



Facility Permit No. 35-05T-Transfer-2010  
Organic Recycling Center, LLC  
Permit to Construct and Operate  
February 19, 2010  
Doc ID 8849  
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North Carolina Department of Environment and Natural Resources  
Division of Waste Management

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

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

**SOLID WASTE MANAGEMENT FACILITY**  
**Permit No. 35-05T-Transfer-2010**

ORGANIC PARTNERS, LLC (LANDOWNER)  
AND  
ORGANIC RECYCLING CENTER, LLC (OPERATOR)  
are hereby issued a

**PERMIT TO CONSTRUCT AND OPERATE**

ORGANIC RECYCLING CENTER, LLC  
A CONSTRUCTION AND DEMOLITION DEBRIS (C&D) TRANSFER STATION AND  
RECYCLING OPERATION FACILITY

Located at 2095 US 1 Hwy, Franklinton, Franklin 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 for this property listed in Attachment 1, Part III of this permit.

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

**ATTACHMENT 1**

**PART I: PERMITTING HISTORY**

<b>Permit Type</b>	<b>Date Issued</b>	<b>Doc ID</b>
Permit to Operate, Perry Demo Landfill (PIP Demo Landfill), Permit 35-C	September 13, 1991	
Permit to Construct and Operate, Organic Recycling Center T&P, Permit 35-03TP	March 13, 2006	199
Permit to Construct and Operate, 35-05T, Organic Recycling Center C&D Transfer Station	February 19, 2010	8849

1. In September 1991, a Demolition Landfill (Permit No. 35-C) was permitted to operate on this property under the name Perry Demolition Landfill, also called PIP Landfill. The landfill operation consisted of five phases across the property, adjacent to the wetlands, with 22 acres of disposal. The property was owned at that time by Janie D. Perry, and the landfill operator was Allen D. Perry. The permit for the facility was recorded at the Register of Deeds at Book 943, pages 146-150.
2. In 1994, the landfill operation changed to receive only land clearing and inert debris. The name of the facility was called PIP LCID Landfill.
3. In 2005, the property was sold from Janie D. Perry and others to Organic Partners, LLC.
4. In 2006, closure of the PIP LCID Landfill was certified. At the same time, a Permit to Operate was issued to Organic Recycling Center for a Treatment & Processing (T&P) Facility on the property (Permit No. 35-03TP), allowing grinding and storage of wood debris.
5. In November 2009, a Permit to Construct and Operate a C&D Transfer Station was issued to Organic Recycling Center. The property is permitted for both the C&D Transfer Station and for the wood waste T&P facility.

**PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN**

1. *Permit Application for Organic Recycling C&D Transfer Station.* Prepared by Millridge Companies. Dated February 2009, revised through February 2010. Doc ID 9681.

**PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY**

<b>Franklin County, N.C. Register of Deeds</b>				
Book	Page	Grantor	Grantee	Parcel ID
1458	143-148	Janie D. Perry, et al	Organic Partners, LLC	1854-13-7682
Total Site Acreage: 71.53 acres*				

\*Note – The total facility property is 71.53 acres, but the actual area used for the C&D transfer station is 28 acres, as shown on the approved drawings.

**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 Rules 15A NCAC 13B .0201 (c) and .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 shall be implemented in accordance with Attachment 2 of this permit. The Permit to Operate shall expire February 19, 2016. The Permit to Operate shall 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 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. 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 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: TRANSFER FACILITY CONSTRUCTION CONDITIONS**

1. Construction of the transfer facility must be conducted in accordance with the approved plans listed in Attachment 1, Part II. Any revision or modification to these plans must be submitted to the Section for review and approval prior to implementation of the change, and may be subject to a permitting fee.
2. The initial, substantial, construction authorized by this Permit to Construct must commence within 18 months from the issuance date of this permit. If substantial construction does not begin within 18 months from the issuance date of this permit, then the permit shall expire. Substantial construction includes, but is not limited to, issuance of construction contracts, mobilization of equipment on site, and construction activities including installation of sedimentation and erosion control structures. The permittee may re-apply for the Permit to Construct prior to the expiration date. The re-application will be subject to the statutes and rules in effect on that date and may be subject to additional fees.
3. An approval to operate by the Section is required prior to commencement of operations at the referenced transfer facility. The following requirements must be met prior to issuance of an approval to operate:
  - a. Construction must be completed in accordance with the approved plan. A certification letter stating that the facility and related infrastructure was constructed in accordance with the approved plan shall be submitted to the Section by the Project Engineer who shall be a North Carolina registered professional engineer.
  - b. One electronic copy (pdf) of the construction record (as-built) drawings must be submitted to the Section for filing and records.
  - c. Financial assurance documentation must be submitted in accordance with state rules and statutes.
  - d. A site inspection must be made by a representative of the Section.

4. A representative of the Section shall notify the Permitting Branch Supervisor by letter or e-mail, that the pre-operative conditions have been met. The permittee will be copied on the correspondence and may begin operation of the facility at that time.

#### **EROSION AND SEDIMENTATION CONTROL REQUIREMENTS**

5. 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.
6. 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.
7. 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: OPERATING CONDITIONS**

1. The Permit to Operate shall expire February 19, 2016. Pursuant to 15A NCAC 13B .0201(e), no later than October 19, 2015, 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 plan and waste screening plans.
2. The transfer facility is permitted to receive the following waste types:
  - a. “Construction or demolition debris” as defined in G.S. 130A-290 (a)(4) means solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures, but does not include inert debris, land-clearing debris or yard debris.
  - b. “Inert debris” as defined in G.S. 130A-290 (a)(14) means solid waste that consists solely of material such as concrete, brick, concrete block, uncontaminated soil, rock, and gravel.
  - c. “Land-clearing debris” as defined in G.S. 130A-290 (a)(15) means solid waste that is generated solely from land-clearing activities, such as stumps and tree trunks.
  - d. “Asphalt” in accordance with G.S. 130-294(m).
3. Those wastes listed in 15A NCAC 13B .0542(e), must not be accepted at the facility, including, but not limited to, municipal solid waste, liquid waste, commercial and industrial wastes, and yard trash. Regulated asbestos-containing materials as defined in 40 CFR 61 must not be accepted at the transfer facility. Barrels and drums must not be accepted unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein.
4. This facility is permitted to receive construction and demolition debris waste generated within Wake, Granville, Franklin, and Orange counties. The waste that cannot be recycled will be hauled to the appropriate facility for the given waste type: Red Rock C&D Landfill in Wake County, Permit # 92-28; Oxford C&D Landfill in Granville County, Permit # 39-01; and/or Johnston County C&D Landfill, Permit #51-03. Waste must only be transported to facilities whose service area includes the generation source.

Proposed changes to the service area and/or the disposal facilities must be approved by the Section and may be subject to a permitting fee.

5. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, C&D waste that is generated within the boundaries of a unit of local government that by ordinance:
  - a. Prohibits generators or collectors of C&D waste from disposing of that type or form of C&D waste.
  - b. Requires generators or collectors of C&D waste to recycle that form of C&D 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 G.S. 130A-309.25. An attendant must be present to oversee the loading and unloading of waste.
7. The permittee must develop and implement 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, MSW, asbestos or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.
8. 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.
9. Interior roadways must be of all-weather construction and maintained in good condition.
10. Signs must be posted at the entrance to the facility that state that no MSW, 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.

11. Demolition debris waste must not be accepted and sorted for recycling unless accompanied by an asbestos certification. Records of asbestos certification for demolition debris that is accepted for recycling must be maintained as part of the Operational Records described in the permit application.
12. Cardboard, metal, concrete, other inert debris, asphalt, re-useable building materials and untreated, clean wood debris (including pallets) are approved for recycling. Engineered or glued wood (such as particle board) and painted debris are not approved for recycling.
13. Except for inert debris, all recyclables must be sorted and stored in containers by the end of each operating day. Containers must be covered at the end of each operating day, and during precipitation events. All non-recyclables in the sorting area must be placed in transfer trailers for disposal by the end of each operating day.
14. Any waste stored onsite after operating hours must be stored in leak-proof transfer trailers, with watertight covers, a maximum of 24 hours. However, a minimal amount of waste may be stored for no more than 48 hours when the facility is closed during a weekend and no more than 72 hours when closed for a holiday weekend. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.
15. Recycled materials placed in containers must be removed from the site once the container is full. Recyclable material must not be stored onsite longer than one year. The approved maximum storage volume of recycled materials and waste onsite at any time is 2 containers of each recyclable material and non-recyclable waste: cardboard; metals; wood; plastics and vinyl (such as vinyl-clad windows, doors and siding, but NOT plastic bottles and containers); and waste, for a total of 10 containers onsite at any time.
16. All water or liquid 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. The leachate control system, such as floor drains, leachate collection devices, sanitary sewer connections, and leachate storage tanks, must be operational during facility operations. The tipping floor must drain away from the building entrance and into the leachate collection system. Incoming waste and recyclables must not be unloaded onto any uncovered tipping area during rainfall events. Waste must not be placed in ponded water.
17. The tipping floor and transfer trailer loading area must be maintained in a clean, sanitary condition after operating hours and must be cleaned at least daily in accordance with the approved Operation Plan.

18. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter. Fugitive dust emissions are prohibited. Windblown materials must be collected by the end of each operating day, and no windblown material may be allowed to leave the facility boundary.
19. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.
20. Open burning of solid waste is prohibited. Fires must be reported to the Regional Waste Management Specialist within twenty-four (24) hours of the occurrence with a written notification to be submitted within fifteen (15) calendar days of the occurrence. 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.
21. 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.
22. 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.
23. 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 permittee must maintain a record of the amounts of waste transported out of the facility for disposal, amounts of materials transported out of the facility for recovery and recycling, and amounts of waste or material with any other final disposition, to be compiled on a monthly basis. The daily records are to be summarized into a monthly report for use in the required annual reports, to include a comparison of incoming versus outgoing amounts. Documentation of end-users/processors/recyclers must be maintained for recycled and recovered materials.
24. 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 tons of C&D waste recycled, recovered or diverted from disposal including a description of how and where the material was ultimately managed must be included in the report.
  - d. 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.
  - e. 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.
25. 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 Solid Waste Section. The separate Treatment & Processing operation on this facility property, Permit No. 35-03TP, has been approved for operation.
26. Financial assurance as required by state rules and statutes must be established with proof submitted to the Section before the facility begins receiving waste. The financial assurance must be continuously maintained for the duration of the facility in accordance with applicable rules and statutes. The financial assurance amount is calculated based on a maximum incoming rate of 500 tons per day and the maximum amount of materials to be stored onsite. The financial assurance amount must be increased, on the annual re-submittal or sooner if determined necessary by the Section, if the actual average incoming rate is more than 500 tons per day.

**PART II: MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS,  
(SPECIFY)**

*Not applicable*

*- End of Permit Conditions -*

I do hereby certify that the attached PERMIT TO CONSTRUCT AND OPERATE is an exact and true original of PERMIT NUMBER 35-05T-Transfer-2009 for Organic Recycling Center C&D Transfer Station.

\_\_\_\_\_  
Edward F. Mussler, III, P.E.  
Permitting Branch Supervisor  
Solid Waste Section  
Division of Waste Management

North Carolina

\_\_\_\_\_ County

I, \_\_\_\_\_, Notary Public for \_\_\_\_\_ County,

North Carolina, do hereby certify that Edward F. Mussler, III, Supervisor of the Permitting Branch, Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal,

This the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

OFFICIAL SEAL

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires \_\_\_\_\_, 20\_\_\_\_\_.

**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.**

**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 IN THE GRANTOR INDEX UNDER THE NAME OF THE LANDOWNER FOR THE PARCEL OF PROPERTY LOCATED IN FRANKLIN COUNTY AND SAID PROPERTY BEING OWNED BY ORGANIC PARTNERS, LLC AND FURTHER IDENTIFIED BY THE DEEDS RECORDED AS LISTED BELOW:

<b>Franklin County, N.C. Register of Deeds</b>				
Book	Page	Grantor	Grantee	Parcel ID
1458	143-148	Janie D. Perry, et al	Organic Partners, LLC	1854-13-7682
				Total Site Acreage: 71.53 acres

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