



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

Pat McCrory
Governor

John E. Skvarla, III
Secretary

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

SOLID WASTE MANAGEMENT FACILITY
Permit No. 32-J

WASTE INDUSTRIES, LLC
(a wholly owned subsidiary of Waste Industries USA, Inc.)
(LANDOWNER AND OPERATOR)

is hereby issued a

PERMIT TO CONSTRUCT
Not Applicable

PERMIT TO OPERATE
32J-LCID-1999, Waste Industries – Stone Park Ct LCID LF – Cells 1 and 2
Wood and Inert Debris Recycling Area

PERMIT FOR CLOSURE
Not Applicable

Located at 148 Stone Park Court within the Durham District Campus in Durham, Durham 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 deed recorded for this property listed in Attachment 1, Part III of this permit.

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

ATTACHMENT 1

GENERAL PERMIT CONDITIONS INFORMATION

Part I General Facility

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. The permit to operate issued April 16, 1999, was recorded on May 20, 1999, with the Durham County Register of Deeds in deed book 2649, pages 249-256.
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 solid waste management facility 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. Operation of this solid waste management facility shall be in accordance with the North Carolina 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. Failure to comply may result in compliance action or permit revocation.
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, “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 National Pollutant Discharge Elimination System 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.

PERMIT TO OPERATE

Permit	Status	Issuance	Expiration	DIN
32J-LCID-1999	Active	June 11, 2014	February 20, 2019	20907

DIN = Document Identification Number

PROPERTIES APPROVED FOR THE SOLID WASTE MANAGEMENT FACILITIES

Durham County Register of Deeds				
Book	Page	Grantor	Grantee	Acres
2280	201 - 203	Cherokee Sanford, Inc. (formerly known as Cherokee Sanford Group, Inc.)	Waste Industries, Inc.	37.197
2280	204-208	Cherokee Sanford, Inc.	Waste Industries, Inc.	Easement
Map Book 137	48	Plat, Stone Road Industrial Park, Phase I, Track 2 (LCID occupies approximately 12 acres within the westernmost portion of the property)		
Total Property Acreage				37.197

PIN Number for the property is 0840-03-20-3968. Parcel ID is 163431.

Part II Municipal Solid Waste Landfill Unit(s)

Not Applicable

Part III Construction and Demolition Landfill Unit(s)

Not Applicable

Part IV Industrial Landfill Unit(s)

Not Applicable

Part V Land Clearing and Inert Debris Landfill Unit(s)

Permitting History

Issuance	Date	DIN
Permit to Construct (PTC)	April 16, 1999	
Permit to Operate (PTO) – Phase 1, Cell 1	August 18, 1999	
PTO Modification – Phase 1, Cells 1 & 2	June 19, 2000	
PTO Modification – Added wood recycling on site	November 15, 2002	
PTO Amendment – 5 yr – Phase 1, Cells 1, 2, & 3	August 12, 2003	
PTO Amendment – 5 yr	February 20, 2009	6817
PTO Amendment – 5 yr	June 11, 2014	20907

List of Documents for the Approved Plan

1. Approved site plan. Plan received February 10, 1999.
2. Approved permit application. Application received February 10, 1999.
3. Temporary Use Permit issued by Durham County. February 22, 1999.
4. Letter approving Sedimentation and Erosion Control issued by Durham County. April 1999.
5. Letter from Durham County to Nancy Scott addressing temporary use permit and zoning letter. April 12, 1999.
6. Certification letter from design engineer addressing pre-operational issues dealing with construction requirements for Phase 1, Cell 1. August 18, 1999.
7. Letter from John Gardner, P.E., G.N. Richardson & Associates, Inc., Raleigh, NC. Certification that construction of Phase 1, Cell 2 was completed and ready to begin operations. June 13, 2000.
8. Letter from John Gardner, P.E., G.N. Richardson & Associates, Inc., Raleigh, NC. Request to amend operations plan to supplement and clarify anticipated use of processed asphalt, concrete, and wood pallets as required by Orange County. November 6, 2002.
9. Letter from John Gardner, P.E., G.N. Richardson & Associates, Inc., Raleigh, NC. Request for permit renewal. Included change in phasing, installation of concrete pipe for conveyance of storm water along western edge, and copy of Durham City-County Building Permit No. 0302280 issued July 8, 2003 and expiring June 30, 2013. July 21, 2003.
10. Articles of Merger of Waste Industries, Inc. into Waste Industries MergeCo, LLC with surviving entity named Waste Industries, LLC. NC Secretary of State Identification Number 0565738, Doc Id 210899076. March 3, 2001.

11. Restated Articles of Organization of Waste Industries, LLC. NC Secretary of State Identification Number 0565738, Doc Id 220439063. February 14, 2002.
12. *Permit Renewal Application, Durham LCID Landfill, Durham, North Carolina, NC Solid Waste Permit No. 32-J.* Prepared by: Richardson Smith Gardner & Associates, Raleigh, NC. Prepared for: Waste Industries LLC. July 14, 2008 revised through February 10, 2009.
13. *Permit Renewal Application, Durham LCID Landfill, Durham, North Carolina, NC Solid Waste Permit No. 32-J.* Prepared by Smith Gardner, Raleigh, NC. Prepared for Waste Industries LLC. February 5, 2014 revised through May 15, 2014. DIN 20906.

Part VI Transfer Station/Treatment & Processing Unit(s)

Not Applicable

Part VII Miscellaneous Solid Waste Management

Not Applicable

- End of Section -

ATTACHMENT 2

CONDITIONS OF PERMIT TO CONSTRUCT

Part I: General Facility

1. Construction of all solid waste management units within this facility must be in accordance with the pertinent approved plans included in Attachment 1, List of Documents for the Approved Plan.
2. Modification or revision of the approved plans or changes during construction require approval by the Section and may constitute a permit modification and be subject to a permitting fee.
3. 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. The facility must furnish a copy of the approved Sedimentation and Erosion Control Plan from the NC Division of Energy, Mineral and Land Resources, Land Quality Section, to the Solid Waste Section.
4. Modifications to the approved sedimentation and erosion control activities require approval by the NC Division of Energy, Mineral and Land Resources, Land Quality Section. The Solid Waste Section must be notified of any modifications.
5. Facility construction 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 requirement under Sections 401 and 4040 of the Clean Water Act, as amended.

Part II Municipal Solid Waste Landfill Unit(s)

Not Applicable

Part III Construction and Demolition Landfill Unit(s)

Not Applicable

Part IV Industrial Landfill Unit(s)

Not Applicable

Part V Land Clearing and Inert Debris Landfill Unit(s)

Not Applicable

Part VI Transfer Station/Treatment & Processing Unit(s)

Not Applicable

Part VII Miscellaneous Solid Waste Management

Not Applicable

-End of Section-

ATTACHMENT 3

CONDITIONS OF PERMIT TO OPERATE

Part I: General Facility

1. 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.
2. 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 provide information on dumping procedures, the hours of operation, the permit number, contact name, telephone 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.
3. Interior roadway must be of all-weather construction and maintained in good condition.
4. 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.
5. Copies of this permit, the approved plans, and all records required to be maintained by the permittee must be maintained at the facility and made available to the Section upon request during normal business hours.
6. 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. The Section must be notified of any approved modifications to the sedimentation and erosion control plan.
7. 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 4040 or the Clean Water Act, as amended.
8. Fire lanes must be established and maintained at all times. The dimensions of the fire lanes must be coordinated with the Fire Marshall having jurisdiction over the site.
9. Open burning of solid waste is prohibited. Fires must be reported to the regional waste management specialist with 24 hours of the occurrence, followed by a written notification within 15 calendar days of the occurrence.
10. Financial assurance as required by state rules and statutes must be continuously maintained for the duration of the facility and updated and submitted annually to the Section by the anniversary date of the issuance of this permit.

Part II: Municipal Solid Waste Landfill Unit(s)

Not Applicable

Part III: Construction and Demolition Debris Landfill Unit(s)

Not Applicable

Part IV: Industrial Landfill Unit(s)

Not Applicable

Part V: Land Clearing and Inert Debris Landfill Unit(s)

1. The Permit to Operate shall expire February 20, 2019. Pursuant to 15A NCAC 13B .0201(c), the permittee must submit a permit amendment application prepared in accordance with 15A NCAC 13B .0565 to the Section no later than August 20, 2018.
2. This permit authorizes the operation of Cells 1 and 2 of the LCID landfill.
3. The planned landfill occupies approximated 12 acres. The following table lists the capacity for the LCID landfill units. Total gross capacity is defined as the volume measured from the bottom of waste through the top of final cover. The final elevation of the landfill is 384 ft. The facility operating rate for disposal and /or processing varies. The historical processing rate is approximate 250 cubic yards per day or 32,500 tons per year based on 1,000 pounds/cubic yard and 260 operating day per year.

Landfill Unit	Remaining Capacity (yd ³)	Status
Cells 1 and 2	31,000	Constructed
Cell 3	131,000	Proposed
Cells 4 and 5	207,000	Proposed
Total	369,000	

4. The facility is permitted to receive waste generated in a service area consisting of Durham, Wake, and Orange counties. Proposed changes to the service area must be approved by the Section and will be considered a modification and may be subject to a permitting fee.

5. The facility is permitted to receive for disposal 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).
6. Revisions to the design or operation of the facility require written approval of the Section.
7. Solid waste must be restricted to the smallest area feasible, compacted as densely as practical into cells by proper construction equipment.
8. Excavation, grading, and fill material side slopes must not exceed three horizontal to one vertical (3:1).
9. An attendant must 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.
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

11. Solid waste must be covered with one (1) foot of suitable soil cover at least once per month or when the active area reaches one (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.
12. Vegetative ground cover sufficient to restrain erosion must be established within 30 working days over areas that do not receive wastes for 30 calendar days or 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 one foot of suitable soil cover sloped to allow surface water runoff in a controlled manner. However, ditches located on the landfill debris must have a two (2)-foot thick soil cover as its base and side slopes.

Erosion and Sedimentation Control Requirements

14. All required sedimentation and erosion control measures must be installed and operable 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. The permittee is solely responsible for maintaining an approved sedimentation and erosion control plan. 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.

Drainage Control and Water Protection Requirements

16. 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
17. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.
18. Surface water must be diverted from the operational area.
19. Surface water must not be impounded over or in waste.
20. Solid waste must be placed a minimum of four feet above the seasonal high water table.
21. Solid waste must not be disposed in standing water.
22. Leachate must be properly managed on site through the use of current best management practices.

Part VI: Transfer Station / Treatment and Processing Unit

Not Applicable

Part VII: Miscellaneous Solid Waste Management

1. The permit authorizes the use of Cells 2, 3, and 4 for the storage and processing of incoming materials and outgoing product consistent with approved plan and as shown in Figure 1 of the Operation Plan (Attachment 1, Part II, Document 13).
2. Markers/posts must be used to delineate the storage areas, shown as shaded areas in Figure 1 of the Operation Plan, and maintained for reference.
3. Wood waste consisting of clean lumber scrap, pallets, plywood, oriented strand board, engineering beams and other non-treated wood may be accepted and processed for boiler

fuel. Treated wood (copper chromate arsenate, salt, pressure, stained, painted, etc.) shall not be collected, stored, or processed.

4. Inert debris consisting of concrete, demolished roadway asphalt, brick and concrete block can be accepted and stored for processing. Painted inert debris shall be sampled to insure that the lead levels are below the 0.5% lead by weight (or 5,000 parts per million) or 1 mg/cm³ based on Title X of the Housing and Community Development Act and the Toxic Substances Act. Copies of the test results shall be made available upon request to the Section.

- End of Permit Conditions -