout placement and the level of the grout within the boring must not exceed in height the elevation of the proposed basegrade.

9. All borings which intersect the water table at the site must be constructed and maintained as permanent monitoring wells in accordance with 15A NCAC 02C .0108 and certified as meeting this condition by a Licensed Geologist. A Licensed Geologist must supervise the installation of groundwater monitoring wells.

10. Any borings which intersect the water table at the site that are abandoned must be properly abandoned in accordance with the procedures for permanent abandonment of wells as delineated in 15A NCAC 02C .0113 and certified as meeting this condition by a Licensed Geologist.

11. The landfill subgrade must be graded in accordance to the approved plans and specifications. The permittee must have the subgrade inspected by a qualified geologist or engineer when excavation is completed. The permittee must notify the Section's hydrogeologist at least twenty-four (24) hours before subgrade inspection.

12. Within thirty (30) days of the completed construction of each new ground-water monitoring well, the well construction record (GW-1b form), well schematic, boring log, field log and notes, and description of well development activities must be submitted to the Section.

13. Within thirty (30) days of the completed permanent abandonment of a ground-water monitoring well, the well abandonment record (GW-30 form) and any additional information included in the abandonment record) must be submitted to the Section. The well abandonment records must be submitted to the Solid Waste Section in accordance with 15A NCAC 2C .0114(b) and be certified by a Licensed Geologist.

14. Any borings which intersect the water table at the site that are abandoned must be properly abandoned in accordance with the procedures for permanent abandonment of wells as delineated in 15A NCAC 02C .0113 and certified as meeting this condition by a Licensed Geologist.

15. The landfill subgrade must be graded in accordance to the approved plans and specifications. The permittee must have the subgrade inspected by a qualified geologist

or engineer when excavation is completed. The permittee must notify the Section's hydrogeologist at least twenty-four (24) hours before subgrade inspection.

16. Any modification to the approved water quality monitoring, sampling, and analysis plan must be submitted to the Section hydrogeologist for review.

17. The permittee must obtain approval from the Section for the design, installation, and development and decommission of any monitoring well or piezometers. Any modification to an approved plan must be reviewed and approved by the Section. Documentation must be placed in the operating record and provided to the Section.

Erosion and Sedimentation Control Requirements

18. All required sedimentation and erosion control measures must be installed and operable to mitigate on-site erosion of the C&DLF facility or unit and to prevent sediment from leaving the C&DLF facility.

19. All land-disturbing activities must be conducted in accordance with the Sedimentation Pollution Control Law (15 NCAC 4) and consistent with any federal, state, or local requirements.

20. Facility construction, operations, or practices must not cause or result in a discharge, including dredged or fill material, into the waters of the state in violation of the requirements under Sections 401 and 404 of the Clean Water Act, as amended.

21. Modifications to the approved sedimentation and erosion control activities require approval by the North Carolina Land Quality Section. The Section must be notified of any sedimentation and erosion control plan modifications.

Part II. Construction & Demolition Debris Unit Specific Conditions

22. This permit authorizes the construction of Phase 2 of the WCA of High Point C&DLF. Phase 2 consists of 9.4 acres and 965,412 cubic yards of gross capacity in accordance with the approved plan referenced in Attachment 1, Part II of this permit.

    a. Gross capacity is the measured volume between the bottom of waste and the top of final cover.

    b. Areas identified as future cells are deemed suitable for preparation of a permit application in accordance with North Carolina Solid Waste Rule 15A NCAC 13B .0536(a)(1). The permittee must submit an application for a Permit to Construct in compliance with applicable rules and statutes before commencement of construction in those future areas.

c. This permit approves the Facility Plan that defines the comprehensive development of the facility including the total C&DLF capacity, the C&D waste stream, all onsite solid waste management facilities and related infrastructure in accordance with 15 NCAC 13B .0537. The landfill approved for development is summarized below.

Estimated Landfill Capacity

PHASE	AREA (acres)	GROSS CAPACITY (cubic yards)
1	12.5 Operational	637,380
2A	4.7 Constructed	482,706
2B	4.7	~ 482,706
3	6.5	489,478
4	5.6	810,639
5	8.5	607,456
6	3.6	853,317
TOTAL	46.1	4,251,206

23. The following conditions must be met prior to operation of any unit /cell in the Phase 2 area.

a. The permittee must obtain a Permit to Operate the Phase 2 area from the Section in accordance with 15A NCAC 13B .201(d).

b. Construction Quality Assurance (CQA) documentation as well as a certification by the project engineer that the landfill was built in accordance with approved plans and the conditions of the permit must be submitted to the Section for review and approval.

c. The permittee must contact the appropriate regional environmental specialist and permitting engineer to determine whether the Section chooses to hold a pre-operative meeting with key landfill personnel and representatives of the Section.

d. The edge of the waste footprint must be identified with a permanent physical marker.

- End of Construction Permit Conditions -

ATTACHMENT 3
CONDITIONS OF PERMIT TO OPERATE

Part I. Operating Conditions

1. This permit approves the continued operation of Phase 1, Cells 1, 2, 3, 4, and 5 and Phase 2A of the C&DLF at the facility. Phase 2A is approximately 4.7 acres. Operation of Phase 2B, and any future phases or cells of the C&DLF, requires the written approval of the Section after it is determined that the phase was constructed in accordance with the applicable statutes and rules and will be subject to a permitting fee.

2. This permit approves the continued operation of the C&D Waste Reclamation Pad at the facility.

3. This facility is permitted to receive solid waste generated within the following counties: Guilford, Randolph, Davidson, Forsyth, Rockingham, Caswell, Alamance, Orange, Cabarrus, Rowan, Davie, Yadkin, Surry, and Stokes Counties and the municipalities contained within those counties consistent with the franchise approved by the City of High Point.

4. The permitted annual waste disposal rate is approximately 98,600 tons per year, with a maximum variance in accordance with G.S. 130A-294(b1)(1). This rate is approximately 315 tons per day assuming 285 operating days per year as identified in the approved plan and consistent with the franchise granted by the City of High Point and amended December 12, 2006.

5. Financial assurance must be continuously maintained for the duration of the facility in accord with the applicable statutes and rules.

6. This facility is permitted to receive the following waste types:

   a. "Construction or demolition" "waste or debris" as defined in NCGS 130A-290 (a)(4) means solid waste resulting solely from construction, remodeling, repair, or demolition operations on pavement, buildings, or other structures, but does not include inert debris, land-clearing debris or yard debris.

   b. "Inert debris" as defined in NCGS 130A-290(a)(14) means solid waste that consists solely of material such as concrete, brick, concrete block, uncontaminated soil, rock, and gravel.

   c. "Land-clearing debris" as defined in NCGS 130-290(a)(15) means solid waste that is generated solely from land-clearing activities, such as stumps and tree trunks.

   d. "Asphalt" in accordance with NCGS 130A-294(m).

7. Source separated wood pallets and cardboard from non-C&D waste sources may be accepted at the site for recycling, but the materials must not be unloaded onto the tipping floor. Wood pallets must be directly unloaded onto the sorted clean wood pile or into a wood materials container, and cardboard must be unloaded directly into a storage container.

8. Those waste listed in 15A NCAC 13B .0542(e) must not be accepted for disposal including, but not limited to, municipal solid waste, liquid or industrial waste, and yard trash.

9. Regulated asbestos containing material as defined in 40 CRFR 61 must be managed in accordance with 40 CFR 61. Disposal of asbestos waste must be in accordance with 15A NCAC 13B .0542(c).

10. The permittee must actively employ a training and screening program at the facility prepared in accordance with Section .0544(e) for detecting and preventing the disposal of excluded or unauthorized wastes. At a minimum, the program must include:

    a. Random inspections of incoming loads or other comparable procedures;

    b. Records of any inspections;

    c. Training of personnel to recognize hazardous, liquid, and other excluded waste types; and

    d. Development of a contingency plan to properly manage any identified hazardous, liquid, MSW, or other excluded or unauthorized wastes. The plan must address identification, removal, storage, and final disposition of these wastes.

10. All sedimentation/erosion control activities must be conducted in accordance with the Sedimentation Control Law NCGS 113A-50, et seq., and rules promulgated there under at 15A NCAC 4.

Operational Conditions for the C&DLF

11. The permittee must not knowingly dispose of C&D waste that is generated within the boundaries of a unit of local government that by ordinance:

    a. Prohibits generators or collectors of C&D waste from disposing of that type or form of C&D waste; or

    b. Requires generators or collectors of C&D waste to recycle that type or form of C&D waste.

12. The facility operator must complete an approved operator training course in compliance with NCGS 130A-309.25.

    a. A responsible individual certified in landfill operations must be on-site during all operating hours of the facility at all times while open for public use to ensure compliance with operational requirements.

    b. All pertinent landfill-operating personnel must receive training and supervision necessary to properly operate the C&D landfill unit in accordance with G.S. 130A-309.25 and addressed by memorandum dated November 29, 2000.

13. A closure and post-closure plan must be submitted for approval at least ninety (90) days prior to closure or partial closure of any landfill unit. The plan must include all steps and measures necessary to close and maintain the C&D unit in accordance with all rules in effect at that time. At a minimum, the plan must address the following:

    a. Design of a final cover system in accordance with 15 NCAC 13B .0543(c), or the solid waste management rules in effect at the time of closure;

    b. Construction and maintenance/operation of the final cover system and erosion control structures; and

    c. Surface water, ground water, and explosive gas monitoring.

Operational Conditions for the C&D Waste Reclamation Pad

14. Construction waste placed on the reclamation pad must be sorted each operating day, and no waste shall remain on the pad after operating hours unless covered by tarp to prevent leaching by rainfall.

    a. Only an amount of waste sufficient to begin sorting operations the next day may be left on the reclamation pad.

    b. In the event the sorting process is not operational, then waste may not be deposited on the reclamation pad and must be diverted directly to the landfill unit.

    c. Except for wood, concrete and aggregate, recoverable materials must be placed in containers. Recovered materials placed in containers must be removed from the site once the container is full. A limit of approximately 150 cubic yards of wood may be stockpiled at any time.

    d. Non-recyclable materials must be securely placed in containers or trucks, and disposed in the on- site C&DLF at the end of the operating day.

15. If demolition waste is to be sorted and recycled, then an asbestos screening plan must be 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. Otherwise, asbestos containing material or material suspected to contain asbestos must not be placed on the reclamation pad.

16. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter emanating from materials on the reclamation pad.

    a. Fugitive dust emissions are prohibited.

    b. Windblown materials must be collected at the end of the day and no material may be allowed to leave the facility boundary.

17. Appropriately sized containers for receipt of sorted wastes materials must be on-site when waste is placed on the reclamation pad for sorting.

18. Waste must not be placed on the reclamation pad during inclement weather unless run-off control measures are installed. Run-off from the reclamation pad must be collected and properly disposed.

19. Documentation of delivery of all recovered material to valid end-users, processors, or recyclers must be maintained in the facility operating record.

20. Material processing, shredding and grinding operations shall only occur in compliance with any local ordinance or special use permit.

Monitoring and Reporting Requirements

21. The following are groundwater monitoring requirements for the C&D landfill facility:

    a. Ground-water and surface-water monitoring locations must be established as identified in the approved plans.

    b. The owner or operator must sample the monitoring wells and surface water locations semi-annually or as otherwise directed in writing by the Section hydrogeologist.

    c. The permittee must obtain approval from the Section for the design, installation, and development of any monitoring well. Any modification to an approved plan must be reviewed and approved by the Section. Documentation must be placed in the operating record and provided to the Section.

22. 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.

23. The permittee must maintain a record of the amount of solid waste received at the C&DLF compiled on a monthly basis. Scales must be used to weigh the amount of waste received.

24. On or before August 1 of each year, 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 and landfilled 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 disposal location within the facility.
        v) By diversion to alternative management facilities.

    c. A measurement of the volume utilized in the C&D cells must be performed during the first or second quarter of the calendar year. The date and volumes in cubic yards must be included in the report.

    d. The amount of C&D waste in tons from scale records disposed in landfill cells since February 10, 2004, through the date of the annual volume survey must be included in the report.

    e. 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...

    f. The completed report must be forwarded to the Environmental Senior Specialist for the facility by the date due on the prescribed annual facility report form.

    g. 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 Environmental Senior Specialist by the date due on the prescribed annual facility report form.

- End of Operating Permit Conditions-

2009012308
GUILFORD CO, NC FEE $50.00
PRESENTED & RECORDED:
03-04-2009 10:24:22 AM
JEFF L. THIGPEN
REGISTER OF DEEDS
BY: LINDA F. ALLRED
DEPUTY-GB

BK: R 6983
PG: 2152-2164

A
13

PERMIT TO CONSTRUCT AND 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 GUILFORD COUNTY AND SAID PROPERTY BEING OWNED BY BURNT POPLAR TRANSFER, LLC AND FURTHER IDENTIFIED BY THE DEEDS RECORDED AS LISTED BELOW:

Guilford County, N.C. Register of Deeds				
Book	Page	Grantee	Grantor	Parcel No.
6966	1734	Burnt Poplar Transfer, LLC	Hilltop Properties, LLC	00-94-7031-0-0959-00-038
				Total Site Acreage: 6.8 acres

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

WCA
5830 RIVERDALE DR
JAMESTOWN NC
27282
ATTN: JOHN WALKER

City Clerk's Office

Lisa B. Vierling, MMC
CITY CLERK

NORTH CAROLINA'S INTERNATIONAL CITY™

STATE OF NORTH CAROLINA

GUILFORD COUNTY

CLERK'S CERTIFICATION

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the attached is a true and correct copy of **Ordinance No. 6622/09-22** which was adopted at a meeting of the High Point City Council on the 18th day of May, 2009, the original of which is now on file in the office of the City Clerk of High Point, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the City of High Point, North Carolina this 30th day of June, 2009.

Lisa B. Vierling, MMC
City Clerk

City of High Point, P.O. 230, 211 South Hamilton Street, High Point, NC 27261 USA
Fax: 336.883.3872 Phone: 336.883.3536 TDD 336.883.8517 lisa.vierling@highpointnc.gov

Ordinance Amending and Expanding
A Solid Waste Franchise to WCA of High Point, LLC.
Pursuant to N.C. Gen. Stat §§ 160A-319, 130A-294,
And City Ordinance 11-8-5(2)

Recitals

1) MRR of High Point, LLC ("MRR") was issued a solid waste franchise on December 20, 2001 for a Construction and Demolition Debris (C&D) Recycling Facility and Landfill on Riverdale Road. On May 3, 2004, the MRR franchise was amended and expanded to include all of Randolph, Davidson, Forsyth and Guilford counties.

2) MRR sold its facility to WCA of High Point, LLC ("WCA"). The City of High Point approved the transfer of MRR's franchise to WCA on February 21, 2005.

3) WCA applied pursuant to City Code 11-8-5(2) and N.C. Gen. Stat. §§130A-294(b)(2)(a) and 160A-319 to expand its franchise area to include the existing four counties plus Rockingham, Caswell, Alamance, Orange, Cabarrus, Rowan, Davie, Yadkin, Surry and Stokes counties and to amend the terms of its franchise to provide for payment of a host fee equal to forty cents per ton for disposed waste from the additional counties.

4) At a regularly scheduled city council meeting on May 4, 2009, following statutory requirements for public notice and after placing a copy of its application in the High Point Public Library, WCA presented evidence related to, among other things: a) a statement of the population to be served; b) a description of the volume and characteristics of the waste stream; c) a projection of the useful life of the landfill; d) an explanation of how the franchise is consistent with Guilford County's Solid Waste Management Plan; e) procedures to be followed for oversight and regulation of fees and rates to be charged; f) a facility plan; and g) the qualifications of the applicant to operate a sanitary landfill.

5) After a public hearing on May 4, 2009, the High Point City Council voted unanimously to expand WCA's franchise to include the ten additional counties and to amend the franchise to include payment of a host fee.

6) Upon a second reading and consideration by the High Point City Council on May 18, 2009, the City Council voted unanimously to expand WCA's franchise to include the ten additional counties and to amend the franchise to include payment of a host fee.

Be it ordained by the City Council of the City of High Point that:

Sec. 1 WCA of High Point, LLC is hereby granted an amended franchise to operate a Construction and Demolition Debris Recycling Facility and Landfill on Riverdale Road for thirty years, beginning on February 21, 2005 and continuing until February 21, 2035, pursuant to the Application for Solid Waste Facility Franchise filed

Amendment filed with the City of High Point and attached hereto and incorporated herein by reference.

Sec. 2 The franchise territory shall include the following counties: Guilford, Randolph, Davidson, Forsyth, Rockingham, Caswell, Alamance, Orange, Cabarrus, Rowan, Davie, Yadkin, Surry and Stokes.

Sec. 3 WCA shall pay the City of High Point an annual host fee equal to forty cents per disposed ton of all waste originating in Rockingham, Caswell, Alamance, Orange, Cabarrus, Rowan, Davie, Yadkin, Surry and Stokes counties. The host fee shall be due on a calendar year basis and shall be paid no later than January 31st of the succeeding calendar year.

Sec. 4 This ordinance is effective upon adoption of its second reading.

Adopted 1) May 4, 2009
2) May 18, 2009

Lisa B. Vierling, MMC
City Clerk

WI High Point Landfill, LLC -- Applicant Certification:

Name of Facility: High Point C&D Debris Landfill & C&D Waste Reclamation Pad, High Point

On behalf of the Applicant, in my role as Area Landfill Manager:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision and that the information provided in this application is true, accurate, and complete to the best of my knowledge. I agree to submit a complete permit application for a new facility permit within 30 days in accordance with the North Carolina Solid Waste Management Rules and Statutes. Furthermore, I agree to operate this facility in accordance with (1) the solid waste permit (NC Solid Waste Permit No. 41-16-CDLF), (2) any approved Operating Plan, and the (3) the North Carolina Solid Waste Management Rules and Law until a new permit decision is made by the NCDENR Division of Waste Management. I understand that the Division's permit decision may be to issue or deny the new facility permit application.

I understand that the owner and land owner are jointly and severally liable for improper operations and proper closure of the solid waste management facility. I understand that North Carolina General Statute 130A-22 provides for administrative penalties of up to fifteen thousand dollars ($15,000.00) per day each violation of the Solid Waste Management Rules. I further understand that the Solid Waste Management Rules may be revised or amended in the future and that the facility citing and operations of this solid waste management facility will be required to comply with all such revisions or amendments.

David W. Pepper	David W. Pepper	2/28/12
Signature	Print Name	Date

Area Landfill Manager
Title

WI High Point Landfill, LLC -- Applicant Certification:

Name of Facility: High Point C&D Debris Landfill & C&D Waste Reclamation Pad, High Point

On behalf of the Applicant, in my role as Area Landfill Manager:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision and that the information provided in this application is true, accurate, and complete to the best of my knowledge. I agree to submit a complete permit application for a new facility permit within 30 days in accordance with the North Carolina Solid Waste Management Rules and Statutes. Furthermore, I agree to operate this facility in accordance with (1) the solid waste permit (NC Solid Waste Permit No. 41-16-CDLF), (2) any approved Operating Plan, and the (3) the North Carolina Solid Waste Management Rules and Law until a new permit decision is made by the NCDENR Division of Waste Management. I understand that the Division's permit decision may be to issue or deny the new facility permit application.

I understand that the owner and land owner are jointly and severally liable for improper operations and proper closure of the solid waste management facility. I understand that North Carolina General Statute 130A-22 provides for administrative penalties of up to fifteen thousand dollars ($15,000.00) per day each violation of the Solid Waste Management Rules. I further understand that the Solid Waste Management Rules may be revised or amended in the future and that the facility citing and operations of this solid waste management facility will be required to comply with all such revisions or amendments.

David W. Pepper
Signature

David W. Pepper
Print Name

2/28/12
Date

Area Landfill Manager
Title

NORTH CAROLINA
Department of the Secretary of State

To all whom these presents shall come, Greetings:

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF ORGANIZATION

OF

WAKE RECLAMATION, LLC

the original of which was filed in this office on the 27th day of February, 2012.

Scan to verify online.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 27th day of February, 2012.

Elaine F. Marshall

Secretary of State

SOSID: 1246171
Date Filed: 2/27/2012 11:39:00 AM
Elaine F. Marshall
North Carolina Secretary of State
C201205500469

ARTICLES OF ORGANIZATION
OF
WAKE RECLAMATION, LLC

Pursuant to Section 57C-2-20 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

1. The name of the limited liability company is Wake Reclamation, LLC.

2. The duration of this limited liability company shall be perpetual.

3. The organizer is executing these Articles of Organization in the capacity of an organizer and is not a member. The name and address of the organizer are as follows:

   Lisa D. Inman
   3301 Benson Drive, Suite 601
   Raleigh, North Carolina 27609

4. The street address and county of both the initial registered office and the initial principal office of the limited liability company are 3301 Benson Drive, Suite, 601, Raleigh, Wake County, North Carolina 27609. The mailing address of both the initial registered office and initial principal office is the same as the street address.

5. The name of the initial registered agent of the limited liability company is Lisa D. Inman.

6. This limited liability company shall be manager-managed. Except as provided by N.C.G.S. Section 57C-3-20(a), the members of this limited liability company shall not be managers by virtue of their status as members.

7. Except to the extent that the North Carolina General Statutes prohibit such limitation or elimination of liability of managers for breaches of duty, no person who is serving, or who has served, as a manager of the Company shall be personally liable to the Company or to any of its members for monetary damages for breach of duty as a manager, except as provided in the Company's operating agreement, as amended from time to time. No amendment to or repeal of this provision and no adoption of a provision inconsistent herewith shall apply to or have any effect on the liability or alleged liability of any manager of the Company for or with respect to any acts or omissions of such manager occurring prior to such amendment, repeal, or adoption of an inconsistent provision. The provisions of this Article shall not be deemed to limit or preclude indemnification of a manager by the Company for any liability that has not been eliminated by the provisions of this Article.

8. These articles will be effective upon filing.

This the 24th day of February 2012.

Lisa D. Inman, Organizer, Not a Member

NCDENR

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Dexter R. Matthews, Director | Division of Waste Management | Michael F. Easley, Governor
William G. Ross Jr., Secretary

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

CONSTRUCTION AND DEMOLITION LANDFILL FACILITY
Permit No. 92-31

MATERIAL RECOVERY, LLC
and WCA WASTE SYSTEMS, INC., wholly owned subsidiaries of
WCA WASTE CORPORATION
are all hereby issued a

PERMIT TO OPERATE

MATERIAL RECOVERY C&D LANDFILL
A CONSTRUCTION AND DEMOLITION LANDFILL
Phase 1, Cells A, B, and C

Located west of and accessed by Brown Field Road, 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 and described by the legal description of the site or the property map contained within the approved application and further identified on the deeds recorded for this property listed in Attachment No. 3 of this permit. The facility is located on 210.19 acres owned by Material Recovery, LLC. Material Recovery, LLC was formerly owned by MRR Southern, LLC and is now owned by WCA Waste Systems, Inc.

WAKE COUNTY, NC 262
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
04/27/2010 AT 14:25:06

BOOK:013920 PAGE:02146 - 02159

Edward F. Mussler III, P.E.
cn=Edward F. Mussler III, P.E., c=US, o=Division of Waste Management, ou=Solid Waste Section, email=ed.mussler@ncmail.net
I have reviewed this document and am approving this document
2008.01.28 17:15:49 -05'00'

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

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Telephone 919-508-8400 \ *Fax* 919-733-4810 \ *Internet* http://wastenotnc.org
An Equal Opportunity / Affirmative Action Employer – Printed on Dual Purpose Paper

Return to: WCA Waste Corporation 421 Raleighview Road
Raleigh, NC 27610 ATTN: Dennis Gehle

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 MATERIAL RECOVERY, LLC AND FURTHER IDENTIFIED BY THE DEEDS RECORDED AS LISTED BELOW:

Wake County, N.C. Register of Deeds					
Book	Page	Grantee	Grantor	Tract	Acres
8806	845	Material Recovery, LLC	Willlam A. Turner and wife, Debra C. Turner	1	113.55
8806	849	Material Recovery, LLC	Ashley Turner Enterprises, Inc.	N/A	98.41
Book of Maps 2002	791	Material Recovery, LLC	Material Recovery, LLC	1A and 1B	211.96
Book of Maps 2003	1508	Material Recovery, LLC	Material Recovery, LLC and Margaret Talton	1	210.19
				Total Site Acreage	210.19

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A LANDFILL EXISTS ON THE PROPERTY. RECORDATION OF THE SANITARY LANDFILL PERMIT AND INDEXING IN THE GRANTOR INDEX UNDER THE NAME OF THE LAND OWNER IS REQUIRED BY N.C.G.S. 130A-301(a).

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 92-31 for the Material Recovery, LLC Construction and Demolition Waste Landfill.

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

North Carolina
Wake County

I, Betty Jo Stanfield, Notary Public for Wake County, North Carolina, do hereby certify that Edward F. Mussler, III, Supervisor 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 26 day of April, 2010.

OFFICIAL SEAL

Betty Jo Stanfield
NOTARY PUBLIC

Betty Jo Stanfield NOTARY PUBLIC Wake County, NC

My commission expires December 29, 2014.

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 3

PART I: PERMITTING HISTORY

1. Permits to Construct and to Operate certain cells in Phase 1 of the landfill were originally issued to Material Recovery, LLC, owned by MRR Southern, LLC, as Permit No. 92-31. The Permit to Construct Phase 1 of the Landfill (19 acres) was recorded on February 14, 2003, at Book 9914, Pages 701 – 720 in the Wake County Register of Deeds. The Permit to Operate Phase 1, Cell A was issued on October 1, 2003. Permits to operate a solid waste management facility are issued for a maximum period of five years.

2. On or about April 5, 2005, business entities which were wholly owned by WCA Waste Corporation purchased four solid waste management facilities in North Carolina owned by MRR Southern, LLC, including the construction and demolition waste landfill permitted to Material Recovery, LLC.

3. Subsequent to the purchase of the facility, WCA has obtained a franchise for the landfill from Wake County and has submitted information and documentation to the Solid Waste Section to apply for the permit to operate the facility to be re-issued to WCA Waste Systems, Inc. and Material Recovery, LLC. During this period, WCA has continued to operate the landfill as previously permitted to Material Recovery, LLC.

Permit Type	Date Issued
Site Suitability Approval Letter	January 24, 2003
Original Issue PTC (Phase 1 – Cells A, B, & C)	January 31, 2003
PTO Phase 1, Cell A	October 1, 2003
PTO Modification - New franchise / Wood waste processing area added	February 18, 2005
PTO Modification –Phase 1, Cell B	May 23, 2006
PTO New Facility Permit – Phase 1, Cell C, and ownership change	January 28, 2008

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. Volume One - Site Application - Section I, Material Recovery, LLC/Brown-field Road Construction & Demolition Landfill - Wake County, North Carolina. December 2001. Joyce Engineering, Inc., Greensboro, North Carolina.

2. Volume One - Site Application - Section II, Material Recovery, LLC/Brown-field Road Construction & Demolition Landfill - Wake County, North Carolina. December 2001. Joyce Engineering, Inc., Greensboro, North Carolina.

3. Documents received on 6 February 2002 from David E. Wagner addressing the franchise and special use permit approvals for Material Recovery, LLC to include affidavits from the Clerk to the Board of Commissioners, Ms. Gwendolyn I. Reynolds, and the agenda packages from the Wake Board of Commissioners meeting.

4. Response to Comments - Site Suitability Permit Application - Material Recovery, LLC - Construction & Demolition Landfill - Wake County, North Carolina. April 2002. Joyce Engineering, Inc., Greensboro, North Carolina.

5. Response to Completeness Review Comments - Site Application - Material Recovery, LLC - Construction & Demolition Landfill - Wake County, North Carolina. 7 May 2002. Joyce Engineering, Inc., Greensboro, North Carolina.

6. Second Response to Comments - Site Suitability Permit Application - Material Recovery, LLC - Construction & Demolition Landfill - Wake County, North Carolina; Site Application Hydrogeologic Report and Groundwater Monitoring Plan - Report of Analytical Results. 22 May 2002. Joyce Engineering, Inc., Greensboro, North Carolina.

7. Site Suitability Permit Application information - Material Recovery, LLC - Construction & Demolition Landfill - Wake County, North Carolina; Groundwater Quality Assessment - Report of Well Installation and Results of First Monitoring Event. September 2002. Joyce Engineering, Inc., Greensboro, North Carolina.

8. Letter dated 19 April 2002 from DWQ addressing NPDES permits for the facility.

9. Letter dated 8 May 2002 from State Historic Preservation Office addressing archaeological aspects of the site.

10. Erosion and Sedimentation Control Plan (revised), approved by Wake County Environmental Services - Erosion, Flood and Stormwater. 24 May 2002; Permit No. 0023475.

11. U.S. Army Corps of Engineers report, Action I.D. 200220569 dated 25 February 2002, and site survey map indicating wetlands at the site.

12. Certification letter dated 16 September 2003 from Joyce Engineering addressing the construction of Phase 1, Cell A and related infrastructure. Along with the letter were three drawings addressing as-built grades, proposed grades from approved plan and groundwater/rock contour map.

13. Modification #1: Letter dated 25 March 2004 requesting the use of soils off-site with less than 10 ppm nitrate and addressing that soils with greater than 10 ppm nitrate levels be utilized on-site.

14. Modification #1: New franchise approvals for Material Recovery, LLC. 20 January 2004 and 2 February 2004, Wake Board of Commissioners. The franchise changes include adding Franklin County to the service area and increasing the daily disposal amount.

15. Modification #1: Addendum to the operations plan dated 16 April 2004, Appendix 6, addressing the management of wood waste at the Southern Disposal Area on a 2 acre area.

17. *Construction Quality Assurance Report, WCA Brownfield Road C&D Landfill Cell B.* Prepared by: David Garrett, P.G., P.E, Raleigh, NC. Prepared for: WCA of Wake County, L.P., Houston, TX. May 22, 2006.

18. *Drawing*: As-built Survey of Cell B. Prepared by: David Garrett, P.G., P.E., Raleigh, NC. Prepared for: WCA of Wake County, L.P., Houston, TX.. May 22, 2006. The surveyor of record is Anthony S. Dibona, P.L.S., NC Registration No. L-3967.

19. Letter from Stephen R. Berlin to Paul Crissman, dated November 16, 2006, requesting issuance of permit to WCA Waste Corporation and providing information to support the request for permit issuance.

20. Letter dated April 13, 2007 from David Garrett, P.G., P.E. Engineering and Geology certifying that the base grades for Cell C of Phase 1 was constructed according to the approved plan. Letter includes an as-built survey drawing showing the limits of construction.

21. Memo from Donna J. Wilson dated December 20, 2007 providing clarification regarding the correct number of groundwater and surface water monitoring locations required.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Wake County, N.C. Register of Deeds					
Book	Page	Grantee	Grantor	Tract	Acres
8806	845	Material Recovery, LLC	William A. Turner and wife, Debra C. Turner	1	113.55
8806	849	Material Recovery, LLC	Ashley Turner Enterprises, Inc.	N/A	98.41
Book of Maps 2002	791	Material Recovery, LLC	Material Recovery, LLC	1A and 1B	211.96
Book of Maps 2003	1508	Material Recovery, LLC	Material Recovery, LLC and Margaret Talton	1	210.19
				Total Site Acreage	210.19

- End of Section -

ATTACHMENT 4
CONDITIONS OF PERMIT

General Conditions

1. This permit shall expire October 1, 2008. On or about April 5, 2005, WCA Waste Corporation purchased the equity interest in Material Recovery LLC, and continued to operate the entity under the same name (reference Attachment 3, Part II, Document No. 19 of this permit). Pursuant to 15A NCAC 13B .0201(e), no later than June 1, 2008, the owner or operator must submit an application for amendment or modification to the permit for review to the North Carolina Department of Environment and Natural Resources (DENR), Division of Waste Management (DWM), Solid Waste Section (hereinafter "Section"). The application must be prepared in accordance with 15A NCAC 13B .0533, as applicable.

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 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 shall 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.

7. This permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 3, "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 and through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules.

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.

10. This permit approves the operation of Phase 1, Cell C, and the continued operation of Phase 1, Cells A and B. Operation of any C&D landfill future phases or cells requires written approval of the Section and must be constructed in accordance with applicable statutes and rules.

11. This facility is permitted to receive solid waste generated within the following counties: Chatham, Durham, Franklin, Johnston, Orange, and Wake and the municipalities contained within those counties, consistent with the approved franchise approved by the Wake County Board of Commissioners.

12. Phase 1, Cells A, B, and C of the landfill has a permitted, calculated available disposal capacity of approximately 1,429,000 cubic yards of total gross capacity. Total gross capacity is defined as the volume measured from the bottom of waste through the top of final cover. Phase 1 is approximately 19 acres, and was designed with a projected life of 5.2 years (beginning October 2003) based on the maximum rate of receipt of waste at approximately 1100 tons per day.

13. The facility is approved to accept approximately 1100 tons per day, approximately 286 days per year (5.5 days per week), with a maximum variance in accordance with GS 130A-294(b1)(1) and consistent with the approved franchise granted by the County of Wake dated February 2, 2004.

14. Financial assurance as required by state rules and statutes must be established with proof submitted to the Division by July 1, 2008, in accordance with 15A NCAC 13B .0547 (2). The financial assurance must be continuously maintained for the duration of the facility in accordance with the applicable rules and statutes.

Operational Conditions

15. The permittee must not knowingly dispose of C&D waste that is generated within the boundaries of a unit of local government that by ordinance:

    a. Prohibits generators or collectors of C&D waste from disposing of that type or form of C&D waste.

    b. Requires generators or collectors of C&D waste to recycle that type or form of C&D waste.

16. The facility operator must complete an approved operator training course in compliance with G.S. 130A-309.25.

    a. A responsible individual certified in landfill operations must be on-site during all operating hours of the facility at all times while open for public use to ensure compliance with operational requirements.

    b. All pertinent landfill-operating personnel must receive training and supervision necessary to properly operate the C&D landfill unit in accordance with G.S. 130A-309.25 and addressed by memorandum dated November 29, 2000.

17. The C&D landfill units are permitted to receive the following waste types:

    a. "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, but does not include inert debris, land-clearing debris or yard debris.

    b. "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.

    c. "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 and tree trunks.

    d. "Asphalt" in accordance with G.S. 130-294(m).

18. Those wastes listed in 15A NCAC 13B .0542 (e), must not be accepted for disposal including, but not limited to, municipal solid waste, liquid or industrial wastes, and yard trash..

19. Asbestos waste must be managed in accordance with 40 CFR 61. Disposal of asbestos waste must be in accordance with 15 NCAC 13B .0542 (c).

20. The Permittee must actively employ a training and screening program at the facility prepared in accordance with Section .0544(e) for detecting and preventing the disposal of excluded or unauthorized wastes. At a minimum, the program must include:

    a. Random inspections of incoming loads or other comparable procedures.

    b. Records of any 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, MSW, or other excluded or unauthorized wastes. The plan must address identification, removal, storage, and final disposition of these wastes.

21. All sedimentation/erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated there under at 15A NCAC 4.

22. A closure and post-closure plan must be submitted for approval at least 90 days prior to closure or partial closure of any landfill unit. The plan must include all steps and measures necessary to close and maintain the C&D unit in accordance with all rules in effect at that time. At a minimum, the plan must address the following:

    a. Design of a final cover system in accordance with 15 NCAC 13B .0543(c), or the solid waste management rules in effect at the time of closure;

    b. Construction and maintenance/operation of the final cover system and erosion control structures; and

    c. Surface water, ground water, and explosive gas monitoring.

Monitoring and Reporting Requirements

23. The following are groundwater monitoring requirements for the C&D landfill facility:

    a. Groundwater and surface water monitoring locations must be established and monitored as identified in the approved plans (reference Attachment 3, Part II, Document 21).

b. The owner or operator must sample the monitoring wells semi-annually or as otherwise directed in writing by the Solid Waste Section Hydrogeologist.

c. A licensed geologist must be present to supervise the installation of groundwater monitoring wells. The exact locations, screened intervals, and nesting of the wells must be established after consultation with the SWS Hydrogeologist at the time of well installation.

d. All well construction records and soil boring logs for new wells must be submitted to the Solid Waste Section Hydrogeologist for review within 30 days of completion.

24. 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.

25. The permittee must maintain a record of the amount of solid waste received at the C&D units, compiled on a monthly basis. Scales must be used to weigh the amount of waste received.

26. 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 and landfilled 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 disposal location within the facility.
   v) By diversion to alternative management facilities.

c. A measurement of volume utilized in the C&D cells must be performed during the second quarter of the calendar year. The date and volumes, in cubic yards, must be included in the report.

d. The amount of C&D waste, in tons from scale records, disposed in landfill cells since October 1, 2003, through the date of the annual volume survey must be included in the report.

e. 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.

f. 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.

Miscellaneous Treatment and Processing Unit Specific Conditions

27. The reclamation pad operation as shown on the application drawings is not approved for construction or operation.

28. The wood waste processing operation as shown on the application drawings is not approved for operation.

- End of Permit Conditions -

BOOK:013920 PAGE:02146 - 02159

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

This Customer Group
_____ # of Time Stamps Needed

This Document
_____ New Time Stamp
14 # of Pages

22.004-1/20/06

Betty Lou Ward motioned, seconded by Stan Norwalk, to approve the consent agenda, with item 17 removed from the consent agenda and placed on the regular agenda. The motion passed unanimously.

Approval of a Waiver for the Tipping Fee at the South Wake Landfill and East Wake Transfer Station for Partners Participating in the Wake County Big Sweep on September 25, October 2, October 3, October 9 and October 23, 2010

Betty Lou Ward motioned, seconded by Stan Norwalk, to approve waiving the tipping fee to "zero charge" at the South Wake Landfill and East Wake Transfer Station for waste collected by Wake County Big Sweep and all participating partners during Fall 2010. The motion passed unanimously.

Approve Proposed Use of the Fuller and Herndon Open Space Properties for a Temporary Debris Storage and Reduction Site Following Major Storm Events

Betty Lou Ward motioned, seconded by Stan Norwalk, to approve the use of the Fuller-Herndon tracts for a temporary debris storage and reduction site and direct staff to pursue the appropriate permits from the North Carolina Department of Environment and Natural Resources. The motion passed unanimously.

Approve Wake ABC Board Compensation

Betty Lou Ward motioned, seconded by Stan Norwalk, to approve the compensation rate for the Wake County Board of Alcoholic Control Chair at $250 per meeting and members at $200 per meeting. The motion passed unanimously.

Public Comments:

Mr. Kent Goddard said that he has lived in Raleigh since 1953. He said that his green band on his wrist was in recognition of the mentally ill. He served on the Human Services Board for 11 years. He spoke of supportive housing residents received assistance for Psycho-social Rehab, help the mentally ill get GED and college educations, medical assistance, and other help. The Spectrum House and Club Horizon help with services for the mentally ill.

Regular Agenda

Consider Request from WCA Waste Corporation, L.P. for Modification of Landfill Franchise (Second Reading)

Mr. Matt Roylance, Environmental Services Deputy Director, said that WCA Waste Corporation, L. P. asked to modify their construction and demolition debris landfill operation in Wake County. The request was to expand the franchise coverage area to include Harnett, Wayne, Wilson, Nash, Warren, Vance, Granville, Person, Caswell, Alamance and Lee counties to the existing six county area.

Commissioner Bryan said that he had stated concerns in the last meeting asking for financial information which would substantiate the applicant's claim of needing to add additional counties debris to the landfill in order to stay economically viable. He read from the agenda item the following: "The applicant further states that the economic downturn has significantly slowed the construction market that WCA needs to be able to draw traffic (i.e. customers) from the proposed larger franchise area in order to keep the reclamation and construction and demolition operations economically viable." He said he had not seen the documentation that backs up that claim and would not vote in support of the franchise amendment.

Vice Chair Ward said that a certain tonnage was allowed by the franchise agreement and they were not asking for an increase in the tonnage. Chairman Gurley said that the maximum tonnage for the landfill was not going to change. There will be more debris going into the landfill with this expansion but the maximum allowed will not change.

Commissioner Norwalk said that private companies do not normally open their financial information to the public sector and it is not customary. The county should not set this as a precedent.

Commissioner Bryan said the applicant set the basis for the request so he wanted to see the documentation that supports their request. He said the change in service area would mean Wake County taking on more waste and filling up the landfill, which is a county resource, with waste from other counties. Commissioner Brown spoke in support of Commissioner Bryan's request to see the data behind the request as part of due diligence for this decision. She said anyone doing business with the county should be willing to open their books.

Chairman Gurley said that the maximum capacity for the landfill would not change. The franchise service area would change from six counties to 17 counties. He said trucks would be on the road for longer distances and the county would be taking on more counties' waste. He said if Commissioner Bryan's request for information was not provided, it would set a bad precedent for the board to approve the request.

Commissioner Coble asked what Wake County would be giving up if this expansion into other areas was not approved. He asked if this was not

approved would the county lose this landfill because it was not economically viable. He asked if there was information that could be shared on the tonnage rates from the past few years compare to the more recent amounts for the last year. He suggested this as an alternative to opening the company's financial books. He suggested the item be held for further information.

Mr. Roylance said that the applicant was present and may be able to answer some of these questions. He said staff had not requested the financial background information since there was no provision in the ordinance for it. Commissioner Ward agreed with Mr. Roylance. Commissioner Bryan said he was not asking them to open their books for the public but that by the board approving this request it may encourage other landfills to make the same request.

The applicant, Mr. Robert Hornik, Attorney from Brough Law Firm for WCA, read to the board a portion of their application to clarify the request. He said their request was not made in order for the landfill to be economically viable but to help their customers. He stated the haulers that bring debris to the landfill had suffered a decrease in their loads locally due to the slowdown in the building and construction industry. He stated he had made the request to help his customers which are Wake County citizens and businesses. He spoke of letters sent to the Chairman.

Chairman Gurley asked if the applicant read the agenda item. Mr. Hornik said that he glanced over it before the meeting but had not looked at it in detail.

Commissioner Norwalk said that sometimes with mergers and acquisitions problems arise. He said that opening the financial books may not be the answer. Commissioner Norwalk asked the opinion of the County Attorney.

Mr. Scott Warren, County Attorney, said there is not a motion on the table at this time.

Commissioner Brown asked the applicant to get the information to Commissioner Bryan. Commissioner West asked if this action was necessary for Wake County to be economically viable.

Mr. Dennis Gehle, WCA General Manager, said that the primary reason for the request was because local companies are having to travel outside of Wake County for construction work and they need to dispose of the debris. He noted these are his customers that are located in Wake County having to do construction projects outside of Wake County in order for them to stay economically viable. People may lose jobs if this is not approved.

Commissioner Bryan said that the summary from staff did not accurately reflect the request from WCA which was different. Mr. Gehle said that their

landfill franchise was also a recycling facility so only what could not be recycled was disposed in the landfill.

Commissioner Norwalk said that this would allow local companies to bring their waste and keep jobs.

Joe Bryan motioned, seconded by Stan Norwalk, to adopt, on the second reading, the Ordinance Modifying Franchise Agreement to allow WCA Waste Corporation, L.P. to modify their construction and demolition debris landfill operation in Wake County.

The motion to adopt, on the second reading, the Ordinance Modifying Franchise Agreement to allow WCA Waste Corporation, L.P. to modify their construction and demolition debris landfill operation in Wake County. The motion passed unanimously.

ORDINANCE MODIFYING FRANCHISE ISSUED TO WCA WASTE CORPORATION, L.P. FOR OPERATION OF CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL

WHEREAS, WCA Waste Corporation, L.P. has applied to modify the existing franchise for the operation of a construction and demolition debris landfill located on Brown Field Road in Wake County; and

WHEREAS, WCA Waste Corporation, L.P. is the current holder of a franchise to operate a construction debris (C&D) landfill at the Site; and

WHEREAS, there remains in effect the existing special use permit from Wake County for operation of a C&D landfill on the site identified in the application.

NOW, THEREFORE, BE IT ORDAINED THAT,

Section 1. WCA Waste Corporation, L.P. is hereby granted a franchise to operate a construction and demolition debris landfill serving the following counties: Wake, Durham, Orange, Johnston, Franklin, Chatham, Alamance, Caswell, Person, Granville, Vance, Warren, Nash, Wilson, Wayne, Harnett and Lee. This franchise amendment shall expire coterminous with the expiration of the existing franchise.

Section 2. WCA Waste Corporation, L.P. shall provide documentation reasonably required by the County to ascertain compliance with the terms of the franchise as amended.

Section 3. This ordinance is effective upon its second reading by this Board.

Adopted this the 20th day of September, 2010.

NORTH CAROLINA

WAKE COUNTY

APPLICATION FOR MODIFICATION OF CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL FRANCHISE

NOW COMES WCA Waste Corporation (the "Applicant") and submits this Application for Modification of a Construction and Demolition Debris Landfill Franchise to the Wake County Board of Commissioners this 1st day of July, 2010.

In support of this application, the following information is submitted:

1. The name and address of the Applicant is WCA Waste Corporation, 421 Raleigh View Road, Raleigh, North Carolina 27610. The Applicant is the owner of the proposed landfill site, having acquired the former owner/operator, Material Recovery, LLC in 2005. The Applicant currently operates a construction and demolition ("C&D") debris landfill at certain property described in Exhibit C (attached) pursuant to, *inter alia*, a Construction and Demolition Landfill Facility Permit to operate (Permit No. 92-31), a copy of which is annexed hereto as Exhibit A.

2. The Applicant previously received a franchise to operate a construction and demolition debris landfill at this location from the Wake County Board of County Commissioners in February 2005 (see attached Exhibit B). Previously, a franchise had been granted to the Applicant's predecessor-in-interest to operate the facility. By this Application, the Applicant seeks to have the existing franchise modified to expand the franchise area as more particularly described herein.

3. Legal descriptions of the property proposed to be included in the construction and demolition landfill are set forth in a deed recorded in Book 8806, at Page 845. A copy of such

deed is attached hereto as Exhibit C. A copy of an aerial photograph of the property obtained from Wake County's GIS website is attached hereto as Exhibit D.

4. The population currently served by the construction and demolition landfill pursuant to the current franchise consists of present and future residents of Wake County (current population 897,214), Johnston County (current population 168,525), Durham County (current population 269,706), Orange County (current population 129,083), Franklin County (current population 60,088), and Chatham County (current population 64,772). (All population data is based on 2009 estimates by the U.S. Census Bureau)

5. The Applicant seeks, by this Application, to expand its service area to include current and future residents of Harnett County (current population 115,761), Wayne County (current population 113,811), Wilson County (current population 78,353), Nash County (current population 94,743), Warren County (current population 19,425), Vance County (current population 43,056), Granville County (current population 57,639), Person County (current population 37,667), Caswell County (current population 23,004), Alamance County (current population 150,358), and Lee County (current population 60,477).

6. The construction and demolition landfill will continue to accept an average of 650 tons of material daily. In addition to material delivered to the proposed landfill in automobiles and light trucks, it is anticipated that approximately fifty (50) 10-wheel/roll-off truck and ten (10) 18-wheel trucks will visit the proposed landfill daily. The facility will operate from 7:00 a.m. until 5:30 p.m. on weekdays and from 8:30 a.m. until 2:00 p.m. on Saturdays. The waste stream will be strictly limited by the landfill's State permit issued by the Department of Environment and Natural Resources, Division of Solid Waste Management (Exhibit A). The waste stream will include the following types of waste materials: inert debris similar to types

deposited in LCID landfills, asphalt, solid waste resulting from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures (such as furniture, carpet remnants, and any other waste material resulting from the consulting and demolition of a structure) and other construction and demolition and LCID materials approved by the Division of Solid Waste Management.

7. The projected useful life of the Applicant's construction and demolition landfill is between 30 and 40 years. The Applicant's request for an expanded franchise area is not expected to significantly change the projected useful life under current economic conditions. Under current economic conditions, the life of the landfill will likely exceed the 30 to 40 year projection. The Applicant seeks the expanded franchise area because its waste stream from the current franchise area is substantially less than originally anticipated due largely to the depressed construction market.

8. The Applicant expects no significant change in its operation if the expanded franchise request is granted, other than a restoration of business volume to a level comparable to what existed in 2005, when the Applicant acquired the facility. The expanded franchise area would allow the Applicant to attract construction and demolition debris from a broader area so that the facility may operate at an economically efficient capacity.

WHEREFORE, WCA Waste Corporation, through its undersigned attorney respectfully requests that the Wake County Board of Commissioners, after such notices, consideration, and deliberation as the Board deems appropriate and in accordance with applicable statutes, ordinances, and regulations, issue the modified Franchise as requested by the Applicant.

BROUGH LAW FIRM

By: _____

Robert E. Hornik, Jr.
N.C. State Bar No. 23728
Ste. 800-A, 1829 E. Franklin Street
Chapel Hill, North Carolina 27514
hornik@broughlawfirm.com
(919) 929-3905

Attorneys for WCA Waste Corporation, L.P.

Wake Reclamation, LLC -- Applicant Certification:

Name of Facility: Material Recovery C&D Landfill, Raleigh

On behalf of the Applicant, in my role as Area Landfill Manager:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision and that the information provided in this application is true, accurate, and complete to the best of my knowledge. I agree to submit a complete permit application for a new facility permit within 30 days in accordance with the North Carolina Solid Waste Management Rules and Statutes. Furthermore, I agree to operate this facility in accordance with (1) the solid waste permit (NC Solid Waste Permit No. 92-31), (2) any approved Operating Plan, and the (3) the North Carolina Solid Waste Management Rules and Law until a new permit decision is made by the NCDENR Division of Waste Management. I understand that the Division's permit decision may be to issue or deny the new facility permit application.

I understand that the owner and land owner are jointly and severally liable for improper operations and proper closure of the solid waste management facility. I understand that North Carolina General Statute 130A-22 provides for administrative penalties of up to fifteen thousand dollars ($15,000.00) per day each violation of the Solid Waste Management Rules. I further understand that the Solid Waste Management Rules may be revised or amended in the future and that the facility citing and operations of this solid waste management facility will be required to comply with all such revisions or amendments.

Signature	Print Name	Date
David W. Pepper	David W. Pepper	2/28/12

Area Landfill Manager
Title

Wake Reclamation, LLC
Business or organization name

NORTH CAROLINA

Wake County

I, Cynthia D Spencer, a Notary Public for said County and State, do hereby certify that David W. Pepper personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 28 day of Feb, 2012

(Official Seal)
Notary Public

My commission expires 4-16, 2016

NORTH CAROLINA
Department of the Secretary of State

To all whom these presents shall come, Greetings:

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF ORGANIZATION

OF

WAKE RECLAMATION, LLC

the original of which was filed in this office on the 27th day of February, 2012.

Scan to verify online.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 27th day of February, 2012.

Elaine F. Marshall

Secretary of State

SOSID: 1246171
Date Filed: 2/27/2012 11:39:00 AM
Elaine F. Marshall
North Carolina Secretary of State
C201205500469

ARTICLES OF ORGANIZATION
OF
WAKE RECLAMATION, LLC

Pursuant to Section 57C-2-20 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

1. The name of the limited liability company is Wake Reclamation, LLC.

2. The duration of this limited liability company shall be perpetual.

3. The organizer is executing these Articles of Organization in the capacity of an organizer and is not a member. The name and address of the organizer are as follows:

   Lisa D. Inman
   3301 Benson Drive, Suite 601
   Raleigh, North Carolina 27609

4. The street address and county of both the initial registered office and the initial principal office of the limited liability company are 3301 Benson Drive, Suite, 601, Raleigh, Wake County, North Carolina 27609. The mailing address of both the initial registered office and initial principal office is the same as the street address.

5. The name of the initial registered agent of the limited liability company is Lisa D. Inman.

6. This limited liability company shall be manager-managed. Except as provided by N.C.G.S. Section 57C-3-20(a), the members of this limited liability company shall not be managers by virtue of their status as members.

7. Except to the extent that the North Carolina General Statutes prohibit such limitation or elimination of liability of managers for breaches of duty, no person who is serving, or who has served, as a manager of the Company shall be personally liable to the Company or to any of its members for monetary damages for breach of duty as a manager, except as provided in the Company's operating agreement, as amended from time to time. No amendment to or repeal of this provision and no adoption of a provision inconsistent herewith shall apply to or have any effect on the liability or alleged liability of any manager of the Company for or with respect to any acts or omissions of such manager occurring prior to such amendment, repeal, or adoption of an inconsistent provision. The provisions of this Article shall not be deemed to limit or preclude indemnification of a manager by the Company for any liability that has not been eliminated by the provisions of this Article.

8. These articles will be effective upon filing.

This the 24th day of February 2012.

Lisa D. Inman, Organizer, Not a Member

NCDENR

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Dexter R. Matthews, Director | Division of Waste Management | Michael F. Easley, Governor
William G. Ross Jr., Secretary

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

SOLID WASTE MANAGEMENT FACILITY PERMIT
Permit No. 92-24

D. H. HOLDING CO., LLC (LANDOWNER)
AND
MATERIAL RECLAMATION, LLC
AND WCA WASTE SYSTEMS, INC., WHOLLY OWNED SUBSIDIARIES OF
WCA WASTE CORPORATION (OPERATOR)
are all hereby issued a

PERMIT TO OPERATE

WCA MATERIAL RECLAMATION
A CONSTRUCTION AND DEMOLITION DEBRIS WASTE MANAGEMENT FACILITY

Located at 421 Raleigh View Road, in south 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 and described by the legal description of the site or the property map contained within the approved application and further identified on the deeds recorded for this property listed in Attachment No. 3 of this permit.

WAKE COUNTY, NC 260
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
04/27/2010 AT 14:25:06

BOOK:013920 PAGE:02122 - 02134

Edward F. Mussler III, P.E.
cn=Edward F. Mussler III, P.E., c=US, o=Division of Waste Management, ou=Solid Waste Section, email=ed.mussler@ncmail.net
I have reviewed this document and am approving this document
2008.12.08 11:20:10 -05'00'

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

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Telephone 919-508-8400 \ *Fax* 919-733-4810 \ *Internet* http://wastenotnc.org
An Equal Opportunity / Affirmative Action Employer – Printed on Dual Purpose Paper

Return TO: WCA Waste Corporation 421 Raleigh View Road
Raleigh NC 27610 ATTN: Dennis Gehle

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 D.H. GRIFFIN HOLDING COMPANY, LLC AND FURTHER IDENTIFIED BY THE DEEDS RECORDED AS LISTED BELOW:

Wake County, N.C. Register of Deeds						
Book	Page	Grantee	Grantor	Tract	Acres	Parcel no.
8750	307	D.H. Griffin Holding Co., LLC	D.H. Griffin Construction Co., LLC	.2 (8.4 acres)	19.153	170 286 6931
8750	307	D.H. Griffin Holding Co., LLC	D.H. Griffin Construction Co., LLC	1 (sed pond only)	10.7	170 286 5461
8711	1822	D.H. Griffin Construction Co., LLC	Goldsboro Iron & Metal Co., Inc.		2.446	170 287 5258
11294	1690	Memorandum of Lease			10.852	
				Total Site Acreage		10.852 acres

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

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 92-24 for Material Reclamation.

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

North Carolina
Wake County

I, Betty Jo Stanfield, Notary Public for Wake County, North Carolina, do hereby certify that Edward F. Mussler, III, Supervisor 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 26 day of April, 2010.

OFFICIAL SEAL

Betty Jo Stanfield
NOTARY PUBLIC

Betty Jo Stanfield NOTARY PUBLIC Wake County, NC

My commission expires December 29, 2014.

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 3

PART I: PERMITTING HISTORY

Permit Type	Date Issued
Original Issue PTC	July 24, 2000
PTO	December 6, 2000
PTO Modification – Renewal	February 20, 2002
PTO Modification – Issued to correct renewal date	September 20, 2002
PTO Modification – New entrance road	February 21, 2005
PTO Modification – Ownership change	December 8, 2008

1. In 2000, a Permit to Construct and a Permit to Operate were issued to D.H. Griffin Holding Company, LLC (landowner) and Material Reclamation, LLC (operator) for the operation of a Construction and Demolition Debris Material Recovery Facility/transfer station on this property. The Manager/Member of both D. H. Griffin Holding Company, LLC and Material Reclamation, LLC was F. Norbert Hector, Jr. Material Reclamation, LLC was a subsidiary of MRR Southern, LLC.

2. On or about April 5, 2005, business entities which were wholly owned by WCA Waste Corporation purchased four solid waste management facilities in North Carolina owned by MRR Southern, LLC, including the C&D material recovery facility/transfer station permitted to Material Reclamation, LLC.

3. Subsequent to the purchase of the facility, WCA submitted information and documentation to the Solid Waste Section to apply for the permit to operate the facility to be re-issued to WCA Waste Systems, Inc. and Material Reclamation, LLC. During this period, WCA continued to operate the transfer station as previously permitted to Material Reclamation, LLC.

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. D.H. Griffin Reclamation Center original application received February 1, 2000.

2. Site construction drawings dated June 2000, by Taylor, Wiseman, and Taylor.

3. Architectural/Structural drawings dated January 11, 2000, by Runyans Architecture.

4. Revised application from Joyce Engineering, Inc. dated June 2000, in response to the completeness review letter from the Solid Waste Section dated March 17, 2000.

5. Response to comments from Joyce Engineering, Inc. dated 21 July 2000, based on review letter dated 7 July 2000.

6. NPDES permit application NCG 010000 for site received 24 July 2000.

7. Letter dated November 9, 2000 from NCDHHS Div. Of Public Health Epidemiology and Communicable Disease Section concerning ultra low volume (ULV) sprinklers at the feed hopper/screen area.

8. Revised operations plan dated November 20, 2000 and approved December 6, 2000 from Joyce Engineering Inc.

9. Letter dated December 4, 2000 from Taylor, Wiseman & Taylor addressing the construction of the facility.

10. New Terex Recycling plan indicating the installation of two picking lines and the addition of ULV sprinklers at the feed hopper/ screen area, drawing dated July 12, 2000 and approved December 6, 2000.

11. As-built plan, dated 8 November 8, 2000, prepared by Taylor, Wiseman & Taylor for the reclamation facility.

12. Permit modification document from Joyce Engineering, Inc. dated December 4, 2001, providing an updated operational plan for the facility.

13. Letter dated December 27, 2004, with modified site drawing by Taylor Wiseman & Taylor addressing the relocation of the entrance road into the facility off Garner Road (S.R. 1004). Approved February 21, 2005.

14. Letters from Stephen R. Berlin to Paul Crissman, dated November 16, 2006 and December 18, 2006, requesting issuance of permit to WCA Waste Corporation and providing information to support the request for permit issuance.

15. *Modified Operations Plan for Material Reclamation, LLC.* Prepared by Joyce Engineering, Inc., Greensboro, NC. December 19, 2006.

16. *Recombination Survey for Material Reclamation Site.* Prepared by ASD Surveying, Inc., Fuquay Varina, NC. Dated January 12, 2005. Submitted December 13, 2007.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Wake County, N.C. Register of Deeds						
Book	Page	Grantee	Grantor	Tract	Acres	Parcel no.
8750	307	D.H. Griffin Holding Co., LLC	D.H. Griffin Construction Co., LLC	2 (8.4 acres)	19.153	170 286 6931
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11294	1690	Memorandum of Lease			10.852	
				Total Site Acreage	10.852 acres	

PART IV: GENERAL PERMIT CONDITIONS

1. This permit shall expire December 8, 2013. Pursuant to 15A NCAC 13B .0201(g), no later than July 08, 2013, the owner or operator must submit a request to the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section ("Section") for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.

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 receives the certified copy of the recorded permit.

4. (Intentionally blank)

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.

7. This permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 3, "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 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 4
CONDITIONS OF PERMIT

PART I: OPERATING CONDITIONS

1. This permit approves the operation of a solid waste management facility for construction and demolition debris waste in which waste is unloaded on a tipping pad and sorted for recycling or for disposal at a C&D disposal facility, in accordance with the approved plans. The facility is permitted to receive:

   a. "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, but does not include inert debris, land-clearing debris or yard debris.

   b. "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.

   c. "Asphalt" in accordance with G.S. 130-294(m).

2. Source separated wood pallets and cardboard from non-C&D waste sources may be accepted at the site for recycling, but the materials must not be unloaded onto the tipping floor. Wood pallets must be directly unloaded onto the sorted clean wood pile or into a wood materials container, and cardboard must be unloaded directly into a storage container.

3. Those wastes listed in 15A NCAC 13B .0542 (e), must not be accepted at the facility including, but not limited to, municipal solid waste, liquid waste, commercial and industrial wastes, and yard trash. Regulated asbestos containing material as defined in 40 CFR 61 must not be accepted at the transfer facility. Barrels and drums shall not be accepted unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste in contained therein.

4. This facility is permitted to receive solid waste generated within the following counties: Chatham, Durham, Franklin, Johnston, Orange, and Wake and the municipalities contained within those counties. All C&D waste that is not recycled must be transported for disposal to the Material Recovery C&D Landfill (Permit No. 92-31) in Raleigh, the Cobles C&D Landfill (Permit No. 01-05) in Alamance County, or the Red Rock Disposal C&D Landfill (Permit No. 92-28) in Holly Springs. 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 and are a modification to the permit and may be subject to a permitting fee.

5. The permittee must not knowingly accept for transfer for subsequent disposal C&D waste that is generated within the boundaries of a unit of local government that by ordinance:

   a. Prohibits generators or collectors of C&D waste from disposing of that type or form of C&D waste.

   b. Requires generators or collectors of C&D waste to recycle that type or form of C&D 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 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.

   d. Development of a contingency plan to properly manage any identified hazardous, liquid, MSW 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 Solid Waste Section to prevent unauthorized entry.

9. All truck traffic must enter the facility from the Garner Road entrance. 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 MSW, hazardous waste or liquid waste can be received at the facility; and provides information on dumping procedures, the hours of operation, the permit number, contact name and telephone 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.

11. Fires and non-comforming waste incidents shall be reported to the Section's Regional Waste Management Specialist within twenty-four house followed by a written notification to be submitted within 15 days. 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, picking area, and transfer trailer loading area must be maintained in a clean, sanitary condition.

    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 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.

13. The permittee may submit a plan for a test pilot to contain unsorted waste in the tipping floor area at the end of each operating day. The plan should address how the area will be managed to prevent leachate and surface water runoff from flowing off the tipping floor area. The duration of the test pilot will be specified by the Section, but must not extend beyond April 1, 2009. At the end of the test pilot, if the Section does not approve the continued operation, then the unsorted waste in the tipping floor area must be managed in accordance with condition 14 below.

14. After April 1, 2009, if an alternate plan is not approved by the Section, unsorted construction waste placed on the tipping floor must be sorted each operating day, and no waste shall remain on the pad after operating hours unless covered by tarp to prevent leaching by rainfall. Only an amount of waste sufficient to begin sorting operations the next day may be left on the tipping floor.

15. The concrete pad in the waste management areas, as shown on the approved plans, Attachment 3, Part II, Document 13, must be adequately maintained. Cracks in the

concrete that would allow surface water or leachate to enter the ground must be promptly repaired.

16. Except for wood, concrete and inert material, recoverable materials must be placed in containers by the end of each operating day. Recovered materials placed in containers must be removed from the site once the container is full, within 48 hours. Recyclable material must not be stored onsite for longer than one year.

17. The maximum amount of waste and recycled product allowed on the facility property at any time is 15,000 tons.

18. Non-recyclable materials must be securely placed in containers or trucks by the end of each operating day, and must be transported for proper disposal when the container is full.

19. 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.

20. Waste must not be placed on the tipping pad during inclement weather unless run-off control measures are installed. Run-off from the tipping pad and sorting areas must be collected and properly disposed. Waste must not be unloaded or stored in standing water.

21. Storage of mulched and processed wood must be in compliance with stormwater runoff rules and regulations.

22. All sedimentation/erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated there under at 15A NCAC 4.

23. 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.

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. 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. 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 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 Waste Management 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 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.

26. Updated financial assurance, to 2008 cost estimates, shall be submitted by December 31, 2008. Financial assurance as required by state rules and statutes must be continuously maintained for the duration of the facility in accordance with the applicable rules and statutes, updated and submitted annually to the Section by the anniversary date of the issuance of this permit.

- End of Permit Conditions -

BOOK:013920 PAGE:02122 - 02134

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

This Customer Group
_____ # of Time Stamps Needed

This Document
_____ New Time Stamp
13 # of Pages

22.004-1/20/06

Wake Reclamation, LLC -- Applicant Certification:

Name of Facility: Wake Material Reclamation Facility, Raleigh

On behalf of the Applicant, in my role as Area Landfill Manager:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision and that the information provided in this application is true, accurate, and complete to the best of my knowledge. I agree to submit a complete permit application for a new facility permit within 30 days in accordance with the North Carolina Solid Waste Management Rules and Statutes. Furthermore, I agree to operate this facility in accordance with (1) the solid waste permit (NC Solid Waste Permit No. 92-24), (2) any approved Operating Plan, and the (3) the North Carolina Solid Waste Management Rules and Law until a new permit decision is made by the NCDENR Division of Waste Management. I understand that the Division's permit decision may be to issue or deny the new facility permit application.

I understand that the owner and land owner are jointly and severally liable for improper operations and proper closure of the solid waste management facility. I understand that North Carolina General Statute 130A-22 provides for administrative penalties of up to fifteen thousand dollars ($15,000.00) per day each violation of the Solid Waste Management Rules. I further understand that the Solid Waste Management Rules may be revised or amended in the future and that the facility citing and operations of this solid waste management facility will be required to comply with all such revisions or amendments.

Signature	Print Name	Date
Dan D.W. Pepper	David W. Pepper	2/28/12

Area Landfill Manager
Title

Wake Reclamation, LLC
Business or organization name

NORTH CAROLINA

Wake County

I, Cynthia D. Spencer, a Notary Public for said County and State, do hereby certify that David W. Pepper personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 28 day of Feb, 2012

(Official Seal)
Notary Public

My commission expires 4-16, 2016

F1

NORTH CAROLINA
Department of The Secretary of State

To all whom these presents shall come, Greetings:

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF ORGANIZATION

OF

WASTE INDUSTRIES, LLC

the original of which was filed in this office on the 2nd day of October, 2000.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 11th day of March, 2011.

Elaine F. Marshall

Secretary of State

SOSID: 565738
Date Filed: 10/2/2000 12:36 PM
Elaine F. Marshall
North Carolina Secretary of State

20 276 9022

ARTICLES OF ORGANIZATION

OF

WASTE INDUSTRIES MERGECO, LLC

Pursuant to §57C-2-20 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

1. The name of the limited liability company is Waste Industries MergeCo, LLC.

2. The period of duration of the limited liability company is perpetual.

3. The organizer is executing these articles of organization in the capacity of an organizer and not as a member. The name and address of the organizer is as follows:

   James M. Yates, Jr.
   4101 Lake Boone Trail, Suite 300
   Raleigh, North Carolina 27607

4. The street address and county of the initial registered office of the limited liability company are 3301 Benson Drive, Suite 601, Raleigh, Wake County, North Carolina 27609.

5. The name of the initial registered agent is Jim W. Perry.

6. This is a manager-managed limited liability company. Except as provided by Section 57C-3-20(a) of the North Carolina General Statutes, the members of this limited liability company shall not be managers by virtue of their status as members.

7. These articles will be effective upon filing.

This the 29th day of September, 2000.

James M. Yates, Jr.
Organizer, not a member

NORTH CAROLINA
Department of The Secretary of State

To all whom these presents shall come, Greetings:

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF MERGER

OF

WASTE INDUSTRIES, LLC

the original of which was filed in this office on the 30th day of March, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 11th day of March, 2011.

Elaine F. Marshall

Secretary of State

SOSID: 0565738
Date Filed: 3/30/2001 10:32 AM
Effective: 3/31/2001
Elaine F. Marshall
North Carolina Secretary of State

210899076

ARTICLES OF MERGER
OF
WASTE INDUSTRIES, INC.
INTO
WASTE INDUSTRIES MERGECO, LLC

Pursuant to Sections 55-11-10(d), 57C-9A-22, and 57C-9A-21(a)(5) of the General Statutes of North Carolina, the undersigned limited liability company, as the surviving entity in a merger, hereby submits the following Articles of Merger.

1. The surviving limited liability company is Waste Industries MergeCo, LLC, a limited liability company organized under the laws of the State of North Carolina (the "Surviving Entity"). The name of the merged corporation is Waste Industries, Inc., a corporation organized under the laws of the State of North Carolina (the "Merged Entity").

2 The address of the surviving limited liability company is 3301 Benson Drive, Suite 601, Raleigh, Wake County, North Carolina 27609.

3. Attached as Exhibit A hereto and made a part hereof is a copy of the Plan of Merger and Reorganization that was duly adopted in the manner prescribed by law by the shareholders and the board of directors of the Merged Entity and the sole member of the Surviving Entity participating in the merger.

4. The merger was approved by the unanimous consent of the sole member of the Surviving Entity as required by Chapter 57C of the North Carolina General Statutes.

5. The merger was approved by the majority vote of the shareholders of the Merged Entity as required by Chapter 55 of the North Carolina General Statutes.

6. The merger is permitted by the laws of the State of North Carolina, which govern the organization and internal affairs of each merging business entity.

7. Each business entity that is a party to the merger has complied with the applicable laws of the State of North Carolina governing its organization and internal affairs.

8. Effective upon the consummation of the merger, the Articles of Organization of the Surviving Entity shall be amended whereby Article 1 of such Articles of Organization shall read in its entirety:

"The name of the limited liability company is Waste Industries, LLC."

9. These Articles will be effective March 31, 2001 at 11:58 p.m., Eastern Standard Time.

[THE NEXT PAGE IS THE SIGNATURE PAGE]

This the 30th day of March, 2001.

WASTE INDUSTRIES MERGECO, LLC

By: Waste Holdings, Inc., Manager and Sole Member

By: _____
Jim W. Perry
President

EXHIBIT A

PLAN OF MERGER AND REORGANIZATION

This Plan of Merger and Reorganization provides for the merger (the "Merger") of Waste Industries, Inc., a North Carolina corporation, with and into Waste Industries MergeCo, LLC, a North Carolina limited liability company.

ARTICLE I

The limited liability company existence of Waste Industries MergeCo, LLC, with all its purposes, powers and objects, shall continue unaffected and unimpaired by the Merger, and the identity and existence of Waste Industries, Inc., which is sometimes referred to herein as the "Corporation", shall be merged with and into Waste Industries MergeCo, LLC, which shall be the surviving entity and which is sometimes referred to herein as the "LLC".

ARTICLE II

The name of the merging business entity that shall survive the Merger is "Waste Industries MergeCo, LLC", subject to the amendment of such name as set forth in Article V below.

ARTICLE III

The terms and conditions of the Merger shall be as follows:

1. The Articles of Organization of the surviving entity shall be the Articles of Organization of the LLC as such Articles of Organization are in effect at the effective time of the Merger until the same shall be thereafter amended in accordance with law and said Articles.

2. The Operating Agreement of the surviving entity shall be the Operating Agreement of the LLC, as in effect as of the effective time of the Merger, until the same shall be further amended in accordance with law, the Articles of Organization of the LLC and said Operating Agreement.

3. The officers of the surviving entity shall be the officers of the Corporation immediately prior to the effective time of the Merger, each to serve until his or her successor shall have been duly elected and qualified or until his or her earlier death, resignation or removal. The manager and directors of the surviving entity shall be as specified in the Operating Agreement of the LLC as in effect as of the effective time of the Merger.

4. Except insofar as the same may be continued by law or in order to carry out the purposes of this Agreement and Plan of Merger and Reorganization, and except as continued in and merged into the LLC, the separate existence of the Corporation shall cease as of the effective time of the Merger, and the LLC shall have and possess all of the rights, privileges, powers, immunities and franchises and all property of the Corporation, and shall be responsible and liable for all of the debts, duties, contracts, liabilities and obligations of the Corporation.

ARTICLE IV

The manner and basis of converting the shares of the Corporation and membership interests of the LLC participating in the Merger shall be as follows:

1. Each share of common stock of the Corporation outstanding at the effective time of the Merger shall be converted into one share of common stock of Waste Holdings, Inc., a North Carolina corporation and the sole member of the LLC ("Waste Holdings") without any action on the part of the holder thereof at the effective time of the Merger. Promptly following the effective time of the Merger, Waste Holdings will cause its exchange agent to mail letters of transmittal to each holder of record of a certificate that represented common stock of the Corporation immediately prior to the effective time accompanied by instructions for use in effecting the surrender of the certificates or instruments in exchange for common stock of Waste Holdings. Similar documentation will be delivered by Waste Holdings to each holder of options to purchase common stock of the Corporation. After receipt of such transmittal form, each of such holders may, at such holder's option, surrender their certificates or instruments, together with a duly completed and executed transmittal form, to the exchange agent, as indicated on the transmittal form, and each such holder will receive in exchange therefor a certificate or instrument representing an identical number of shares of common stock of Waste Holdings or the right to purchase an identical number of shares of common stock of Waste Holdings, as the case may be. It shall not be necessary for shareholders or optionees of the Corporation to exchange their existing stock certificates or instruments for certificates or instruments of Waste Holdings. Until so surrendered and exchanged, each certificate or instrument evidencing common stock of the Corporation or options to purchase common stock of the Corporation will be deemed for all purposes to evidence the identical number of shares of common stock of Waste Holdings or replacement options to purchase common stock of Waste Holdings, as the case may be.

2. The membership interests in the LLC shall not be converted, exchanged or altered in any manner as a result of the Merger, and will remain outstanding membership interests of the LLC.

ARTICLE V

Pursuant to §57C-9A-21(a)(5) of the General Statutes of North Carolina, effective upon the consummation of the Merger, the Articles of Organization of Waste Industries MergeCo, LLC shall be amended by deleting the entire text of Paragraph 1 thereof and substituting in its place the following new Paragraph 1:

"1. The name of the limited liability company is Waste Industries, LLC."

ARTICLE VI

The consummation of the Merger is contingent upon (1) receipt of all required shareholder approvals and (2) an opinion that the Merger will be treated as a tax-free reorganization under the Internal Revenue Code.

ARTICLE VII

If for any reason the consummation of the Merger is inadvisable in the opinion of the Board of Directors of the Corporation or the sole member of the LLC, this Agreement and Plan of Merger and Reorganization may be terminated at any time before the effective time of the Merger by notice from one party to the other. Upon termination by notice as provided in this Article, this Agreement and Plan of Merger and Reorganization shall be void and of no further force or effect.

NORTH CAROLINA
Department of The Secretary of State

To all whom these presents shall come, Greetings:

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF MERGER

OF

WASTE INDUSTRIES, LLC

the original of which was filed in this office on the 26th day of July, 2002.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 11th day of March, 2011.

Elaine F. Marshall

Secretary of State

SOSID: 0565738
Date Filed: 7/26/2002 10:43 AM
Elaine F. Marshall
North Carolina Secretary of State

22 206 9036

ARTICLES OF MERGER
OF
NORTH MECKLENBURG SANITATION, LLC
INTO
WASTE INDUSTRIES, LLC

Pursuant to Section 57C-9A-22 of the General Statutes of North Carolina, the undersigned limited liability company, as the surviving entity in a merger, hereby submits the following Articles of Merger.

1. The surviving limited liability company is Waste Industries, LLC, a limited liability company organized under the laws of the State of North Carolina (the "Surviving Entity"). The name of the merged limited liability company is North Mecklenburg Sanitation, LLC, a limited liability company organized under the laws of the State of North Carolina (the "Merged Entity").

2. The address of the surviving limited liability company is 3301 Benson Drive, Suite 601, Raleigh, North Carolina 27609.

3. Attached as Exhibit A hereto and made a part hereof is a copy of the Plan of Merger that was duly adopted in the manner prescribed by law by the members of the Surviving Entity and the Merged Entity participating in the merger.

4. The merger was approved by the unanimous consent of the members of each of the Merged Entity and the Surviving Entity.

5. The merger is permitted by the law of the state or country governing the organization and internal affairs of each merging business entity.

6. Each business entity that is a party to the merger has complied with the applicable laws of the state or country governing its organization and internal affairs.

7. These articles will be effective upon filing.

This the 23rd day of July 2002.

WASTE INDUSTRIES, LLC

By: Waste Industries USA, Inc.
Sole Member and Manager

By: _____
Jim W. Perry, President

EXHIBIT A

AGREEMENT AND PLAN OF MERGER
OF
NORTH MECKLENBURG SANITATION, LLC
WITH AND INTO
WASTE INDUSTRIES, LLC

The following Agreement and Plan of Merger provides for the merger (the "Merger") of North Mecklenburg Sanitation, LLC, a North Carolina limited liability company (the "Merged Entity"), with and into Waste Industries, LLC, a North Carolina limited liability company (the "Survivor").

ARTICLE I

The limited liability company existence of the Survivor, with all its purposes, powers and objects, shall continue unaffected and unimpaired by the Merger, and the limited liability company existence of the Merged Entity, shall be merged with and into the Survivor, which shall be the surviving entity.

ARTICLE II

The name of the merging business entity that shall survive the Merger is "Waste Industries, LLC".

ARTICLE III

The terms and conditions of the Merger shall be as follows:

1. The Articles of Organization of the surviving entity shall be the Articles of Organization of the Survivor as such Articles of Organization are in effect at the effective time of the Merger (the "Effective Time"), until the same shall be thereafter amended in accordance with law and said Articles.

2. The managers of the surviving entity shall be the managers of the Survivor immediately prior to the Effective Time, each to serve until his, her or its successor shall have been duly elected and qualified or until his, her or its earlier death, dissolution, resignation or removal.

3. Except insofar as the same may be continued by law or in order to carry out the purposes of this Agreement and Plan of Merger, and except as continued in and merged into the Survivor, the separate existence of the Merged Entity shall cease as of the Effective Time, and the Survivor shall have and possess all of the rights, privileges, powers, immunities and franchises and all property of the Merged Entity, and shall be responsible and liable for all of the debts, duties, contracts, liabilities and obligations of the Merged Entity.

ARTICLE IV

The manner and basis of converting the membership interests of the Merged Entity and the Survivor participating in the Merger shall be as follows:

1. The membership interests in the Merged Entity shall be extinguished and shall cease to exist without any action on the part of the holder thereof at the Effective Time. No consideration shall be paid or delivered upon surrender and cancellation of the membership interests in the Merged Entity.

2. The membership interests in the Survivor shall not be converted, exchanged or altered in any manner as a result of the Merger, and will remain outstanding membership interests of the Survivor following the Effective Time.

ARTICLE V

The Merger shall be effective at the effective time of the filing of the Articles of Merger with the North Carolina Secretary of State.

This the 23rd day of July 2002.

NORTH MECKLENBURG SANITATION, LLC

By: Waste Industries USA, Inc.
Sole Member and Manager

By: _____
Jim W. Perry, President

WASTE INDUSTRIES, LLC

By: Waste Industries USA, Inc.
Sole Member and Manager

By: _____
Jim W. Perry, President

#Section# 91297641.1 Reference# 10466386.0 Page: 4 of 4

NORTH CAROLINA
Department of The Secretary of State

To all whom these presents shall come, Greetings:

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF MERGER

OF

WASTE INDUSTRIES, LLC

the original of which was filed in this office on the 14th day of August, 2002.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 11th day of March, 2011.

Elaine F. Marshall

Secretary of State

SOSID: 0565738
Date Filed: 8/14/2002 9:21 AM
Elaine F. Marshall
North Carolina Secretary of State

22 221 9014

ARTICLES OF MERGER
OF
QUICK-WAY SALVAGE, LLC
INTO
WASTE INDUSTRIES, LLC

Pursuant to Section 57C-9A-22 of the General Statutes of North Carolina, the undersigned limited liability company, as the surviving entity in a merger, hereby submits the following Articles of Merger.

1. The surviving limited liability company is Waste Industries, LLC, a limited liability company organized under the laws of the State of North Carolina (the "Surviving Entity"). The name of the merged limited liability company is Quick-Way Salvage, LLC, a limited liability company organized under the laws of the Delaware (the "Merged Entity").

2. The address of the surviving limited liability company is 3301 Benson Drive, Suite 601, Raleigh, North Carolina 27609.

3. Attached hereto as Exhibit A and made a part hereof is a copy of the Plan of Merger that was duly adopted in the manner prescribed by law by the members of the Surviving Entity and the Merged Entity participating in the merger.

4. The merger was approved by the unanimous consent of the members of the Surviving Entity.

5. The Merged Entity is a foreign limited liability company, and the merger was approved in accordance with the laws of the State of Delaware, which govern the organization and internal affairs of the Merged Entity.

6. The merger is permitted by the laws of the state or country governing the organization and internal affairs of each merging business entity.

7. Each business entity that is a party to the merger has complied with the applicable laws of the state or country governing its organization and internal affairs.

8. These articles will be effective upon filing.

This the 31st day of July 2002.

WASTE INDUSTRIES, LLC

By: Waste Industries USA, Inc.
Sole Member and Manager

By: _____
Jim W. Perry, President

EXHIBIT A

AGREEMENT AND PLAN OF MERGER
OF
QUICK-WAY SALVAGE, LLC
WITH AND INTO
WASTE INDUSTRIES, LLC

The following Agreement and Plan of Merger provides for the merger (the "Merger") of Quick-Way Salvage, LLC, a Delaware limited liability company (the "Merged Entity"), with and into Waste Industries, LLC, a North Carolina limited liability company (the "Survivor").

ARTICLE I

The limited liability company existence of the Survivor, with all its purposes, powers and objects, shall continue unaffected and unimpaired by the Merger, and the limited liability company existence of the Merged Entity, shall be merged with and into the Survivor, which shall be the surviving entity.

ARTICLE II

The name of the merging business entity that shall survive the Merger is "Waste Industries, LLC".

ARTICLE III

The terms and conditions of the Merger shall be as follows:

1. The Articles of Organization of the surviving entity shall be the Articles of Organization of the Survivor as such Articles of Organization are in effect at the effective time of the Merger (the "Effective Time"), until the same shall be thereafter amended in accordance with law and said Articles.

2. The managers of the surviving entity shall be the managers of the Survivor immediately prior to the Effective Time, each to serve until his, her or its successor shall have been duly elected and qualified or until his, her or its earlier death, dissolution, resignation or removal.

3. Except insofar as the same may be continued by law or in order to carry out the purposes of this Agreement and Plan of Merger, and except as continued in and merged into the Survivor, the separate existence of the Merged Entity shall cease as of the Effective Time, and the Survivor shall have and possess all of the rights, privileges, powers, immunities and franchises and all property of the Merged Entity, and shall be responsible and liable for all of the debts, duties, contracts, liabilities and obligations of the Merged Entity.

ARTICLE IV

The manner and basis of converting the membership interests of the Merged Entity and the Survivor participating in the Merger shall be as follows:

1. The membership interests in the Merged Entity shall be extinguished and shall cease to exist without any action on the part of the holder thereof at the Effective Time. No consideration shall be paid or delivered upon surrender and cancellation of the membership interests in the Merged Entity.

2. The membership interests in the Survivor shall not be converted, exchanged or altered in any manner as a result of the Merger, and will remain outstanding membership interests of the Survivor following the Effective Time.

ARTICLE V

The Merger shall be effective at the effective time of the filing of the Articles of Merger with the North Carolina Secretary of State.

This the 31st day of July 2002.

QUICK-WAY SALVAGE, LLC

By: Waste Industries USA, Inc.
Sole Member and Manager

By: _____
Jim W. Perry, President

WASTE INDUSTRIES, LLC

By: Waste Industries USA, Inc.
Sole Member and Manager

By: _____
Jim W. Perry, President

NORTH CAROLINA
Department of The Secretary of State

To all whom these presents shall come, Greetings:

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF MERGER

OF

WASTE INDUSTRIES, LLC

the original of which was filed in this office on the 22nd day of September, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 11th day of March, 2011.

Elaine F. Marshall

Secretary of State

Date Filed: 9/22/2003 1:08:00 PM
Elaine F. Marshall
North Carolina Secretary of State
C200326100016

ARTICLES OF MERGER
OF
VA CONTRACTS ENTERPRISES, LLC
INTO
WASTE INDUSTRIES, LLC

Pursuant to Section 57C-9A-22 of the General Statutes of North Carolina, the undersigned limited liability company, as the surviving entity in a merger, hereby submits the following Articles of Merger.

1. The surviving limited liability company is Waste Industries, LLC, a limited liability company organized under the laws of the State of North Carolina (the "Surviving Entity").

2. The address of the surviving limited liability company is 3301 Benson Drive, Suite 601, Raleigh, Wake County, North Carolina 27609.

3. The name of the merged limited liability company is VA Contracts Enterprises, LLC, a limited liability company organized under the laws of the State of North Carolina (the "Merged Entity")

4. Attached as Exhibit A hereto and made a part hereof is a copy of the Plan of Merger that was duly approved by each merging business entity in the manner required by law.

5. The merger was approved by the unanimous consent of the members of the Surviving Entity.

6. The merger was approved by the unanimous consent of the members of the Merged Entity.

7. The merger is permitted by the laws of the State of North Carolina, which governs the organization and internal affairs of each merging business entity.

8. Each business entity that is a party to the merger has complied with the applicable laws of the State of North Carolina governing its organization and internal affairs.

9. These articles will be effective upon filing.

This the ____ day of September, 2003.

WASTE INDUSTRIES, LLC

By: Waste Industries USA, Inc.
Sole Member and Manager

By: _____
Jim W. Perry, President

EXHIBIT A

AGREEMENT AND PLAN OF MERGER OF VA CONTRACTS ENTERPRISES, LLC WITH AND INTO WASTE INDUSTRIES, LLC

The following Agreement and Plan of Merger provides for the merger (the "Merger") of VA Contracts Enterprises, LLC, a North Carolina limited liability company, with and into Waste Industries, LLC, a North Carolina limited liability company.

ARTICLE I

The limited liability company existence of Waste Industries, LLC, with all its purposes, powers and objects, shall continue unaffected and unimpaired by the Merger, and the identity and existence of VA Contracts Enterprises, LLC, which is sometimes referred to herein as the "Merged Entity", shall be merged with and into Waste Industries, LLC, which shall be the surviving entity and which is sometimes referred to herein as the "Survivor".

ARTICLE II

The name of the merging business entity that shall survive the Merger is "Waste Industries, LLC".

ARTICLE III

The terms and conditions of the Merger shall be as follows:

1. The Articles of Organization of the surviving entity shall be the Articles of Organization of the Survivor as such Articles of Organization are in effect at the effective time of the Merger (the "Effective Time"), until the same shall be thereafter amended in accordance with law and said Articles.

2. The managers and officers of the surviving entity shall be the managers and officers of the Survivor immediately prior to the Effective Time, each to serve until his, her or its successor shall have been duly elected and qualified or until his, her or its earlier death, dissolution, resignation or removal.

3. Except insofar as the same may be continued by law or in order to carry out the purposes of this Agreement and Plan of Merger, and except as continued in and merged into the Survivor, the separate existence of the Merged Entity shall cease as of the Effective Time, and the Survivor shall have and possess all of the rights, privileges, powers, immunities and franchises and all property of the Merged Entity, and shall be responsible and liable for all of the debts, duties, contracts, liabilities and obligations of the Merged Entity.

ARTICLE IV

The manner and basis of converting the membership interests of the Merged Entity and the Survivor participating in the Merger shall be as follows:

1. All outstanding membership interests of the Merged Entity outstanding at the Effective Time shall, by virtue of the Merger, cease to exist at the Effective Time and certificates representing such membership interests, if any, shall be cancelled. No consideration shall be paid or delivered upon surrender and cancellation of the membership interests in the Merged Entity.

2. The membership interests in the Survivor shall not be converted, exchanged or altered in any manner as a result of the Merger, and will remain outstanding membership interests of the Survivor following the Effective Time.

ARTICLE V

The Merger shall be effective upon filing.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

Effective# 91797643.1 Reference# 10466386.0 Page: 5 of 6

Date: September ___, 2003

WASTE INDUSTRIES, LLC

By: _____
Jim W. Perry, President

VA CONTRACTS ENTERPRISES, LLC

By: Waste Industries, LLC, Manager

By: _____
Jim W. Perry, President

NORTH CAROLINA
Department of The Secretary of State

To all whom these presents shall come, Greetings:

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF MERGER

OF

WASTE INDUSTRIES, LLC

the original of which was filed in this office on the 9th day of March, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 11th day of March, 2011.

Elaine F. Marshall

Secretary of State

Date Filed: 3/9/2005 4:25:00 PM
Elaine F. Marshall
North Carolina Secretary of State
C200506300574

ARTICLES OF MERGER
OF
ITAC 83, LLC
INTO
WASTE INDUSTRIES, LLC

Pursuant to Section 57C-9A-22 of the General Statutes of North Carolina, the undersigned limited liability company, as the surviving entity in a merger, hereby submits the following Articles of Merger.

1. The surviving limited liability company is Waste Industries, LLC, a limited liability company organized under the laws of the State of North Carolina (the "Surviving Entity").

2. The address of the surviving limited liability company is 3301 Benson Drive, Suite 601, Raleigh, Wake County, North Carolina 27609.

3. The name of the merged limited liability company is ITAC 83, LLC, a limited liability company organized under the laws of the State of North Carolina (the "Merged Entity")

4. Attached as Exhibit A hereto and made a part hereof is a copy of the Plan of Merger that was duly approved by each merging business entity in the manner required by law.

5. The merger was approved by the unanimous consent of the members of the Surviving Entity.

6. The merger was approved by the unanimous consent of the members of the Merged Entity.

7. The merger is permitted by the laws of the State of North Carolina, which governs the organization and internal affairs of each merging business entity.

8. Each business entity that is a party to the merger has complied with the applicable laws of the State of North Carolina governing its organization and internal affairs.

9. These articles will be effective upon filing.

This the 3rd day of March, 2005.

WASTE INDUSTRIES, LLC

By: Waste Industries USA, Inc.
Sole Member and Manager

By: JW Perry
Jim W. Perry, CEO and President

AGREEMENT AND PLAN OF MERGER
OF
ITAC 83, LLC
WITH AND INTO
WASTE INDUSTRIES, LLC

The following Agreement and Plan of Merger provides for the merger (the "Merger") of ITAC 83, LLC, a North Carolina limited liability company, with and into Waste Industries, LLC, a North Carolina limited liability company.

ARTICLE I

The limited liability company existence of Waste Industries, LLC, with all its purposes, powers and objects, shall continue unaffected and unimpaired by the Merger, and the identity and existence of ITAC 83, LLC, which is sometimes referred to herein as the "Merged Entity", shall be merged with and into Waste Industries, LLC, which shall be the surviving entity and which is sometimes referred to herein as the "Survivor".

ARTICLE II

The name of the merging business entity that shall survive the Merger is "Waste Industries, LLC".

ARTICLE III

The terms and conditions of the Merger shall be as follows:

1. The Articles of Organization of the surviving entity shall be the Articles of Organization of the Survivor as such Articles of Organization are in effect at the effective time of the Merger (the "Effective Time"), until the same shall be thereafter amended in accordance with law and said Articles.

2. The managers and officers of the surviving entity shall be the managers and officers of the Survivor immediately prior to the Effective Time, each to serve until his, her or its successor shall have been duly elected and qualified or until his, her or its earlier death, dissolution, resignation or removal.

3. Except insofar as the same may be continued by law or in order to carry out the purposes of this Agreement and Plan of Merger, and except as continued in and merged into the Survivor, the separate existence of the Merged Entity shall cease as of the Effective Time, and the Survivor shall have and possess all of the rights, privileges, powers, immunities and franchises and all property of the Merged Entity, and shall be responsible and liable for all of the debts, duties, contracts, liabilities and obligations of the Merged Entity.

ARTICLE IV

The manner and basis of converting the membership interests of the Merged Entity and the Survivor participating in the Merger shall be as follows:

1. All outstanding membership interests of the Merged Entity outstanding at the Effective Time shall, by virtue of the Merger, cease to exist at the Effective Time and certificates representing such membership interests, if any, shall be cancelled. No consideration shall be paid or delivered upon surrender and cancellation of the membership interests in the Merged Entity.

2. The membership interests in the Survivor shall not be converted, exchanged or altered in any manner as a result of the Merger, and will remain outstanding membership interests of the Survivor following the Effective Time.

ARTICLE V

The Merger shall be effective upon filing.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

Date: March 3, 2005

WASTE INDUSTRIES, LLC

By: _____
Jim W. Perry, CEO and President

ITAC 83, LLC

By: Waste Industries, LLC, Member and Manager

By: _____
Jim W. Perry, CEO and President

NORTH CAROLINA
Department of The Secretary of State

CERTIFICATE OF EXISTENCE

(Long Form)

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify that

WASTE INDUSTRIES, LLC

a limited liability company duly created, organized, and existing under the laws of the State of North Carolina, having been organized on the 2nd day of October, 2000, with its period of duration being Perpetual, under the name Waste Industries MergeCo, LLC and that the following documents have been filed since that date:

Date	Event	Filed Document
10/2/2000	Creation Filing	Articles of Organization Limited Liability
3/30/2001	Survivor	Articles of Merger
9/17/2001	Annual Report	Annual Report
2/14/2002	Amendment	Restated Articles of Organization (With Amendments)
4/26/2002	Annual Report	Annual Report LLC
7/26/2002	Survivor	Articles of Merger
8/14/2002	Survivor	Articles of Merger
4/11/2003	Annual Report	Annual Report LLC
9/22/2003	Survivor	Articles of Merger
3/9/2005	Survivor	Articles of Merger
2/15/2006	Annual Report	Annual Report LLC
5/11/2006	Annual Report	Annual Report LLC
4/23/2007	Annual Report	Annual Report LLC
4/10/2008	Annual Report	Annual Report LLC
4/22/2009	Annual Report	Annual Report LLC
4/13/2010	Annual Report	Annual Report LLC

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 11th day of March, 2011.

Elaine F. Marshall

Secretary of State

I, FURTHER certify that no record is found of other Limited Liability Company documents having been filed since the 13th day of April, 2010

I, FURTHER certify that the said limited liability company's articles of organization are not suspended for failure to comply with the Revenue Act of the State of North Carolina; that the said limited liability company is not administratively dissolved for failure to comply with the provisions of the North Carolina Limited Liability Company Act; that its most recent annual report required by G.S. 55-16-22 has been delivered to the Secretary of State; and that the said company has not filed articles of dissolution as of the date of this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 11th day of March, 2011.

Elaine F. Marshall

Secretary of State

NCDENR

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Dexter R. Matthews, Director | Division of Waste Management | Michael F. Easley, Governor
William G. Ross Jr., Secretary

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

SOLID WASTE TRANSFER FACILITY
Permit No. 92-34T

WCA WAKE TRANSFER STATION, LLC
AND WCA WASTE SYSTEMS, INC.,
WHOLLY OWNED SUBSIDIARIES OF
WCA WASTE CORPORATION
are all hereby issued a

PERMIT TO OPERATE

WCA WAKE TRANSFER STATION
A CONSTRUCTION AND DEMOLITION DEBRIS TRANSFER STATION

Located at 9220 Durant Road, 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.

WAKE COUNTY, NC 261
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
04/27/2010 AT 14:25:06

BOOK:013920 PAGE:02135 - 02145

Edward F. Mussler III, P.E.
cn=Edward F. Mussler III, P.E., c=US, o=Division of Waste Management, ou=Solid Waste Section, email=ed.mussler@ncmail.net
I have reviewed this document and am approving this document
2008.03.12 13:33:21 -04'00'

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

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Telephone 919-508-8400 \ *Fax* 919-733-4810 \ *Internet* http://wastenotnc.org
An Equal Opportunity / Affirmative Action Employer – Printed on Dual Purpose Paper

Return to: WCA Waste Corporation 421 Raleighview Road
Raleigh NC 27610 ATTN: Dennis Gehle

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 WCA WAKE TRANSFER STATION, LLC AND FURTHER IDENTIFIED BY THE DEEDS RECORDED AS LISTED BELOW:

Wake County, N.C. Register of Deeds				
Book	Page	Grantee	Grantor	Tract
10193	904	MRR Wake Transfer Station, LLC	Southern Equipment Co., LLC	N/A
Book of Maps 1986	1435	Recombination of Property		C
			Total Site Acreage	4.26

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT SOLID WASTE MANAGEMENT ACTIVITIES HAVE OCCURRED ON THE PROPERTY.

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 92-34 for the WCA Wake Transfer Station.

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

North Carolina

Wake County

I, Betty Jo Stanfield, Notary Public for Wake County, North Carolina, do hereby certify that Edward F. Mussler, III, Supervisor 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 26 day of April, 20 18.

OFFICIAL SEAL

Betty Jo Stanfield
NOTARY PUBLIC

Betty Jo Stanfield NOTARY PUBLIC Wake County, NC

My commission expires December 29, 20 14.

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

1. In 2003, a Permit to Construct and a Permit to Operate were issued to MRR Wake Transfer Station, LLC for the operation of a construction and demolition debris transfer station on this property. MRR Wake Transfer Station, LLC was a subsidiary of MRR Southern, LLC and was owned by F. Norbert Hector, Jr.

2. On or about April 5, 2005, business entities which were wholly owned by WCA Waste Corporation purchased four solid waste management facilities in North Carolina owned by MRR Southern, LLC, including the construction and demolition debris transfer station permitted to MRR Wake Transfer Station, LLC.

3. Subsequent to the purchase of the facility, WCA has submitted information and documentation to the Solid Waste Section to apply for the permit to operate the facility to be re-issued to WCA Waste Systems, Inc. and WCA Wake Transfer Station, LLC. The name of the facility owner has been changed from MRR Wake Transfer Station, LLC to WCA Wake Transfer Station, LLC (see Articles of Amendment recorded at Book 11483, Page 194, Wake County Register of Deeds). During this period, WCA has continued to operate the transfer station as previously permitted to MRR Wake Transfer Station, LLC.

Permit Type	Date Issued
Original Issue PTC	June 9, 2003
Original Issue PTO	October 23, 2003
PTO Modification – Ownership and name change	March 12, 2008

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *Transfer Station permit application and Operations Plan.* May 23, 2003. Construction Site Plan, May 22, 2003.

2. Modified Facility Plan and Operations Plan and request for permit issuance to WCA Wake Transfer Station, LLC. February 23, 2005.

3. *WCA Wake Transfer Station, LLC Engineer Drawings.* Prepared by: David Garrett, P.G., P.E., Raleigh, North Carolina. February 2005.

4. Letters, Stephen R. Berlin to Paul Crissman, RE: requesting issuance of permit to WCA Waste Corporation and providing information to support the request for permit issuance. November 16, 2006 and December 18, 2006.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Wake County, N.C. Register of Deeds				
Book	Page	Grantee	Grantor	Tract
10193	904	MRR Wake Transfer Station, LLC	Southern Equipment Co., LLC	N/A
Book of Maps 1986	1435	Recombination of Property		C
			Total Site Acreage	4.26

PART IV: GENERAL PERMIT CONDITIONS

1. This permit shall expire March 12, 2013. Pursuant to 15A NCAC 13B .0201(e), no later than November 12, 2012; the owner or operator must submit a request to the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section ("Section") for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.

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 receives the certified copy of the recorded permit.

4. This standard permit condition does not apply to this March 12, 2008 Permit to Operate.

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.

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 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

This Section is not applicable to this Permit issued March 12, 2008.

ATTACHMENT 3
CONDITIONS OF OPERATING PERMIT

PART I: OPERATING CONDITIONS

1. The facility is permitted to receive construction and demolition waste as defined in G.S. 130A-290 (a)(4).

2. The following, at a minimum, must not be accepted for disposal at the facility; hazardous waste, municipal solid waste, commercial and industrial waste, yard trash, liquid wastes, regulated medical waste, sharps not properly packaged, animal carcasses, 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).

3. This facility is permitted to receive C&D solid waste generated within the following counties: Chatham, Durham, Franklin, Johnston, Orange, and Wake and the municipalities contained within those counties. All waste that is not recycled shall be transported for disposal to the Material Recovery, LLC C&D Landfill (Permit #92-31), located in Raleigh, Wake County, North Carolina. Proposed changes to the service area and/or the disposal facility must be approved by the Section.

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

   a. Prohibits generators or collectors of C&D waste from disposing of that type or form of C&D waste.

   b. Requires generators or collectors of C&D waste to recycle that type or form of C&D waste.

5. 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.

6. The permittee must develop, and use, a training and screening program at the facility for detecting and preventing unauthorized wastes including asbestos containing material or material suspected to contain asbestos from being placed on the tipping pad. 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, MSW, or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.

7. 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. Except for wood, concrete and aggregate, recoverable materials must be placed in containers. Recovered materials placed in containers must be removed from the site once the container is full.

   e. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.

f. 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.

8. If demolition waste is to be sorted and recycled, then an asbestos screening plan must be 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. Otherwise, asbestos containing material or material suspected to contain asbestos must not be placed on the reclamation pad.

9. Appropriately sized containers for receipt of sorted wastes materials must be on-site when waste is placed on the tipping pad for sorting.

10. Waste must not be placed on the tipping pad during inclement weather unless run-off control measures are installed. Run-off from the tipping pad must be collected and properly disposed.

11. Documentation of delivery of all recovered material to valid end-users/processors/ recyclers must be maintained in the facility's onsite records.

12. All sedimentation/erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated there under at 15A NCAC 4.

13. 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.

14. 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.

15. 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 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.

PART II: MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS, (SPECIFY)

(Not Applicable)

- *End of Permit Conditions* –

BOOK:013920 PAGE:02135 - 02145

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

This Customer Group
_____ # of Time Stamps Needed

This Document
_____ New Time Stamp
__11__ # of Pages

22.004-1/20/06

Waste Industries, LLC -- Applicant Certification:

Name of Facility: Wake Transfer Station, Raleigh

On behalf of the Applicant, in my role as Area Landfill Manager:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision and that the information provided in this application is true, accurate, and complete to the best of my knowledge. I agree to submit a complete permit application for a new facility permit within 30 days in accordance with the North Carolina Solid Waste Management Rules and Statutes. Furthermore, I agree to operate this facility in accordance with (1) the solid waste permit (NC Solid Waste Permit No. 92-34T), (2) any approved Operating Plan, and the (3) the North Carolina Solid Waste Management Rules and Law until a new permit decision is made by the NCDENR Division of Waste Management. I understand that the Division's permit decision may be to issue or deny the new facility permit application.

I understand that the owner and land owner are jointly and severally liable for improper operations and proper closure of the solid waste management facility. I understand that North Carolina General Statute 130A-22 provides for administrative penalties of up to fifteen thousand dollars ($15,000.00) per day each violation of the Solid Waste Management Rules. I further understand that the Solid Waste Management Rules may be revised or amended in the future and that the facility citing and operations of this solid waste management facility will be required to comply with all such revisions or amendments.

David W. Pepper — Signature

David W. Pepper — Print Name

2/28/12 — Date

Area Landfill Manager — Title

Waste Industries, LLC
Business or organization name

NORTH CAROLINA

Wake County

I, Cynthia D. Spencer, a Notary Public for said County and State, do hereby certify that David W. Pepper personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 28 day of Feb, 2012.

(Official Seal)
Notary Public

My commission expires 4-16, 2016.