North Carolina Department of Environment and Natural Resources

Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

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

SOLID WASTE TRANSFER FACILITY
Permit 92-34-TRANSFER-2012

WASTE INDUSTRIES, LLC
(a wholly owned subsidiary of Waste Industries USA, Inc.)
(LANDOWNER AND OPERATOR)

is hereby issued a

PERMIT TO OPERATE

WAKE TRANSFER STATION
(A CONSTRUCTION AND DEMOLITION DEBRIS WASTE TRANSFER FACILITY)

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 deed recorded for this property listed in Attachment 1, Part III of this permit.

Digitally signed by Edward F. Mussler III, P.E.
DN: cn=Edward F. Mussler III, P.E., o=Solid Waste Section, ou=NC DWM, email=ed.mussler@ncdenr.gov, c=US
Date: 2012.11.15 10:57:31 -05'00'

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

ATTACHMENT 1

PART I: Permitting History

Permit Type	Date Issued	Document ID
Permit to Construct	February 9, 2003	
Permit to Operate	October 23, 2003	
Permit to Operate – Amendment	March 12, 2008	
Permit to Operate – Amendment	July 19, 2012	16730
Permit to Operate – Amendment	November 15, 2012	17629

1. In 2003, a Permit to Construct and a Permit to Operate were issued to MRR Wake Transfer Station, LLC for the construction and operation of a construction and demolition debris (C&D) transfer station. 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 C&D transfer station permitted to MRR Wake Transfer Station, 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 WCA Wake Transfer Station, LLC. The name of the facility owner was changed from MMR 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 continued to operate the transfer station as previously permitted to MRR Wake Transfer Station, LLC.

4. The facility was purchased by Waste Industries, LLC, a wholly-owned subsidiary of Waste Industries USA, Inc. Waste Industries, LLC agreed to operate the facility in accordance with the existing permit, any approved operating plan, and the North Carolina Solid Waste Management until a permit decision was made by the Division of Waste Management. An amendment to the Permit to Operate, changing the permit operator and land owner to Waste Industries, LLC was issued July 18, 2012, as Permit 9234-TRANSFER-2012.

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, 2003.

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.

5. Notification of change in ownership and request to transfer permit. Submitted by Grady L. Shields, Wyrick Robbins Yates & Ponton LLP, Raleigh, NC, representing Waste Industries USA, Inc. February 28, 2012. DIN 16620.

6. North Carolina Special Warranty Deed from WCA Wake Transfer Station, LLC, a North Carolina limited liability company (f/k/a MMR Wake Transfer Station, LLC) to Waste Industries, LLC, a North Carolina limited liability company. March 23, 2012. Recorded March 27, 2012. Wake County, NC. Deed Book 14701, page 1893-1897. Retrieved May 2, 2012, from http://services.wakegov.com/booksweb/genextsearch.aspx . DIN 16729

7. Application for permit renewal for Waste Industries LLC Wake Transfer Station. Submitted by John Pfleger, Waste Industries. September 10, 2012, updated through November 14, 2012. DIN 17628.

PART III: Properties Approved for the Solid Waste Facility

Wake County, NC Register of Deeds				
Book	Page	Grantor	Grantee	Acres
14701	1893	WCA Wake Transfer Station, LLC	Waste Industries, LLC	4.26

The property is identified as Tract C in the Book of Maps 1986, Page 1435, Wake County Registry.

PART IV: General Permit Conditions

1. This Permit to Operate shall expire on March 12, 2018. Pursuant to 15A NCAC 13B .0201(g), not later than September 12, 2017, 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. The Permit to Operate for this facility dated July 19, 2012, was recorded in the Wake County Register of Deeds' office on August 9, 2012, in Deed Book 14878 on pages 1623-1634.

4. When this property is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer must contain in the deed description section, in no smaller type than that used in the body of the deed or instrument, a statement that the property has been used as a solid waste transfer station and a reference by book and page to the recordation of the permit.

5. By 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 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. Failure to comply may result in compliance action or permit revocation.

7. This permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 1, Part II, "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 National Pollutant Discharge Elimination System 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

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-End of Section-

ATTACHMENT 3

Conditions of Permit to Operate

PART I: Operation Conditions

1. The facility is permitted to receive construction and demolition debris waste. "Construction or demolition 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.
2. The following, at a minimum, must not be accepted for disposal at the facility: hazardous waste, municipal solid waste, commercial and industrial waste, regulated medical waste, sharps not properly packaged, animal carcasses, regulated-asbestos containing material as defined in 40 CFR 61, PCB wastes defined in 40 CFR 761, and wastes banned from disposal in North Carolina in NCGS 130A-301.10(f).
3. This facility is permitted to receive C&D solid waste generated within the following counties: Chatham, Durham, Franklin, Granville, Johnston, Nash, Orange, Vance, and Wake and the municipalities contained within those counties. Waste that requires additional sorting for recycle will be send to the Wake Material Reclamation Facility, Permit 92-24T in Wake County. Waste that cannot be recycled must be transported for disposal to either Material Recovery C&D Landfill (Permit 92-31) in Wake County or Red Rock Landfill (Permit 92-28) in Wake County. Waste must only be transported to facilities whose service area includes the generation source. Proposed changes to the service area and/or disposal facilities must be approved by the Section and may be subject to a permitting fee.
4. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, C& D solid waste that is generated within the boundaries of a unit of local government that by ordinance:
   a. Prohibits generators or collectors of C&D solid waste from disposing of that type or form of C&D waste.
   b. Requires generators or collectors of C&D solid waste to recycle that type or form of C&D waste.

5. A responsible individual trained and certified n facility operations must be on-site during all times during operating hours of the facility, in accordance with NCGS 130A-309.25.
6. 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 the 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 waste must not cause any nuisance, such as odor or attraction of vectors.
   d. Except for wood, concrete, and aggregate, recoverable materials must be place 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 time 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. 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 operation 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 waste materials must be onsite 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. Interior roadways must be of all-weather construction and maintained in good condition.

12. 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 provide information on dumping procedures, the hours of operation, the permit number, and other pertinent information. Traffic signs or markers must be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.

13. 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.

14. 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.

15. 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.

16. Waste must be stored onsite, 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.

17. Recycled materials placed in containers must be removed for 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 trailer loads.

18. 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.

19. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act NCGS 113A-50, et seq., and rule promulgated under 15A NCAC 4.

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

21. 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.

22. 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. Documentation of end-users/processors/recyclers must be maintained for recycled and recovered materials.

23. 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 at 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.

24. 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.

25. Financial assurance as required by state rules and statutes must be established and be continuously maintained for the duration of the facility in accordance with the applicable rules and statutes

PART II: Miscellaneous Solid Waste Management Conditions

(Not applicable)

- End of Permit Conditions -