

LCID 12 Leonard York Property

State of North Carolina
Department of Environment,
Health and Natural Resources
Division of Solid Waste Management

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
William L. Meyer, Director



February 14, 1994

Dean E. Wilkie
Wilkie Construction Company
Post Office Box 1410
Lenoir, North Carolina 28645

Ref: Land Clearing & Inert Debris Notification

Mr. Wilkie:

The Solid Waste Section has received your Land Clearing and Inert Debris landfill notification. As long as your disposal activities remain under 2 acres, you may operate under the provisions of this approval. If your landfill disposal activities grow in size to more than 2 acres, please contact the Solid Waste Section for assistance in obtaining an individual permit.

If this property is sold, leased, conveyed or transferred, the deed or other instrument of transfer shall contain in the description section, in no smaller type than 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.

Amendments or revisions to the Solid Waste Management Rules or violation of groundwater standards may necessitate modification of the construction and operation of this facility or closure of this facility.

This approval is not transferrable.

The Land Clearing and Inert Debris landfill is permitted to receive:

- Land Clearing Waste as provided for in 15A NCAC 13B .0101(72); stumps, trees, limbs, brush, grass, and other naturally occurring vegetative material.
- Inert Debris and untreated wood as provided for in 15A NCAC 13B .0101(73); concrete, brick, concrete block, uncontaminated soil, gravel and rock, untreated and unpainted wood.
- Used asphalt as provided for under North Carolina General Statute §130A-309.09B(a)(1); used asphalt or used asphalt mixed with dirt, sand, gravel, rock, and concrete.

Site preparation and construction shall be in accordance with 15A NCAC 13B .0564, Siting Criteria For Land Clearing and Inert Debris (LCID) Landfills.

The facility must be operated in accordance with 15A NCAC 13B .0566, Operational Requirements for Land Clearing and Inert Debris (LCID) Landfills.

All sedimentation and erosion control activities shall be conducted in accordance with 15A NCAC 4, Sedimentation Control. Construction and operations involving sedimentation and erosion control activities greater than 1 acre typically require approval from the Land Quality Section. Contact the Land Quality Section to determine if your activities require approval.

Ground water quality at this facility is subject to the classification and remedial action provisions of 15A NCAC 2L, Classifications and Water Quality Standards.

If you have any questions or if we can provide any other assistance, please do not hesitate to contact the Regional Waste Management Specialist, Mr. Al Hetzell at (704) 251-6208.

Thank you,



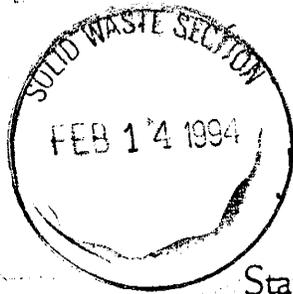
William D. Sessoms, PE

Approved:



James C. Coffey, Supervisor
Permitting Branch
Solid Waste Section

copy: Al Hetzell - DEHNR
Leonard York - Property Owner



FILED
 LOUISE ANDERSON
 BOOK 820, Page 52
 '94 FEB -2 P1:09
 Louise Anderson
 REGISTER OF DEEDS
 BURKE CO., N.C.

State of North Carolina
 Department of Environment, Health, and Natural Resources

512 North Salisbury Street • Raleigh, North Carolina 27604

Division of Solid Waste Management

James B. Hunt, Jr., Governor

Solid Waste Section

Jonathan B. Howes, Secretary

Telephone (919) 733-4996

LAND CLEARING AND INERT DEBRIS LANDFILL NOTIFICATION

Pursuant to 15A NCAC 13B .0563(2)(a), the land owner(s) and operator(s) of any Land Clearing and Inert Debris Landfill under two (2) acres in size shall submit this notification form to the Division prior to constructing or operating the landfill. This form must be filed for recordation in the Register of Deeds' Office. The Register of Deeds shall index the notification under the name of the owner(s) of the land in the county or counties in which the land is located. The Register's seal and the date, book, and page number of recording must be included on this form when submitted to the Division. This notification is not valid to authorize operation of a landfill unless complete, accurate, and recorded as required by 15A NCAC 13B .0563(2)(b).

1. Facility Name: Leonard York Property
2. Facility location (street address): Rirksey Drive Tax Map: 42-70-2-11
 City: Morg. County: Burke Zip: 28655
3. The land on which this landfill is located is described in the deed recorded in:
 deed book: 544 page: 273 county: Burke
4. Name of land owner: Leonard Lee York
5. Mailing address of land owner: 116 Amherst Rd
 City: Morganton State: nc Zip: 28655
6. Telephone number of land owner: (704) 433-0953
 If the land is owned by more than one person, attach additional sheets with the name, address, and phone number of all additional land owners.
7. Name of operator: DEAN E WILKIE
8. Trade or business name of operator: WILKIE CONSTRUCTION CO INC
9. Mailing address of operator: P.O. Box 1410
 City: Lenoir State: nc Zip: 28645
10. Telephone number of operator: (704) 954-6431
 If the landfill is operated by more than one person, attach additional sheets with the name, address, and phone number of all additional operators.
11. Projected use of land after completion of landfill operations: _____

- (4) Adequate soil cover shall be applied monthly, or when the active area reaches one acre in size, whichever occurs first.
- (5) 120 calendar days after completion of any phase of disposal operations, or upon revocation of a permit, the disposal area shall be covered with a minimum of one foot of suitable soil cover sloped to allow surface water runoff in a controlled manner. The Division may require further action in order to correct any condition which is or may become injurious to the public health, or a nuisance to the community.
- (6) Adequate erosion control measures, structures, or devices shall be utilized to prevent silt from leaving the site and to prevent excessive on site erosion.
- (7) Provisions for a ground cover sufficient to restrain erosion must be accomplished within 30 working days or 120 calendar days upon completion of any phase of landfill development.
- (8) The facility shall be adequately secured by means of gates, chains, berms, fences, etc. to prevent unauthorized access except when an operator is on duty. An attendant shall be on duty at all times while the landfill is open for public use to assure compliance with operational requirements and to prevent acceptance of unauthorized wastes.
- (9) Access roads shall be of all-weather construction and properly maintained.
- (10) Surface water shall be diverted from the working face and shall not be impounded over waste.
- (11) Solid waste shall not be disposed of in water.
- (12) Open burning of solid waste is prohibited.
- (13) The concentration of explosive gases generated by the facility shall not exceed:
 - (a) Twenty-five percent of the lower explosive limit for the gases in facility structures.
 - (b) The lower explosive limit for the gases at the property boundary.
- (14) Leachate shall be properly managed on site through the use of current best management practices.
- (15) Should the Division deem it necessary, ground water or surface water monitoring, or both, may be required as provided for under Rules .0601 and .0602 of this Subchapter.
- (16) A sign shall be posted at the facility entrance showing the contact name and number in case of an emergency and the permit number. The permit number requirement is not applicable for facilities not requiring an individual permit.

Certification by Land Owner:

I certify that the information provided by me in this notification is true, accurate, and complete to the best of my knowledge. The facility siting and disposal operations of this Land Clearing & Inert Debris landfill will comply with the requirements of Sections .0563, .0564 and .0566 of 15A NCAC 13B, North Carolina Solid Waste Management Rules. The facility and operations of this landfill will also comply with all applicable Federal, State, and Local laws, rules, regulations, and ordinances. Where the operator is different from the land owner, I, the land owner, have knowledge of the operator's plans to dispose of solid waste on the land and I specifically grant permission for the operation of the landfill. I understand that both the land owner and operator are jointly and severally liable for improper operations and proper closure of the landfill as provided for by North Carolina General Statute 130A-309.27. I further understand that North Carolina General Statute 130A-22 provides for administrative penalties of up to five thousand dollars (\$5,000.00) per day per 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 siting and operations of this landfill will be required to comply with all such revisions or amendments.

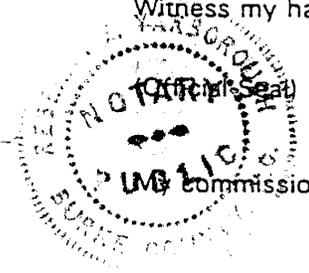
Leonard York Print Name (Owner) Leonard Lee York Signature (Owner) 1-10-94 Date

North Carolina
Burke County

I, Rebekah E. Yarborough, a Notary Public for said County and State, do hereby certify that Leonard York personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 24th day of JAN., 19 94.

Rebekah E. Yarborough
 Notary Public



My commission expires 05/31 STATE OF NORTH CAROLINA - BURKE COUNTY

The foregoing certificates of Rebekah E. Yarborough N.P. of Burke, NC county is adjudged

to be correct. Let the instrument with its certificates, be registered. This 2 day of Feb. 19 94
Brenda K. Erum, Deputy Register of Deeds
 LOUISE ANDERSON

BK062060054

Certification by Corporate Landfill Operator (if different from Owner):

I certify that the information provided by me in this notification is true, accurate, and complete to the best of my knowledge. The facility siting and disposal operations of this Land Clearing & Inert Debris landfill will comply with the requirements of Sections .0563, .0564 and .0566 of 15A NCAC 13B, North Carolina Solid Waste Management Rules. The facility and operations of this landfill will also comply with all applicable Federal, State, and Local laws, rules, regulations, and ordinances. The land owner has been informed of plans to dispose of solid waste on the land and the land owner has specifically granted permission for the operation of the landfill. It is understood that both the operator and land owner are jointly and severally liable for improper operations and proper closure of the landfill as provided for by North Carolina General Statute 130A-309.27. It is further understood that North Carolina General Statute 130A-22 provides for administrative penalties of up to five thousand dollars (\$5,000.00) per day per each violation of the Solid Waste Management Rules. It is further understood that the Solid Waste Management Rules may be revised or amended in the future and that the facility siting and operations of this landfill will be required to comply with all such revisions or amendments.

Wilkie CONSTRUCTION CO INC
Corporation Name (Print)

1-10-94
Date

(Corporate Seal)

Attest:

DEAN E. WILKIE
President or Vice-President Name (Print)

Greg A. Wilkie
Corporate Secretary Name (Print)

Dean E. Wilkie
President or Vice-President Signature

[Signature]
Corporate Secretary Signature

North Carolina
Burke County

I, Rebekah E. Yarborough, a Notary Public for said County and State, do hereby certify that Greg A. Wilkie, (name of secretary) personally appeared before me this day and acknowledged that he (or she) is Secretary of Wilkie CONSTRUCTION (name of corporation), a corporation, and that by authority duly given and as the act of the corporation, the forgoing instrument was signed in its name by its PRESIDENT (president or vice-president), sealed with its corporate seal, and attested by himself (or herself) as its secretary.

Witness my hand and official seal, this the 24th day of Jan, 1994.



Rebekah E. Yarborough
Notary Public

My commission expires 05/31, 1994.

BK0620PG0053