

LCID No 50 Ore Knob Property N0429

N0429

NORTH CAROLINA DEPARTMENT OF  
ENVIRONMENT AND NATURAL RESOURCES  
DIVISION OF WASTE MANAGEMENT



February 3, 1999

JAMES B. HUNT JR.  
GOVERNOR

Mr. Thomas G. Reeves  
1167 J. E. Gentry Road  
Crumpler, North Carolina 28617

WAYNE MCDEVITT  
SECRETARY

**Ref:** Land Clearing & Inert Debris Notification  
Ore Knob Property LCID, 00 Ore Knob Mine Road Extension, Laurel Springs,  
Ashe County, North Carolina.  
Described in the deed Recorded in Book: 210, Page(s): 911-913

WILLIAM L. MEYER  
DIRECTOR

Mr. Reeves:

The Solid Waste Section has received your Land Clearing and Inert Debris landfill notification dated 2 January 1996, received 21 January 1999. Disposal activities must remain under 2 acres to operate under the provisions of this notification. An individual permit 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.

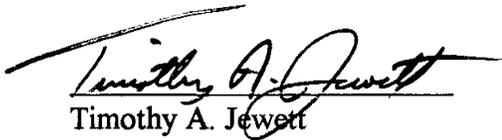
**If this property is sold, leased, conveyed or transferred, the deed or other instrument of transfer shall contain in the description section, in no smaller type than used in the body of the deed or instrument, a statement that the property has been used as a Land Clearing and Inert Debris landfill.**

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 Section and/or the local government with jurisdiction may result in closure of this facility.

Mr. Reeves  
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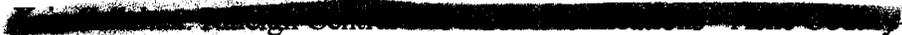
If you have any questions or if we can provide any other assistance, please do not hesitate to contact the Regional Waste Management Specialist for your area, Mr. Danny Hockett, or the Environmental Technician, Jeff Boyd, at (336) 771-4600.

Thank you,



Timothy A. Jewett  
Western Area Engineer  
Solid Waste Section

copy: Jim Coffey  
Julian Foscue  
Danny Hockett  
Jeff Boyd  
William Russell Reeves, Operator





LAND CLEARING AND WERT DEBRIS LANDFILL NOTIFICATION

Pursuant to 15A NCAC 13B .0563(2)(a), the land owner(s) and operator(s) of any Land Clearing and WERT 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)(h).

1. Facility Name: Ore Knob Property
2. Facility location (street address): 00 Ore Knob Mine Extension  
City: Laurel Springs County: Ashe Zip: 28644
3. Directions to Site: At intersection of N.C. 88 North and Little Peak Creek Road, take Little Peak Creek Road appx. 1-1/2 miles to Ore Knob Mine Road; then continue on Ore Knob Mine Road Extension appx. 100 yards to property.
4. The land on which this landfill is located is described in the deed recorded in:  
deed book: 207 page: 257 county: Ashe  
Thomas G. Reeves and wife, Evelyn Reeves; and
5. Name of land owner: William Russell Reeves and wife, Libby E. Reeves  
1167 J. E. Gentry Road
6. Mailing address of land owner: Post Office Box 26  
Crumpler  
City: West Jefferson State: NC Zip: 28617  
28694
7. Telephone number of land owner: ( 910 ) 246-6801 or ( 910 ) 982-2985  
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: William Russell Reeves
9. Trade or business name of operator: Ore Knob Property
10. Mailing address of operator: Post Office Box 26  
City: West Jefferson State: NC Zip: 28694
11. Telephone number of operator: ( 910 ) 877-1842  
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: Timber or agriculture

CERTIFIED  
TRUE COPY

SHIRLEY B. WALLACE  
REGISTER OF DEEDS  
ASHE COUNTY, NC

DATE: 1-4-99  
BY: Ann M. Markie

Book 210  
pgs. 911-913

- (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, chutes, beams, 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.

Thomas G. Reeves Libby E. Reeves 01-02-96  
Evelyn B. Reeves William Russell Reeves Date  
 North Carolina

ASHE County

I, Doris C. Burchette, a Notary Public for said County and State, do hereby certify that Thomas G. Reeves and wife, Evelyn Reeves; and William Russell Reeves and wife, Libby E. Reeves personally appeared before me this day and acknowledged the

execution of the foregoing instrument.

Witness my hand and official seal, this the 2 day of January, 1996.



Doris C. Burchette  
 Notary Public

My commission expires January 21, 1996.

**NORTH CAROLINA, ASHE COUNTY**

The foregoing certificate of DORIS C. BURCHETTE,  
 A NOTARY PUBLIC OF ASHE COUNTY, NC

is (are) certified to be correct. This instrument was presented for registration this day and hour and duly recorded in the office of the Register of Deeds of Ashe County, North Carolina in Book 210 Page 911-913  
 the 31ST day of JANUARY, AD. 1996  
10:01 o'clock AM.

SHIRLEY B. WALLACE  
 SHIRLEY B. WALLACE  
 Register of Deeds  
Anna M. Norelie Asat

**CERTIFIED  
TRUE COPY**

**SHIRLEY B. WALLACE  
REGISTER OF DEEDS  
ASHE COUNTY, NC**

DATE: 1-4-99

BY: *Ann M. Morlie*  
ASST/DEPUTY



*Book 210*

*pgs. 911-913*

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

**.0101 DEFINITIONS**

- (171) "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.
- (173) "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, treated and untreated wood, and yard trash.
- (174) "Yard trash" means solid waste resulting from landscaping and yard maintenance such as brush, grass, tree limbs, and other vegetative materials.

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

Management of land clearing and inert debris shall be in accordance with the State hierarchy for managing solid waste as provided for under 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.

- (11) An individual permit from the Division of Solid Waste Management is not required for Land Clearing and Inert Debris (LCD) landfills that meet all of the following conditions:
- The facility is to be operated for the disposal of land clearing waste, inert debris, treated 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.
  - The total disposal area is under two acres in size.
  - The facility and practices comply with the siting criteria under Rule 0564, and operational requirements under Rule 0566.
  - 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.
- (12) Where an individual permit is not required, the following apply:
- 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 0564.07(b). The operator of the landfill, if different from the land owner, shall also sign the notification form.
  - 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 books 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.
  - 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 (LCD) LANDFILLS**

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

- Facilities or practices shall not be located in the 100 year floodplain.
- Facilities or practices shall not cause or contribute to the taking of any endangered or threatened species of plants, fish, or wildlife.
- 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 Chatham Road, Raleigh, North Carolina 27615 where copies can be obtained at no cost.
- Facilities or practices shall not damage or destroy an archaeological or historical site.
- 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 natural and historic preserve.
- Facilities shall not be located in any wetland as defined in the Clean Water Act, Section 404(b).
- It must be shown that adequate suitable soils are available for cover, either from on or off site.
- Land Clearing and Inert Debris landfills shall meet the following surface and ground water requirements:
  - 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.
  - 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.
  - Facilities or practices shall not cause non point source pollution of waters of the state that violates assigned water quality standards.
  - 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.
  - Waste in landfills with a disposal area less than two acres shall be placed above the seasonal high water table.
- The facility shall meet the following minimum buffer requirements:
  - 50 feet from the waste boundary to all surface waters of the state as defined in G.S. 143-212.
  - 100 feet from the disposal area to property lines, residential dwellings, commercial or public buildings, and schools.
  - Buffer requirements may be adjusted as necessary to insure adequate protection of public health and the environment.
- The facility shall meet all requirements of any applicable zoning ordinance.

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

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

- Operational plans shall be approved and followed as specified in the facility.
- The facility shall only accept those solid wastes which it is permitted to receive.
- Solid waste shall be restricted to the smallest area feasible and compacted as directly as practical into cells.
- Adequate soil cover shall be applied monthly, or when the active area reaches one acre in size, whichever occurs first.
- 120 calendar days after completion of any phase of disposal operations, or upon reversion of a permit, the disposal area shall be covered with a minimum of one foot of suitable soil cover placed to allow surface water runoff in a controlled manner. The Division may require further action in order to correct any conditions which in any way become injurious to the public health, or a nuisance to the community.

BK. 210  
PGS. 911-913

**CERTIFIED  
TRUE COPY**

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