

October 11, 2012

Mr. Brian Wootton  
Hydrogeologist  
NCDENR-DWM-SWS-Permitting Section  
217 W Jones St  
Raleigh, NC 27603

**RE: Currin Brothers Inc., LCID Landfill – RECORDED Permit No. 92-N  
Wake County, NC**

Dear Brian:

Smith Gardner Inc. (S+G) is please to submit the attached recorded copy of the Permit to Construct and Operate for the Currin Brothers LCID Landfill (Permit No. 92-N). This certified copy of the permit is affixed with seal of the Wake County Register of Deeds Office and includes the date, book, and page number (10/10/12, Book: 014966, Page: 00031-00042) of the deed recording.

This document is submitted to satisfy condition No.3 of Part IV of the General Permit Conditions.

If you have any questions, or require further information, please contact me at (919) 828-0577 ext. 224 or by email at [don@smithgardnerinc.com](mailto:don@smithgardnerinc.com).

Sincerely,  
**SMITH GARDNER, INC.**



Don Misenheimer  
Project Scientist

CC:

Shawn McKee (NCDENR)  
Allen Currin (Currin Brother, Inc.)  
Stacey Smith, P.E. (S+G)  
File

Attachment

BK014966PG00031

WAKE COUNTY, NC 336  
LAURA M RIDDICK  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
10/10/2012 AT 15:06:00

*Hold #165*

BOOK:014966 PAGE:00031 - 00042

**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 CURRIN BROTHERS, INC.  
AND FURTHER IDENTIFIED BY THE DEEDS RECORDED AS LISTED BELOW:

Property	Book	Page	Acreage	PIN #	Grantor	Grantee
Original Permit issued 3/4/1986	3670	825-827	18.68 acres			Currin Brothers, Inc.
Additional Acreage  2/9/1994	06000	0178-180	62.93 + 2.03 acres	PIN #0750441160 (REAL ESTATE ID# 0069355)	LANDVESTCO	CURRIN BROS., INC.
<b>Total Site Acreage:</b>			<b>83.65 acres</b>			

Note: Deed book reference is from Wake County, NC Register of Deeds office.

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



Facility Permit No: 92-N  
Curring Brothers LCID Landfill  
Permit to Construct and Operate  
June 3, 2010  
Doc ID No. 17234  
Page 1 of 9

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

**LAND CLEARING AND INERT DEBRIS (LCID) LANDFILL  
PERMIT NO. 92-N**

CURRIN BROTHERS INC

is hereby issued a

**PERMIT TO CONSTRUCT AND OPERATE**

CURRIN BROTHERS LANDFILL

PHASES 1, 2, AND 3

Located east of the intersection of NC 55 and SR 1301 in the White Oak Township, 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 No. 1 of this permit.

Digitally signed by Edward F. Mussler  
III, P.E.  
DN: cn=Edward F. Mussler III, P.E.,  
o=Solid Waste Section, ou=NC DWM,  
email=ed.mussler@ncdenr.gov, c=US  
Date: 2012.09.24 10:21:28 -04'00'

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

## ATTACHMENT 1

### PART I: PERMITTING HISTORY

Permit	DB PG	Date	Doc ID No.
Wake County Permit To Operate, #86-001	3670 825-827	March 4, 1986	n/a
Wake County Permit To Construct, Areas 1 and 2, Permit No. 86-001/DEHNR Permit No. 92-S	7033 0077-80	June 18, 1996	n/a
Wake Count Permit To Construct, Phases 1,2, and 3, Permit No. 86-001/DEHNR Permit No. 92-S	-----	December 23, 2003	n/a
Wake County Permit to Operate, Permit No. 86-001/DEHNR #92-S	011102 01045-47	November 10, 2004	
NCDWM Permit to Operate. Permit 92-N	-----	June 3, 2010	17234

### PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. Site Plan prepared by Little and Little, dated November 4, 1985.
2. Map entitled "Recombination Map Property Survey for Glenn Currin" recorded in Book of Maps 1986, Page 368 in the Wake County Registry.
3. Letter from Wake County Environmental Services, dated December 23, 8, 2003, approving modifications for Phase 1, 2, and 3 of the LCID Permit 92-S at 4547 Sunset Lake Road, White Oak Township, Wake County.
4. *Application to renew LCID Permit 92--N for next five years.* Prepared by: John A. K. Tucker, P.E, June 1, 2010. (Doc ID's 10775, 10850, and 10851)
5. Operational Manual, drawings, volume calculations, Revised March 6, 2012 – Doc ID 17228
6. Landfill Gas Monitoring Evaluation – September 4, 2012 – Doc ID 17227

**PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY**

Property	Book	Page	Acreage	Grantor	Grantee
Original Permit	3670	825	18.68		Currin Brothers, Inc.
Additional properties	6000	178-180	62.93 + 2.03	LANDVESTCO	CURRIN BROS., INC.
<b>Total Site Acreage:</b>			<b>83.65</b>		

Note: Deed book reference is from Wake County, NC Register of Deeds office.

**PART IV: GENERAL PERMIT CONDITIONS**

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B .0201(e), a land clearing and inert debris solid waste management facility permit may be combined in two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct shall expire on June 3, 2015. The Permit to Construct conditions are contained in Attachment 2 of this permit. The Permit to Operate shall expire on June 3, 2015. The Permit to Operate conditions are contained in 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 unless the certified copy is filed 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 Division of Waste Management, within 30 (thirty) calendar days. 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 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 land clearing and inert debris 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 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. The permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 1, "List of Documents for Approved Plan," and which constitute the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.
8. This permit may be transferred only with the approval of the Section, through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g), the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to, a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.
9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for sedimentation and erosion control, and a General or Individual National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit, if applicable. Issuance of this permit does not remove the permittee's responsibilities for compliance with any other local, state or federal rule, regulation or statute.

- End of Section -

**ATTACHMENT 2  
 CONDITIONS OF PERMIT TO CONSTRUCT**

**PART I: FACILITY SPECIFIC CONDITIONS**

1. Pursuant to the NC Solid Waste Management Rules (Rule) 15A NCAC 13B .0201(c) and (e), this permit approves construction of vertical extension of Phases 1, 2, and 3 of the Currin Brothers Inc, LCID Landfill.
2. The landfill is permitted for a total gross capacity of 1,555,246 cubic yards. Gross capacity is the measured volume between the bottom of waste and the top of final cover. Development of the landfill is approved as summarized below:

	Acreage	Capacity	Status
		(cubic yards)	
Phases 1, 2, and 3	81.6	1,558,246	Active
Total for site	81.6	1,558,246	
Mulch Volume		165,000	

\*According to Site Plans revised 12/28/2011 and calculations March 5, 2012, by John A.K. Tucker, P.E.

3. The following are required prior to receiving solid waste in vertical extension of Phases 1, 2, and 3:
  - a. Not Applicable.
  - b. A sign must be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566(16).
  - c. The disposal unit boundary must be accurately identified with permanent markers.
  - d. A site inspection and pre-operative meeting must be conducted by a representative of the Section. The permittee must notify the Section’s Environmental Senior Specialist and make arrangements for the site inspection and pre-operative meeting.
  - e. After completion of the requirements in subparagraphs a. through d. above, the Section Environmental Senior Specialist shall notify the Permitting Branch Supervisor by letter or email that the pre-operative requirements have been met and that the unit(s) may commence receiving waste. The permittee will be copied on the notification and may begin receiving waste at that time.

**EROSION AND SEDIMENTATION CONTROL REQUIREMENTS**

4. All earth disturbing activities must be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4) and consistent with any other local, state or federal requirements.
5. Facility construction, operations or practices must not cause or result in a discharge of pollution, dredged material, and/or fill material into waters of the state in violation of the requirements under Sections 401 and 404 of the Clean Water Act, as amended.
6. Modifications to the approved sedimentation and erosion control activities require approval by the North Carolina Land Quality Section. The permittee must notify the Section of any sedimentation and erosion control plan modifications.

*- End of Section -*

**ATTACHMENT 3**

**CONDITIONS OF PERMIT TO OPERATE**

**PART I: FACILITY SPECIFIC CONDITIONS**

1. This Permit to Operate expires June 3, 2015. Pursuant to 15A NCAC 13B .0201(g), no later than December 3, 2014, the owner or operator must submit a request to the Section for permit review and must submit updated facility plans meeting the requirements of Rule 0.565 and .0566.
2. This facility must conform to the operational requirements of the NC Solid Waste Management Rules, 15A NCAC 13B .0566, and to the operational plan required by 15A NCAC 13B .0565(4).
3. This Permit to Operate authorizes the continued operation of vertical extensions of Phases 1, 2, and 3, and, when the Permittee has complied with conditions in Attachment 2, operation of Phases 1, 2, and 3. The LCID landfill. Currin Brothers LCID landfill has a total of 1,558,246 cubic yards of gross capacity plus a mulch volume of 165,000 cubic yards in accordance with the approved plan referenced in Attachment 1, Part II, of this permit.
4. This facility is permitted to receive land clearing waste; yard trash; untreated and unpainted wood; uncontaminated soil; inert debris such as unpainted rock, brick, concrete; concrete block. Wooden pallets as defined in the NCGS Article 9, Chapter 130A-290(44a) are not permitted for disposal.
5. This facility is permitted to receive waste generated within Durham, Wake, Harnett, Orange, Granville, and Chatham Counties. Proposed changes to the service area must be submitted to the Section for review prior to any changes in accordance with Condition No. 9 of this Attachment. An annual report meeting the requirements of G.S. 130A-309.09D (b) shall be submitted by August 1st of each year for the previous July 1 through June 30.
6. The permanent markers that accurately delineate the waste disposal boundary must be maintained.
7. Excavation, grading and fill material side slopes must not exceed a ratio of three horizontal feet to one vertical feet (3:1).
8. Open burning of land clearing waste is prohibited. If a fire occurs, the permittee must provide oral notification to the Section within 24 hours of the occurrence followed by a written report of the details of the fire within 10 working days of the occurrence. The report must include the cause, the location(s) on the premises, the dimensions and volume

of material involved, a description of emergency response activities with results, and a description of mitigation measures implemented to reduce or eliminate conditions leading to the fire. Other conditions may be required based on the severity or nature of the fire.

9. Revisions to the design or operation of the facility or changes to the facility service area must be submitted to the Section for review and approval prior to the implementation of any changes. Revisions or changes that require modification to the permit will be subject to the appropriate permitting fee.
10. Amendments or revisions to the NC General Statutes or to the NC Solid Waste Management Rules or any violation of ground water standards may necessitate modification of the approved design or operation plans, waste acceptance requirements or may require closure of the facility.

#### **Cover Material Requirements**

11. Adequate soil cover shall be applied monthly, or when the active area reaches one acre in size, whichever occurs first or more often when necessary to prevent the site from becoming a nuisance or to mitigate conditions associated with fire, windblown materials, vectors or excessive water infiltration.
12. The facility must maintain a supply of cover material adequate to cover the working face in case of an emergency or fire, at all times.
13. Vegetative ground cover sufficient to control erosion must be established within 30 (thirty) working days upon completion of any phase of LCID landfill development or as addressed in the approved Sedimentation and Erosion Control permit.
14. Within 120 calendar days after completion of any phase of disposal operations, the disposal area must be closed and covered with a minimum of 1 foot of suitable soil cover sloped to allow surface water runoff in a controlled manner.

#### **Drainage Control and Water Protection Requirements**

15. All required sedimentation and erosion control measures must be installed and maintained to mitigate excessive on-site erosion and to prevent silt from leaving the site of the landfill unit during the service life of the facility.
16. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.
17. Solid waste must be placed a minimum of four feet (4) above the seasonal high water table.

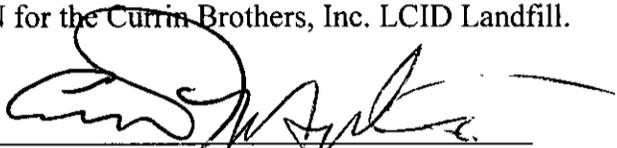
18. Solid waste must not be disposed in standing water. Surface water must be diverted from the operational area and must not be impounded over or in waste.
19. Leachate must be properly managed on site using best management practices.
20. Concentration of explosive gases generated by the facility shall not exceed specifications listed in 15A NCAC 13B .0566(13).

**LAND CLEARING/ YARD WASTE DEBRIS COLLECTION AREA CONDITIONS**

21. The facility is permitted to operate a treatment and processing operation as defined in 15A NCAC 13B, Rule .0101(49). The operation consists of a grinder for land clearing and yard waste debris.
22. The facility is permitted to receive land clearing debris and yard waste defined in 15A NCAC 13B Rules .0101(23) and .0101(56), respectively.
23. If wood material/mulch containing yard trash is provided to the public, the permittee must submit a plan for composting the yard trash in accordance with the requirements of 15A NCAC 13B .1400, et seq.

*- 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 92-N for the Curran Brothers, Inc. LCID Landfill.



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

North Carolina

WAKE County

I, Jane Comer, 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 24<sup>th</sup> day of September, 20 12.

OFFICIAL SEAL



Jane Comer  
NOTARY PUBLIC

My commission expires 4-23, 20 17.

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.



BOOK:014966 PAGE:00031 - 00042

**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  
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