

North Carolina
Department of Environment and Natural Resources

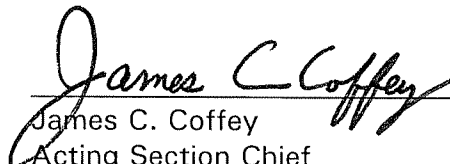
Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary
William L. Meyer, Director



CERTIFIED COPY OF SOLID WASTE PERMIT

I do hereby certify that the attached **PERMIT** is an exact and true copy of
Permit Number 92-22.



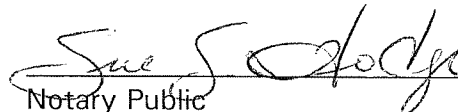
James C. Coffey
Acting Section Chief
Solid Waste Section

North Carolina
Johnston County

I, Sue S. Hodge, a Notary Public for said County and State, do hereby certify that James C. Coffey, Acting Section Chief, Solid Waste Section, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 27th. day of March, 2001.

OFFICIAL SEAL



Notary Public

My commission expires October 21, 2005.

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-733-4996 \ FAX: 919-715-3605 \ Internet: www.enr.state.nc.us

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FACILITY PERMIT NO: 92-22
Part 1-Permit to Construct
Date of Re-Issue: March 27, 2001
Page 1

MUNICIPAL SOLID WASTE LANDFILL FACILITY PERMIT

COUNTY OF WAKE

is hereby issued a PERMIT to CONSTRUCT a
MUNICIPAL SOLID WASTE LANDFILL FACILITY

located on North Carolina Highway 55, Wake 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 facility is located and described by the legal description of the site or the property map contained within the approved application and includes the following properties recorded in the Wake County Register of Deeds Office:

162 acre tract described in deed from CP&L to Wake County, recorded in Deed Book 4914, Page 812;

201.73 acre tract described in deed from J.T. Hobby & Sons, Inc. to Wake County, recorded in Deed Book 5489, Page 413;

15.3 acre tract described in deed from Isaac and Bertha Sapp to Wake County, recorded in Deed Book 5448, Page 2;

8 acre tract described in deed from Isaac and Bertha Sapp to Wake County, recorded in Deed Book 5448, Page 2;

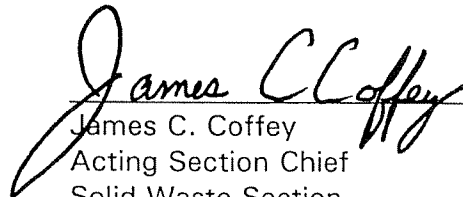
84 acre tract described in judgement in matter entitled *County of Wake v. Kay Adams Adcock*, recorded in Deed Book 5445, Page 110;

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Less and except that property described in deed from Wake County to NCDOT,
recorded in Deed Book 8337, Page 1314;

Total approximate acres 471.

This permit is re-issued pursuant to an Order of Wake County Superior Court entered March 19, 2001 (County of Wake v. N.C. Dept. Of Environment and Natural Resources, 00 CVS 11760). Facility Permit No. 92-22 issued on February 18, 1999, was recinded by a Final Agency decision dated April 7, 2000. This Final Agency decision was nullified by an Order of the Wake County Superior Court filed October 4, 2000 (Franks and Schifano et. Al., v. NCDENR and Wake County, 00 CVS 3742). Pursuant to the October 4, 2000 Order, the Recommended Decision of the Administrative Law Judge became the Final Agency Decision. This Final Decision, effective October 4, 2000, superceded the April 7, 2000 Final Agency Decision and also recinded the February 18, 1999 permit. The March 19, 2001 Order reversed the October 4, 2000 Final Decision.


James C. Coffey
Acting Section Chief
Solid Waste Section

ATTACHMENT 1

Approved Documents

PART I: GENERAL FACILITY CONDITIONS

PART II: MUNICIPAL SOLID WASTE LANDFILL CONDITIONS

1. South Wake Solid Waste Management Facility Permit to Construct Application, Volume 1 of 2, prepared for Wake County by Camp Dresser & McKee, Raleigh, North Carolina, December, latest revision.
2. South Wake Solid Waste Management Facility Permit to Construct Application, Volume 2 of 2, prepared for Wake County by Camp Dresser & McKee, Raleigh, North Carolina, December 1996 latest revision.
3. Facility Plan Drawings, South Wake Solid Waste Management Facility, prepared for Wake County by Camp Dresser & McKee, Raleigh, North Carolina, December 1996, latest revision.
4. Engineering Plan Drawings, South Wake Solid Waste Management Facility, prepared for Wake County by Camp Dresser & McKee, Raleigh, North Carolina, December 1996, latest revision.

PART III: CONSTRUCTION AND DEMOLITION LANDFILL CONDITIONS

PART IV: LAND CLEARING AND INERT DEBRIS LANDFILL CONDITIONS

PART V: YARD WASTE CONDITIONS

PART VI: MISCELLANEOUS TREATMENT AND PROCESSING FACILITIES CONDITIONS

ATTACHMENT 2

PART I: GENERAL FACILITY CONDITIONS

1. This permit shall be effective upon compliance with 15A NCAC 13B .0204 and when the certified copy with the page, book number, date of recordation, and Register's seal is returned to the Solid Waste Section (Section).
2. This permit approves the Facility Plan which in accordance with 15 NCAC 13B .1619 defines the comprehensive development of the facility including the total municipal solid waste landfill capacity, the municipal solid waste stream, all on site solid waste management facilities and related facility infrastructure.

The approved plans are described in Attachment 1, "Approved Documents". Where discrepancies may exist, the most recent approved submittal and Conditions of Permit shall govern.

3. This facility has an anticipated total volume capacity of 30,006,100 cubic yards consistent with the approved final contours, which will be developed in 5 construction phases of approximately five years each. Construction of cells within each phase and subsequent phases will be in accordance with the Division approved plans.
4. The landfill is permitted to receive solid waste generated within Wake County, as defined in 15A NCAC 13B .0101(36), except where prohibited by North Carolina General Statutes Article 9 of Chapter 130A, and rules adopted by the Commission for Health Services.

The owner or operator of a municipal solid waste management facility that is owned or operated by a unit of local government shall not knowingly dispose of any type or form of 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 solid waste.
5. This facility is subject to the requirements of all applicable sections of the most recent version of the North Carolina Solid Waste Management Rules, 15A NCAC 13B and the specific conditions contained herein.

6. This facility shall conform to the specific conditions set forth in this permit and the provisions of 15A NCAC 13B .1604(b)(2).
7. This facility permit is issued under the criteria set forth in 15A NCAC 13B.1603(a)(1). Any facility changes that effect these criteria may require a new permit.
8. Wake County shall submit an amendment to this permit pursuant to 15A NCAC 13B .1603(a)(2) for any subsequent phase of development.
9. Prior to submittal of a Permit Amendment application for the construction and operation of the Construction and Demolition disposal area shown on the facility plans, Wake County shall conduct a public meeting to receive input on the amendment application.

FACILITY CONSTRUCTION CONDITIONS

10. Wake County shall conduct a pre-construction meeting, on-site, prior to initiating construction of any unit at the site and shall notify the Solid Waste Section at least 10 days prior to said meeting.
11. Construction of all solid waste management units within this facility shall be in accordance with the pertinent approved plans and only for those phases of development approved for construction as described in Attachment 1, "Approved Documents".
12. Additional conditions and revisions of the approved documents or changes during construction of any landfill unit require approval by the North Carolina Solid Waste Section.
13. Any modifications in sedimentation and erosion control activities require approval by the Land Quality Section. The Section shall be notified of any sedimentation and erosion control modifications.

FACILITY PRE-OPERATIVE CONDITIONS

14. Prior to receiving waste at any unit, cell, or phase of this facility, a Permit to Operate must be obtained from the Solid Waste Section in accordance with 15A NCAC 13B .0201(b).
15. Solid waste shall not be received until the N. C. 55 By Pass highway project is available for waste collection vehicle traffic. Any changes in the primary access to the site shall require a new facility permit.

16. The following requirements shall be met prior to waste disposal for any unit of this facility:
 - a. Site preparation shall be in accordance with the approved plans, and the conditions specified herein.
 - b. Site inspection shall be made by a representative of the Solid Waste Section.
 - c. Prior to waste disposal for any unit, a pre-operative meeting shall be held on-site with key landfill personnel and representatives of the Solid Waste Section.
 - d. Financial Assurance, as required by 15A NCAC 13B .1628, shall be in place.

PART II: MUNICIPAL LANDFILL UNIT SPECIFIC CONDITIONS

PRE-OPERATIONAL CONDITIONS

17. Ground water monitoring wells and surface water sampling locations shall be sampled for the Appendix I constituent list prior to issuing the Permit to Operate.

CONSTRUCTION CONDITIONS

18. The owner's geologist shall examine the cell excavation and note any pertinent geologic features exposed during the construction process and shall notify the Solid Waste Section Hydrogeologist of these findings prior to the placement of any liner materials.
19. The owner's geologist shall be in the field to supervise all well installations. Any modifications to the approved water quality monitoring plan require approval by the Section Hydrogeologist. Documentation of all changes to the approved plan shall be submitted with the well construction records.
20. For each monitoring well constructed, a well construction record, well schematic, boring log and a description of well development activities shall be submitted to the Section within 30 days upon well completion.

PART III: CONSTRUCTION AND DEMOLITION DEBRIS UNIT SPECIFIC CONDITIONS

PART IV: LAND CLEARING AND INERT DEBRIS UNIT SPECIFIC CONDITIONS

PART V: YARD WASTE UNIT SPECIFIC CONDITIONS

PART VI: MISCELLANEOUS TREATMENT AND PROCESSING UNIT SPECIFIC CONDITIONS