North Carolina Department of Environment and Natural Resources
Division of Waste Management

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
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. 13F-LCID-2013 (Formerly 13-F)

Charlotte Motor Speedway (CMS) LLC, Landowner
and
Morehead LCID LLC, Operator & Leaser

(FORMALLY CABARRUS COUNTY LCID LLC)

is hereby issued a

PERMIT TO CONSTRUCT
EXPANSION AREA

PERMIT TO OPERATE
UNIT 1

Located at 5001 Morehead Road (SR 1300) at the Charlotte Motor Speedway near the intersection of Morehead Road and State Highway 29 southwest of Concord, Cabarrus 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 deeds recorded and the surveys 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=NCDWM, ou=Solid Waste Section, email=ed.mussler@ncdenr.gov, c=US
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Edward F. Mussler, III, P.E.
Permitting Branch Supervisor
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ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit	Date	DIN
Date of Original Issue	May 15, 2001	
Permit Amendment (Phase 1)	February 4, 2005	
Permit Amendment (Closure Modification)	October 1, 2008	5800
Permit Amendment (Phase 2)	December 28, 2009	8560
Permit Amendment (Operator Replaced-Name Change)	January 31, 2014	20485

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. Original permit submittal documents: Hydrogeologic Report dated 24 July 2000 by Enviro-Pro, P.C. and Construction Plan Application dated 19 September 2000 for the Cabarrus LCID Landfill and received 22 September 2000. Original submittal documents include the application narrative, soil boring and monitoring well records, Zoning Approval (dated 17 August 2000), Wetlands determination (dated 15 August 2000), Site Operations and Maintenance Plan, the Original Site Plan and Lease Agreement (dated12 April 2000) between CMS, Inc. and Cabarrus LCID, and the Erosion Control Plan.

2. Threatened and Endangered Species Assessment Report dated 12 October 2000 from the Brigman Company, Inc. indicating that no endangered or threatened species or habitat would be affected by the proposed LCID landfill.

3. Letter dated 8 December 2000 issued by Cabarrus County for Erosion Control Plan approval.

4. Letter dated 13 March 2001 from Calvin D. “Corky” McClure including drawings from BFI clarifying the boundaries of MSW Landfill IV - Areas A, B, and C in relation to the proposed LCID fill area

5. Letter dated 20 March 2001 from the Division of Water Quality for the “Approval of 401 Water Quality Certification and Additional Conditions” allowing the placement of fill material in 300 linear feet of stream for the purpose of expanding the footprint of the LCID. The approval is contingent upon an extended wetlands detention plan as a mitigation feature.

6. Extended Wetland Detention Plan and modified Closure Plan for the LCID dated 10 April 2001 submitted by Patterson Brewer & Associates, P.A.

7. Letter from the Division of Water Quality dated 26 April 2001 approving the wetland detention plan listed in item #6.

8. Signed and notarized agreement between the Division of Water Quality and Calvin D. "Corky" McClure for the maintenance of the extended detention wetland dated 26 April 2001.

9. *Closure Plan Revision Permit 13-F for the Cabarrus LCID Landfill* . Prepared by: Chas. HSells, Inc. Prepared for: Cabarrus LCID Landfill. February 2, 2005.

10. *Cabarrus LCID Modification Closure Plan," Landfill Permit No.13-F*. Prepared for: Cabarrus LCID. Prepared by: Chas. H. Sells, Inc. May 2, 2008. DIN 5795.

11. Letter from the City of Concord to Karl Fritschen of WSP Sells, verifying the zoning for parcels 5508-05-5227, 5508-04-6977 and 5508-04-7700 permitting the land usage as a Land Clearing and Inert Debris (LCID) Landfill. February 26, 2009. DIN 8609.

12. Amendment to the contract between Charlotte Motor Speedway and Cabarrus LCID Landfill, extending the term of the agreement and to increase the size of the LCID Landfill to include the new property.. Dated: August 2009. DIN 8608.

13. *Site Plan and Construction Plan Application, Cabarrus LCID Landfill Expansion, Cabarrus County*. Prepared by: WSP-SELLS. Marche 12, 2009, revised through November 18, 2009. DIN 7049 and 8912.

14. *Request to Change the Operator and Change the Facility Name. Included was an updated Consent to Assignment and Amendment to Agreement between* Cabarrus LCID Landfill ("CLL"), Morehead LCID, LLC, A North Carolina Corporation ("MLL"), and Charlotte Motor Speedway, LLC, A North Carolina Limited Liability Company ("CMS") Facility Plan and Survey of the Expansion Area. Dated: August 30, 2013.Received October 8, 2013. DIN 19985.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Property	Book	Page	Acreage	Grantor	Grantee
Original Permit	5452	360	21.98*	Charlotte Motor Speedway Inc.	Charlotte Motor Speedway LLC.
Expansion Area	MP 58	35	13.88	Charlotte Motor Speedway Inc.	Charlotte Motor Speedway LLC.

Note: Deed and map book references are from Cabarrus County, NC Register of Deeds Office.
***** Partial parcel of property. Legal survey is located in Attachment I, Part II, Document 13.

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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 December 28, 2014. The Permit to Construct conditions are contained in Attachment 2 of this permit. The Permit to Operate shall expire December 28, 2014. 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, 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 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 the Expansion Area of the Cabarrus LCID Landfill.

2. The Expansion Area is permitted for a total gross capacity of 141,930 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:

Expansion Area	Acreage	Capacity (cubic yards)
North Disposal Area	3.30	126,818
South Disposal Area	0.73	15,112
Totals	4.03	141,930

3. The following are required prior to receiving solid waste in a new phase:

   a. Written certification and documentation from a Registered Professional Engineer must be submitted to the Section certifying that the waste disposal unit(s) has been constructed in accordance with the approved plans.

   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 December 28, 2014. Pursuant to 15A NCAC 13B .0201(g), no later than May 28, 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 the existing landfill area and when the Permittee has complied with the conditions contained in Attachment 2, operation of the expansion landfill. The expansion area has a total of 141,930 cubic yards of gross capacity 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, and concrete block; and asphalt in accordance with NCGS 130-294(m). Wooden pallets as defined in the NCGS Article 9, Chapter 130A-290(44a) are not permitted for disposal.

5. The facility has assumed an average disposal rate of 30,000 cubic yards per year (average of 2,500 tons per month). The service area is Cabarrus County and the surrounding Counties in North Carolina.

7. Pursuant to the NC Solid Waste Management Rule (Rule) 15A NCAC 13B .1626(5) burning of land-clearing debris generated on site as a result of construction activities requires approval by the Section prior to initiating the burn. In addition, the Division of Air Quality and local fire department must approve the activity prior to burning.

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. 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.

9. 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.

10. The concentration of explosive gases generated by the LCID landfill facility must not exceed:

    a. Twenty-five percent of the lower explosives limit for the gases in the facility structures.

    b. The lower explosive limit for the gases at the property boundary.

Cover Material Requirements

10. Solid waste must be covered with 1 foot of suitable soil cover at least once per month or when the active area reaches 1 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.

11. 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.

12. 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.

13. Within 120 calendar days after completion of the final 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. However, for ditches with depths greater than 6 inches and widths less than 3 feet located on the landfill, at least 2 feet of soil is required between the bottom elevation of the ditches and the waste mass.

Drainage Control and Water Protection Requirements

14. 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.

15. Facility 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 402 and 404 of the Clean Water Act, as amended

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 above the seasonal high water table.

18. Solid waste must not be disposed in standing water. Surface water must be diverted away 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.

- End of Permit Conditions -