LCIDN04 Blewett Hydroelectric Plant

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

James B. Hunt, Jr., Governor
Wayne McDevitt, Secretary
William L. Meyer, Director

DEHNR

September 23, 1997

Mr. Larry L. Yarger, Manager
CP&L - Blewett Hydroelectric Plant
P.O. Box 148
Lilesville, North Carolina 28091-0148

Ref: Blewett Hydroelectric Plant - Land Clearing & Inert Debris Notification Located in Lilesville, Anson County; as described by the deed recorded in BOOK(s): 47 & 48 PAGE(s): 166 & 367.

Mr. Yarger:

The Solid Waste Section has received your Land Clearing and Inert Debris landfill notification dated 8 August 1997, received 19 September 1997. Disposal activities must remain under 2 acres, to operate under the provisions of this notification. An individual permit from the Section is not required for these disposal activities, and the following applies:

(a). The owner of the land where the landfill is located must notify the Division on a prescribed form, duly signed, notarized, and recorded as per Sub-item (2)(b) of this Rule. The operator of the landfill , if different from the land owner, shall also sign the notification form.

(b). The owner must file the prescribed notification form for recordation in the Register of Deeds' Office. The Register of Deeds shall index the notification in the grantor index under the name of the owner of the land in the county or counties in which the land is located. A copy of the recorded notification, affixed with the Register's seal and the date, book and page number of recording shall be sent to the Division of Waste Management.

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. If information in the notification is found to be inaccurate or false, then compliance action by the Solid Waste

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. Mark Fry at (919) 946-6481 or Jim Barber at (910) 486-1191.

Thank you,

Jim Barber

Jim Barber
Eastern Area Engineer
Solid Waste Section

James C Coffey

James C. Coffey, Supervisor
Permitting Branch
Solid Waste Section

copy: Terry Dover
Mark Fry
Lee Flynn/Raleigh Central File: Anson County Notification file

CP&L

Carolina Power & Light Company
PO Box 1551
411 Fayetteville Street Mall
Raleigh NC 27602

SEP 17 1997

SEP 1997
Received
Solid Waste
Section

Mr. James Coffey
Solid Waste Section
Division of Waste Management
P. O. Box 27687
Raleigh, North Carolina 27611-7687

Subject: Carolina Power & Light Company
Blewett Hydroelectric Plant
Land Clearing and Inert Debris Landfill Notification

Dear Mr. Coffey:

As discussed with Regional Solid Waste Specialist Ikie Guyton, Carolina Power & Light Company's Blewett Plant intends to use an area less than 2 acres in size on the plant site for the disposal of dirt and woody debris removed from in front of the intake structure. As required by 15A NCAC 13B .0563(2) (a) and (b), CP&L filed the attached notification form with the Anson County Register of Deeds and, by way of this letter, is submitting this notification to the Division of Waste Management. As you previously discussed with Mr. Kerry MacPherson, this notification form is signed by the Superintendent of the Facility and the Department Manager for Hydro Operations and Plant Support. Also included is a letter from the Anson County Zoning Department confirming that the Blewett Plant site is in an un-zoned area of the county.

Please contact Mr. Barry Arney at (704) 848-4320 or Kerry MacPherson at (919) 362-3414 should you have any questions concerning this issue.

Yours very truly,

Larry L. Yarger, Manager
Hydro Operations and Plant Support

KAM/pc
Enclosures

c: Mr. Ikie Guyton (DWM-Fayetteville)

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

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FILED

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

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FOYELL RAY
ANSON COUNTY, N.C.
REGISTER OF DEEDS

DEHNR

02420

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, recorded, and submitted to the Division as required by 15A NCAC 13B .0563(2)(b).**

1. Facility Name: BLEWETT Hydroelectric PLANT
2. Facility location (street address): STATE Road 1748
   City: Lilesville County: NC Zip: 28091
3. Directions to Site: From Rockingham: Take 74 W Toward Wadesboro. Turn Right on First Road after crossing the Pee Dee River. The Blewett Plant is at the end of SR 1748.
4. The land on which this landfill is located is described in the deed recorded in:
   deed book: 48 and 47 page: 367 and 166 county: Anson
5. Name of land owner: Carolina Power & Light Company
6. Mailing address of land owner: P.O. Box 148
   City: Lilesville State: NC Zip: 28091-0148
7. Telephone number of land owner: (704) 848-4320
   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.
8. Name of operator: Same as above
9. Trade or business name of operator:
10. Mailing address of operator:
    City: State: Zip:
11. Telephone number of operator: ( )
    If the landfill is operated by more than one person, attach additional sheets with the name, address, and phone number of all additional operators.
12. Projected use of land after completion of landfill operations: NATURAL AREA

The following are the applicability, siting, and operating criteria for Land Clearing and Inert Debris Landfills operating under notification.

.0101 DEFINITIONS

(72) "Land clearing waste" means solid waste which is generated solely from land clearing activities such as stumps, trees, limbs, brush, grass, and other naturally occurring vegetative material.

(73) "Land clearing and inert debris landfill" means a facility for the land disposal of land clearing waste, concrete, brick, concrete block, uncontaminated soil, gravel and rock, untreated and unpainted wood, and yard trash.

(74) "Yard trash" means solid waste resulting from landscaping and yard maintenance such as brush, grass, tree limbs, and similar vegetative materials.

.0563 APPLICABILITY REQUIREMENTS FOR LAND CLEARING AND INERT DEBRIS (LCID) LANDFILLS

Management of land clearing and inert debris shall be in accordance with the State hierarchy for managing solid waste as provided for under N.C.G.S. § 130A-309.04(a). Disposal in a landfill is considered to be the least desirable method of managing land clearing and inert debris. Where landfilling is necessary, the requirements of this Rule apply.

(1) An individual permit from the Division of Solid Waste Management is not required for Land Clearing and Inert Debris (LCID) landfills that meet all of the following conditions:
- (a) The facility is to be operated for the disposal of land clearing waste, inert debris, untreated wood, and yard trash. Operations must be consistent and in compliance with the local government solid waste management plan as approved by the Division of Solid Waste Management.
- (b) The total disposal area is under two acres in size.
- (c) The facility and practices comply with the siting criteria under Rule .0564, and operational requirements under Rule .0566.
- (d) The fill activity is not exempt from, and must comply with all other Federal, State, or Local laws, ordinances, Rules, regulations, or orders, including but not limited to zoning restrictions, flood plain restrictions, wetland restrictions, sedimentation and erosion control requirements, and mining regulations.

(2) Where an individual permit is not required, the following applies:
- (a) The owner of the land where the landfill is located must notify the Division on a prescribed form, duly signed, notarized, and recorded as per Rule .0563(2)(b). The operator of the landfill, if different from the land owner, shall also sign the notification form.
- (b) The owner must file the prescribed notification form for recordation in the Register of Deeds' Office. The Register of Deeds shall index the notification in the grantor index under the name of the owner of the land in the county or counties in which the land is located. A copy of the recorded notification, affixed with the Register's seal and the date, book and page number of recording shall be sent to the Division of Solid Waste Management.
- (c) When the land on which the Land Clearing and Inert Debris Landfill 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 Land Clearing and Inert Debris Landfill and a reference by book and page to the recordation of the notification.

.0564 SITING CRITERIA FOR LAND CLEARING AND INERT DEBRIS (LCID) LANDFILLS

The following siting criteria shall apply for Land Clearing and Inert Debris (LCID) landfills:

(1) Facilities or practices, shall not be located in the 100-year floodplain.

(2) Facilities or practices shall not cause or contribute to the taking of any endangered or threatened species of plants, fish, or wildlife.

(3) Facilities or practices shall not result in the destruction or adverse modification of the critical habitat of endangered or threatened species as identified in 50 CFR Part 17 which is hereby incorporated by reference including any subsequent amendments and editions. This material is available for inspection at the Department of Environment, Health, and Natural Resources, Division of Solid Waste Management, 401 Oberlin Road, Raleigh, North Carolina 27605 where copies can be obtained at no cost.

(4) Facilities or practices shall not damage or destroy an archaeological or historical site.

(5) Facilities or practices shall not cause an adverse impact on a state park, recreation or scenic area, or any other lands included in the state nature and historic preserve.

(6) Facilities shall not be located in any wetland as defined in the Clean Water Act, Section 404(b).

(7) It must be shown that adequate suitable soils are available for cover, either from on or off site.

(8) Land Clearing and Inert Debris landfills shall meet the following surface and ground water requirements:
- (a) Facilities or practices shall not cause a discharge of pollutants into waters of the state that is in violation of the requirements of the National Pollutant Discharge Elimination System (NPDES), under Section 402 of the Clean Water Act, as amended.
- (b) Facilities or practices shall not cause a discharge of dredged materials or fill material into waters of the state that is in violation of the requirements under Section 404 of the Clean Water Act, as amended.
- (c) Facilities or practices shall not cause non-point source pollution of waters of the state that violates assigned water quality standards.
- (d) Waste in landfills with a disposal area greater than two acres shall be placed a minimum of four feet above the seasonal high water table, except where an alternative separation is approved by the Division.
- (e) Waste in landfills with a disposal area less than two acres shall be placed above the seasonal high water table.

(9) The facility shall meet the following minimum buffer requirements:
- (a) 50 feet from the waste boundary to all surface waters of the state as defined in G.S. 143-212.
- (b) 100 feet from the disposal area to property lines, residential dwellings, commercial or public buildings, and wells.
- (c) Buffer requirements may be adjusted as necessary to insure adequate protection of public health and the environment.

* (10) The facility shall meet all requirements of any applicable zoning ordinance.

.0566 OPERATIONAL REQUIREMENTS FOR LAND CLEARING AND INERT DEBRIS (LCID) LANDFILLS

Land Clearing and Inert Debris (LCID) landfills shall meet the following operational requirements:

(1) Operational plans shall be approved and followed as specified for the facility.

(2) The facility shall only accept those solid wastes which it is permitted to receive.

(3) Solid waste shall be restricted to the smallest area feasible and compacted as densely as practical into cells.

(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.

* MUST HAVE LOCAL COUNTY ZONING CERTIFICATE?
CERTIFICATE MAY SAY AREA IS NOT ZONED BUT
IT MUST BE INCLUDED.

Certification by Corporate Land Owner

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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 corporate land owner, the corporate land owner, has knowledge of the operator's plans to dispose of solid waste on the land and is specifically granted permission for the operation of the landfill. It is understood that both the corporate 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. It is 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. 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.

Carolina Power & Light Company — 8/7/97

Corporation Name (Print) — Date

"Record of Poor Quality Due to Condition of Original Document."

(Corporate Seal) — Attest:

LARRY L. YARGER — BARRY L. ARNEY

Larry L. Yarger, Manager
Hydro Operations and Plant Support

Barry L. Arney, Superintendent
Blewett Tillery Plants

North Carolina
Anson County

I, Beverly K. Menges, a Notary Public for said County and State, do hereby certify that

Larry L. Yarger personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 6th day of August, 1997.

(Official Seal)

Beverly K. Menges
Notary Public

My commission expires April 24, 1999.

STATE OF NORTH CAROLINA
COUNTY OF ANSON

The foregoing certificate(s) of Beverly K. Menges, Notary Public,

is(are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown hereon.

Foye L. Ray, Register of Deeds, Anson County, N.C.

ANSON COUNTY ZONING DEPARTMENT
108 EAST MARTIN STREET
WADESBORO, N.C. 28170

June 16, 1997

CP & L - HE & EC
P.O. Box
New Hill, North Carolina

To Whom It May Concern:

The property in the name of Carolina Power and Light located on SR 1748 , Lilesville area of Anson County is in a non zoned area. This area is listed on Tax Map # 7434.00, Parcel # 9306. Included is a copy of the County Tax Map with the area in question outlined.

Sincerely,

Jan Benton

Jan Benton
Administrative Assistant
Zoning Department