



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

Pat McCrory
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Secretary

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

SOLID WASTE MANAGEMENT FACILITY

Permit No. 2706-TRANSFER-2013

BAY DISPOSAL, INC (Owner and Operator)
and
SCHAUBACH RENTALS, LLLP (Landowner)

are hereby issued a

Permit to Operate

BAY DISPOSAL, INC. - CURRITUCK TRANSFER & RECOVERY FACILITY
(A CONSTRUCTION AND DEMOLITION SOLID WASTE TRANSFER FACILITY AND RECYCLING FACILITY)

Located at 8546 Caratoke Highway, Powells Point, Currituck County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all the 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 for the property listed in Attachment 1, Part III of this permit.

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

ATTACHMENT 1

Part I Permitting History

Permit Type	Date Issued	Document ID No.
Permit to Operate	August 20, 2013	19444

Part II List of Documents for the Approved Plan

1. Application for *Bay Disposal, Inc. – Currituck Transfer & Recovery Facility*. Prepared and submitted by Andrew Schaubach, Vice-President Bay Disposal, Inc. The application contains a copy of the property deeds, operation plan, and special use permit. July 3, 2013. Revised July 31, 2013. Approved August 20, 2013. DIN 19443.

Part III Properties Approved for the Solid Waste Facility

Currituck County, N.C. Register of Deeds				
Book	Page	Grantor	Grantee	Acres
1206	8761	Walter Poschmann and wife, Annemarie Poschmann	Schaubach Rentals, LLLP	4.61
1107	943	Commonwealth Wood Preservers, Inc.	Schaubach Rentals, LLLP	0.69
M	155	Recombination Plat		
Total				5.30

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(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The facility is existing and a Permit to Construct is not required. The Permit to Operate must be implemented in accordance with 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 of the permit is recorded 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. A copy of the certified permit affixed with the Register’s seal and the date, book, and page number of recording

must be returned to the Section within 30 calendar days of issuance of this permit. If the Section does not receive a copy of the recorded permit within 30 calendar days of issuance, then and in that event, the permit is suspended and of no effect until the date the Section receives the 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 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 solid waste transfer station and a reference by book and page to the recordation of the permit.
5. By 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 the 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. This 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 shall 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 a General or Individual NPDES Stormwater Discharge Permit. 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

1. The facility is existing and a Permit to Construct is not required. However, the facility must be inspected prior to beginning operation as noted in Attachment 3, Part I, item 2.

-End of Section-

ATTACHMENT 3 Conditions of Permit to Operate

Part I Facility Specific Conditions

1. The Permit to Operate shall expire **August 20, 2018**. Pursuant to 15A NCAC 13B .0201(e), no later than **February 20, 2018**, the owner or operator must submit a request to the Section for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.
2. The following requirements shall be met prior to waste acceptance at this facility:
 - a. A facility inspection must be made by a representative of the Solid Waste Section.
 - b. A pre-operative meeting must be held onsite with key personnel and representatives of the Solid Waste Section.
3. The facility is permitted to receive “construction or demolition” “waste or debris” (C&D) as defined in NCGS 130A-290 (a)(4) meaning solid waste resulting solely from construction, remodeling, repair, or demolition operations on pavement, buildings, or other structures, but not including inert debris, land-clearing debris or yard debris. C&D waste does not include municipal and industrial waste that may be generated by the on-going operations at buildings or structures.
4. The following, at a minimum, must not be accepted at this facility: hazardous waste, yard trash, liquid wastes, regulated medical waste, sharps not properly packaged, regulated-asbestos containing material as defined in 40 CFR 61, and PCB waste as defined in 40 CFR 761. Wastes banned from landfill disposal in North Carolina by NCGS 130A-309.10(f) and by 15A NCAC 13 .0543(e) must not be transferred for landfill disposal.
5. This facility is permitted to receive construction and demolition waste generated within Currituck, Dare, Camden, Pasquotank, and Perquimans Counties. Recyclables must be transported to the Bay Disposal & Recycling, Hampton, VA (Virginia Permit Number PBR 585). Waste must be transported for disposal to the Centerville Turnpike CDD Landfill, Virginia Beach, VA (Virginia Permit Number SWP 603). Proposed changes to the service area and/or the disposal facility must be approved by the Section and will constitute a permit modification and be subject to the applicable permitting fee.
6. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, municipal solid waste that is generated within the boundaries of a unit of local government that by ordinance:
 - a. Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.

- b. Requires generators or collectors of municipal solid waste to recycle that type or form of municipal solid waste.
7. A responsible individual trained and certified in facility operations must be on-site at all times during all operating hours of the facility, in accordance with NCGS 130A-309.25. An attendant must be present to oversee the loading and unloading of waste.
8. The permittee must develop, and use, a training and screening program at the facility for detecting and preventing unauthorized wastes from being accepted at the facility. At a minimum, the program must include:
 - a. random inspections of incoming loads or other comparable procedures.
 - b. records of all inspections.
 - c. training of personnel to recognize hazardous, liquid and other excluded waste types.
 - d. development of a contingency plan to properly manage any identified hazardous, liquid, or other excluded or unauthorized wastes. The plan must address the identification, removal, storage, and final disposition of the waste.
9. The facility must be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the Section to prevent unauthorized entry.
10. Interior roadways must be of all-weather construction and maintained in good condition.
11. Signs must be posted at the entrance to the facility that state that no hazardous waste or liquid waste can be received at the facility; and that provide information on dumping procedures, the hours of operation, the permit number, and other pertinent information. Traffic signs or markers must be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.
12. Open burning of solid waste is prohibited. Fires must be reported to the Regional Environmental Specialist within 24 hours of the occurrence with a written notification to be submitted within 15 calendar 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. Fire lanes must be maintained and passable at all times. Dimensions of the fire lanes must be coordinated with the Fire Marshall having jurisdiction over the site.
13. The facility must not cause nuisance conditions.
 - a. The tipping floor and transfer trailer loading area must be maintained in a clean, sanitary condition at all times in accordance with the approved Operation Plan.
 - b. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.

- c. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter. Windblown materials must be collected by the end of the day and no windblown material is allowed to leave the facility boundary.
14. Solid waste must only be deposited on the tipping floor, directly into a transfer container, or directly into a recyclables container in accordance with the approved Operation Plan. Waste must not be stored on the tipping floor after operating hours.
15. Waste or recyclable shall be stored and transported in vehicles or containers designed and maintained to be leak resistant in accordance with industry standards.
16. Recyclables must be removed from the facility when the vehicle or container is full. A majority of recyclables must be removed within one year.
17. All water that comes in contact with solid waste, including vehicle wash-down water, is leachate and must be captured and properly treated before release to the environment.
 - a. The leachate control system, such as floor drains, leachate collection devices, sanitary sewer connections, and leachate storage tanks, must be operational during facility operations.
 - b. The tipping floor must drain away from the building entrance and into the leachate collection system.
18. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act NCGS 113A-50, et seq., and rules promulgated under 15A NCAC 4.
19. Copies of this permit, the approved plans and all records required to be maintained by the permittee must be maintained at the facility, unless otherwise approved by the Section, and made available to the Section upon request during normal business hours.
20. The permittee must maintain a record of the amount of solid waste received at the facility, including daily records of waste received and origins of the loads. The permittee must maintain a record of the amount of waste and recyclables transferred and the destination.. Scales must be used to weigh the amount of waste received. The daily records are to be summarized into a monthly report for use in the required annual reports.
21. On or before August 1 annually, the Permittee must submit an annual facility report to the Solid Waste Section, on forms prescribed by the Section.
 - a. The reporting period shall be for the previous year beginning July 1 and ending June 30.

- b. The annual facility report must list the amount of waste received in tons and be compiled:
 - i) On a monthly basis.
 - ii) By county, city or transfer station of origin.
 - iii) By specific waste type.
 - iv) By receiving disposal facility.
 - v) By diversion to alternative management facilities.
 - c. The completed report must be forwarded to the Regional Environmental Specialist for the facility by the date due on the prescribed annual facility report form.
 - d. A copy of the completed report must be forwarded to each county manager for each county from which waste was received the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Specialist by the date due on the prescribed annual facility report form.
22. Processing of materials, shredding, or grinding must not take place at the facility unless approval has been granted under the special use permit and a revised operations plan has been submitted to the Section.

- End of Permit Conditions -