Scanned By	Date	DOC ID	Permit
Backus	03/11/2014	20712	3212T-TRANSFER-1999

FOR REGISTRATION
Willie L. Covington
REGISTER OF DEEDS
Durham County, NC
2013 OCT 18 12:10:55
BK:7382 PG:943-953
NOTICE
FEE:$26.00
INSTRUMENT # 2013040241

SCEARNEL

2013040241

Return to: Attn: Chris Marriott 1833 Camden Ave Durham, NC 27704

NOTE: THE SPACE ABOVE IS FOR THE REGISTER OF DEEDS USE

This page is provided for recordation purposes. The **entire document**, including this page, should be recorded at the Register of Deeds and indexed as follows:

Grantor/Landowner:

Grantee/Holder of Permit: NC DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Document Type: NOTICE

Description: PERMIT FOR SW TRANSFER STATION 32-12

The property is identified by the deeds recorded as listed below:

Durham County, N.C. Register of Deeds			
Book	Page		Acres
80	111	City of Durham	68.9
1620	502	City of Durham	12.8
		Total Site Acreage: approx. 81.7acres	

Note – The Durham County Parcel IDs are 0842 01 18 1935 and 0842 01 29 9290.

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A SOLID WASTE TRANSFER STATION HAS OPERATED ON THE PROPERTY.

Revision 7-2-2013

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 3212T-TRANSFER-1999 for the CITY OF DURHAM TRANSFER STATION.

Patricia M. Backus

Patricia M. Backus, P.E.
Environmental Engineer
Permitting Branch
Solid Waste Section
Division of Waste Management

North Carolina

WAKE County

I, ELIZABETH A. PATTERSON, Notary Public for JOHNSTON County,

North Carolina, do hereby certify that Patricia Backus, Environmental Engineer of the Permitting Branch, Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal,

This the 3RD day of SEPTEMBER, 20 13.

OFFICIAL SEAL

NOTARY PUBLIC

ELIZABETH A. PATTERSON
Notary Public
Johnston County
My Commission Expires
01/25/2016
NORTH CAROLINA

My commission expires JANUARY 25, 20 16.

Note to Register of Deeds: This certified original permit shall be recorded by the Register of Deeds and indexed in the grantor index under the name of the land owner. The certified original affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Permitting Branch Supervisor, Division of Waste Management, Solid Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646.

Revision 7-2-2013

NCDENR

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 ENVIROMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

MUNICIPAL SOLID WASTE TRANSFER FACILITY

Permit No. 3212T-TRANSFER-1999

CITY OF DURHAM (OWNER)
WASTE INDUSTRIES, LLC (OPERATOR)

are hereby issued a

Permit to Operate

CITY OF DURHAM TRANSFER STATION

Located at 2115 East Club Boulevard, Durham, Durham 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.

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
Date: 2013.08.28 14:33:11 -04'00'

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

ATTACHMENT 1

Part I Permitting History

1. The original Permit to Construct was issued on December 9, 1997.

2. The original Permit to Operate was issued on May 12, 1999.

3. On July 25, 2001, a modification was made to the Permit to Operate for the installation and operation of a pre-load compactor.

4. On April 28, 2005, an amendment was made to the Permit to Operate for a five-year renewal.

5. On December 18, 2006, a modification was made to the Permit to Operate for the receipt of yard waste, mulch and compost.

6. On June 12, 2009, a modification was made to the Permit to Operate for the transfer of recycling material.

7. On April 12, 2010, an amendment was made to the Permit to Operate for a five-year renewal.

8. On August 28, 2013, a permit modification to the Permit to Operate was issued which included a change in operator (Waste Industries, LLC), the removal of the pre-load compactor, a change in disposal facilities, and the transfer of comingled recyclables.

Permit Type	Date Issued	Document ID No.
Permit to Construct	December 9, 1997	
Permit to Operate	November 5, 2004	
Permit Modification	July 25, 2001	
Permit Amendment	April 28, 2005	
Permit Modification	December 18, 2006	712
Permit Modification	June 12, 2009	7666
Permit Amendment	April 12, 2010	10317
Permit Modification	August 28, 2013	19301

Part II List of Documents for the Approved Plan

1. *City of Durham Transfer Station Operations Plan.* Prepared by the City of Durham. Revised April 1, 2010. DIN 10316

2. *City of Durham Transfer Station Operations Plan.* Prepared by the City of Durham and submitted by Chris Marriott, City of Durham, Disposal Manager. June 19, 2013. Received June 28, 2013. Revised through August 27, 2013. DIN 19179.

Part III Properties Approved for the Solid Waste Facility

Durham County, N.C. Register of Deeds				
Book	Page	Acreage	Grantee	PIN
80	111	68.9±	City of Durham	0842-01-18-1935
1620	502	12.8±	City of Durham	0842-01-29-9290
		81.7±	Total Facility Acreage	

Deed book references are from Durham County GIS website (http://gisweb.durhamnc.gov/gomaps/map/index.cfm) accessed on April 8, 2010.

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 Permit to Construct must be implemented in accordance with Attachment 2 of this permit. 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 until the certified copy of this permit which references legal descriptions for all land within the solid waste management facility boundary 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. 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 Section within 30 calendar days of issuance of this permit. 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 received 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 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

Part I **Transfer Facility Specific Conditions**

Removal of the compactor unit is approved.

Part II **Miscellaneous Solid Waste Management Conditions**

-End of Section-

ATTACHMENT 3
Conditions of Permit to Operate

Part I Transfer Facility Specific Conditions

1. The Permit to Operate shall expire **April 12, 2015.** Pursuant to 15A NCAC 13B .0201(e), no later than **October 12, 2014**, 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 facility is permitted to receive solid waste as defined in NCGS 130A -290 (35).

3. The facility must meet the requirements of 15A NCAC 13B.0105. In addition, the following, at a minimum, must not be accepted at the facility; hazardous waste, liquid wastes, regulated medical waste, sharps not properly packaged, regulated-asbestos containing material as defined in 40 CFR 61, PCB waste as defined in 40 CFR 761.

4. This facility is permitted to receive solid waste generated within Durham, Chatham, Granville, Orange, Person and Wake Counties. Waste must be transported for disposal to either the Sampson County Disposal Inc. landfill in Roseboro, NC (Permit 8202-MSWLF-2000); the Waste Management Brunswick Municipal Solid Waste landfill in Brunswick County, Virginia (Permit No. 583); or the Uwharrie Environmental MSW Landfill in Montgomery County, North Carolina (Permit No. 6204-MSWLF-1995). 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.

5. 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.

6. 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.

7. 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.

8. 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 and must be cleaned at least daily in accordance with the approved Operational Plan.
   b. Waste must only be deposited on a "tipping floor" or directly into a transfer container. Waste must not be stored on the "tipping floor" after operating hours.
   c. Waste may be stored on-site after operating hours a maximum of 24 hours. However, a minimal amount of waste may be stored for a maximum of 48 hours when the facility is closed during a weekend and a maximum of 72 hours when closed for a weekend holiday. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.
   d. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.
   e. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter.
      i) Fugitive dust emissions are prohibited.
      ii) Windblown materials must be collected by the end of the day and no windblown material may be allowed to leave the facility boundary.

9. Waste or recyclables shall be stored and transported in vehicles or containers designed and maintained to be leak resistant in accordance with industry standards.

10. 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.

11. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated under 15A NCAC 4.

12. 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.

13. 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. 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.

14. 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.

Part II Miscellaneous Solid Waste Management Conditions

General Conditions

15. Wastes received and product stored shall be maintained in containers or reasonably sized piles with adequate fire breaks and lanes in accordance with the approved operational plans and the pertinent rules.

16. Surface water shall be diverted from all operational and storage areas to prevent standing water in operational areas and under or around storage piles. Water that comes in contact with solid waste shall be contained on-site or properly treated prior to discharge.

17. These areas shall be operated and maintained with sufficient dust control measures to minimize airborne emissions and to prevent dust from becoming a nuisance or safety hazard.

18. These areas shall be operated and maintained in a manner so as to minimize odors, prevent the creation of a nuisance, potential health hazard, or a potential fire hazard.

19. Effective vector control measures shall be applied as necessary to control flies, rodents, insects, or vermin.

20. The facility must manage all operations according to all applicable statutes and rules of the State of North Carolina.

Operational Conditions – White Goods

21. The facility is permitted to receive white goods as defined in North Carolina General Statute Article 9, Chapter 130A-290(44).

22. The facility must manage white goods according to the Operation Plan included in Attachment 1, Part II, List of Documents for the Approved Plan. Any revisions to the approved plan shall be approved by the North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

23. The facility must manage white goods according to all applicable statutes and rules of the State of North Carolina.

24. White goods collection areas shall provide for the proper removal of chlorofluorocarbon refrigerants.

Operational Conditions – Tires

25. The facility is permitted to receive tires and scrap tires as defined in North Carolina General Statute Article 9, Chapter 130A-309.53(6) & (7).

26. Scrap tire collection areas shall be operated in accordance with the requirements of 15A NCAC 13B, Rule .1107.

27. The facility must manage tires according to the Operation Plan included in Attachment 1, Part II, List of Documents for the Approved Plan. This document is included in the approved plan. Any revisions to the approved plan shall be approved by the North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

28. The facility must manage tires according to all applicable statutes and rules of the State of North Carolina.

- End of Permit Conditions -