



1030 Wilmer Avenue, Suite 100
Richmond, Virginia 23227
804.264.2228
www.daa.com

April 16, 2020

Mr. Dean Starook
Groundwater Remediation Specialist
Department of Environmental Quality
Piedmont Regional Office
4949-A Cox Road
Glen Allen, Virginia 23060

**RE: Green Ridge Recycling and Disposal Facility (SWP 626)
Notice of Intent - Response to Completeness Review 1
Draper Aden Associates Project No.18020117-090102**

Dear Mr. Starook:

In a letter from you (DEQ - Piedmont Regional Office) to Mr. Jerry Cifor (Green Ridge Recycling and Disposal Facility, LLC; dated March 20, 2020 - copy attached), DEQ offered comments pertaining to the *Notice of Intent for a Part A Permit Application* submitted to DEQ on January 22, 2020. On behalf of, and as authorized by, Green Ridge Recycling and Disposal Facility, LLC, we offer the following additional information. Comments provided by DEQ are shown in italics, followed by our comments.

1. ***Disclosure Statement, NOI Appendix NOI-II:*** *Please review the submitted disclosure statements and provide new and/or revised Disclosure Statement forms (DISC-01 and DISC-02) to ensure the applicant and all key personnel are identified, including GFL Environmental, which purchased County Waste of Virginia earlier this year. Also, be sure that all required disclosures are made for key personnel identified.*

Please also provide a diagram and/or explanation outlining the corporate/LLC structure as it relates to Green Ridge Recycling and Disposal Facility, LLC, and describe how each entity is related.

Pursuant to your request, enclosed is an organizational chart for GFL Environmental, Inc. ("GFL") reflecting the applicant Green Ridge Recycling and Disposal Facility, LLC's connection with GFL and its subsidiaries, which includes the applicant ("Green Ridge"). Green Ridge is wholly owned by County Waste of Virginia, LLC, which in turn is a wholly owned indirect subsidiary of GFL. Please note that GFL is a publicly traded company and its shares are listed on the Toronto and New York Stock Exchanges. Consequently, because Green Ridge is part of a publicly traded organization, key personnel no longer need to be disclosed under 9VAC 20-81-10, and the original disclosures submitted therefore do not need to be further reviewed or amended.

However, per DEQ's letter request, although key personnel do not need to be disclosed, and Green Ridge is accordingly not reviewing and amending the disclosure statements of individual key personnel previously identified, Green Ridge has revised its disclosure statements to include

Mr. Dean Starook

April 16, 2020

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Michael Castellarin and Adrian Pasricha of Clairvest Group, Inc. Messrs. Castellarin and Pasricha are not involved with the daily management of Green Ridge, but they are on the Board of Managers of GR Manageco, LLC, which is a manager of Green Ridge. Green Ridge is therefore adding their names to the DEQ Form Disc-01 Disclosure Statement, although not required under 9VAC 20-81-10. GR Manageco is owned by Scott Earl, a previously disclosed key personnel, and Clairvest Group, Inc., a publicly traded corporation.

2. **Local Government Certification, NOI Appendix NOI-III:** *The DEQ notes that the applicable Solid Waste Management Plan (SWMP) for Cumberland County is the joint Prince Edward/Cumberland County SWMP. Prince Edward and Cumberland County are currently in the process of revising their SWMP. Please note that in accordance with §10.1-1411 C.2., the Prince Edward/Cumberland County SWMP amendment to incorporate the Green Ridge Recycling and Disposal Facility must be completed prior to permit issuance.*

Cumberland County received additional feedback from DEQ relative to the submittal of its Amended and Restated Solid Waste Management Plan in February. On March 2, 2020, Draper Aden Associates was requested to assist in addressing the feedback. Updates were completed and sent to the localities for final review on March 13, 2020. Comments have been received and the updated document was submitted to DEQ on Monday April 6, 2020.

3. **Local Government Certification, NOI Appendix NOI-III:** *Section 4.0 of the NOI narrative references the Cumberland BOS approval of a Conditional Use Permit. Please provide a copy of the Conditional User Permit issued by Cumberland County.*

Attachment 4 includes the requested documents.

Should you have any additional questions, please do not hesitate to contact me at klappich@daa.com or at 540-557-1368.

Sincerely,

DRAPER ADEN ASSOCIATES



Lynn P. Klappich
Program Manager

Attachment 1 - DEQ Correspondence, dated March 20, 2020

Attachment 2 – GFL Organizational Chart

Attachment 3 – Additional Disclosure Statements

Attachment 4 – CUP Information

cc: Mr. Jerry Cifor, Green Ridge Recycling and Disposal Facility, LLC
Ms. Kathryn Perszyk, DEQ Central Office

Mr. Dean Starook

April 16, 2020

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Mr. Shawn Weimer, DEQ Piedmont Regional Office

Mr. William Shewmake, Woods Rogers, PLC

ATTACHMENT 1
DEQ CORRESPONDENCE, DATED MARCH 20, 2020



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

4949-A Cox Road, Glen Allen, Virginia 23060

(804) 527-5020 Fax (804) 527-5106

www.deq.virginia.gov

Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director

James J. Golden
Regional Director

March 20, 2020

Mr. Jerry Cifor
President
Green Ridge Recycling and Disposal LLC
12230 Deergrove Road
Midlothian, Virginia 23112

**Subject: Green Ridge Recycling and Disposal Facility, LLC
Notice of Intent – Completeness Review 1**

Dear Mr. Cifor:

The Virginia Department of Environmental Quality (DEQ) Piedmont Regional Office (PRO) received a Notice of Intent (NOI) and Part A Application for the Green Ridge Recycling and Disposal Facility, LLC, prepared by Draper Aden Associates and dated January 17, 2020. The NOI and Part A were received on January 22, 2020.

The NOI has been reviewed for *administrative completeness* in accordance with §9 VAC 20-81-450.B. of the Virginia Solid Waste Management Regulations (VSWMR, 9 VAC 20-81-10 *et seq.*). Based on the review, the NOI appears to be *administratively incomplete*.

- 1.) **Disclosure Statement, NOI Appendix NOI-II:** Please review the submitted disclosure statements and provide new and/or revised Disclosure Statement forms (DISC-01 and DISC-02) to ensure the applicant and all key personnel are identified, including GFL Environmental, which purchased County Waste of Virginia earlier this year. Also, be sure that all required disclosures are made for key personnel identified. Please review the DEQ's Disclosure Statement Frequently Asked Questions found here: <https://www.deq.virginia.gov/Portals/0/DEQ/Land/Guidance/faqformdisc.pdf>

Please also provide a diagram and/or explanation outlining the corporate/LLC structure as it relates to Green Ridge Recycling and Disposal Facility, LLC, and describe how each entity is related.

- 2.) **Local Government Certification, NOI Appendix NOI-III:** The DEQ notes that the applicable Solid Waste Management Plan (SWMP) for Cumberland County is the joint Prince Edward/Cumberland County SWMP. Prince Edward and Cumberland County are

currently in the process of revising their SWMP. Please note that in accordance with §10.1-1411 C.2., the Prince Edward/Cumberland County SWMP amendment to incorporate the Green Ridge Recycling and Disposal Facility must be completed prior to permit issuance.

- 3.) **Local Government Certification, NOI Appendix NOI-III:** Section 4.0 of the NOI narrative references the Cumberland BOS approval of a Conditional Use Permit. Please provide a copy of the Conditional Use Permit issued by Cumberland County.

For the purpose of tracking the review of the NOI, Part A, and future application submittals, Permit Application No. 626 has been assigned to this facility. Please include this permit application number on all future correspondence. The Part A application will be reviewed separately for administrative completeness, technical adequacy, and regulatory compliance and you will be contacted with comments resulting from that review as soon as the review is complete.

Please note the letter should not be considered a legal opinion or a case decision as defined by the Administrative Process Act, Code of Virginia § 2.2-4000 *et seq.* If you have any questions regarding this matter, please contact me at (804) 527-5049, or by e-mail at dean.starook@deq.virginia.gov.

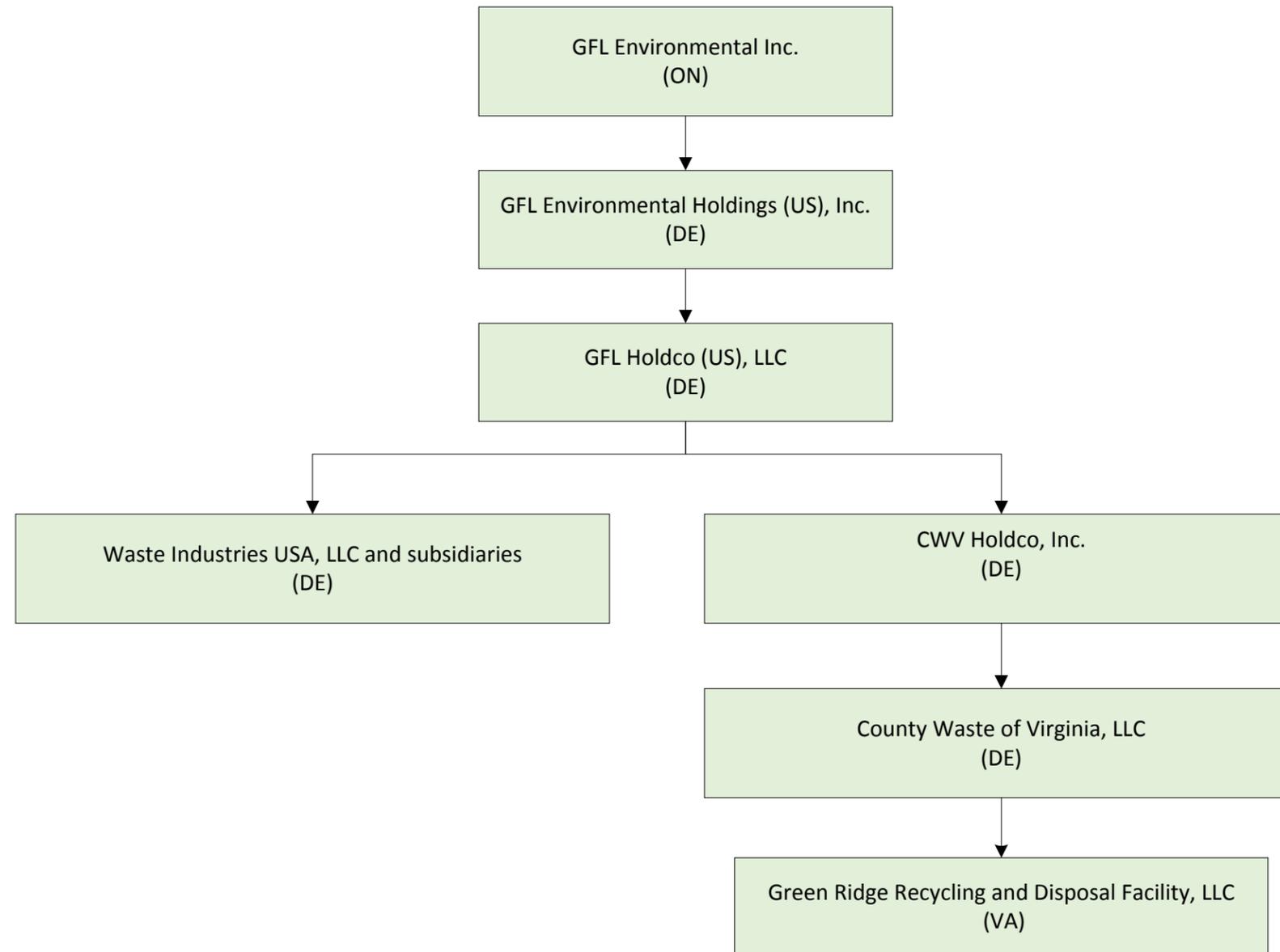
Sincerely,



Dean E. Starook
Groundwater Remediation Specialist

cc: Michael D. Lawless, P.G., C.P.G., Draper Aden Associates
Kathryn Perszyk, DEQ-CO
Shawn Weimer, DEQ-PRO

ATTACHMENT 2
GFL ORGANIZATIONAL CHART



All subsidiaries are owned 100% unless noted otherwise
As of March 24, 2020

ATTACHMENT 3
ADDITIONAL DISCLOSURE STATEMENTS

DEQ Form DISC-01

SOLID WASTE MANAGEMENT FACILITY PERMIT APPLICANT'S DISCLOSURE STATEMENT

This Form must accompany the Solid Waste Notice of Intent or Permit-by-Rule Application, and must be updated upon any change in condition that renders any portion of this statement materially incomplete or inaccurate, in accordance with Virginia Solid Waste Management Regulations, 9 VAC 20-81-10 *et seq.*, and the Virginia Waste Management Act, § 10.1-1400 *et seq.* Use continuation sheet if necessary to provide complete information. Check if updating previously submitted DISC-01

Applicant: Green Ridge Recycling and Disposal Facility, LLC

Applicant's Interest: Owner Operator Other _____

Facility Name: Green Ridge Recycling and Disposal Facility Permit #: 626

Business Address: 411 Route 146

City: Clifton Park Zip: 12065

Email: jerry.cifor@myfairpoint.net Phone: 802-379-1575

KEY PERSONNEL:

Enter below the names of all key personnel as defined in 9 VAC 20-81-10.

A separate DEQ Form DISC-02 must be completed for each individual, corporation, or entity listed.

#	Name	#	Name	#	Name
1.	Jerry Cifor	5.	Michael Castellarin as Manager for GR Manageco, LLC	9.	
2.	Jay Zook	6.	Adrian Pasricha as Manager for GR Manageco, LLC	10.	
3.	GR Manageco, LLC	7.	County Waste of Virginia, LLC	11.	
4.	Scott T. Earl as Manager for GR Manageco, LLC	8.	Gregory Yorgston as Manager for County Waste of Virginia, LLC	12.	

OTHER REGULATORY OVERSIGHT:

List all agencies **outside the Commonwealth** that have regulatory responsibility over the applicant or have issued any environmental permit or license to the applicant **within the past ten years**, in connection with the applicant's collection, treatment, storage or disposal of solid or hazardous waste.

Agency Name and Permit or License Type	Expiration Date	State
None		

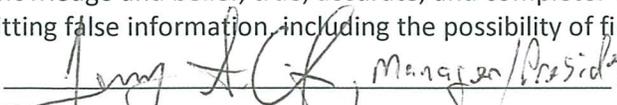
Does any member of the local governing body or planning commission in which the solid waste management facility is located or proposed to be located hold an equity interest in the facility? NO YES

If YES, provide full name and business address of that person or persons:

Not Applicable

RESPONSIBLE OFFICIAL CERTIFICATION

I certify under penalty of law that the information contained in this Disclosure Statement and all attachments are, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Applicant Signature:  Date: April 9, 2020

DEQ Form DISC-01
SOLID WASTE MANAGEMENT FACILITY PERMIT APPLICANT'S DISCLOSURE STATEMENT

Type or print full name: Jerry S. Cifor Title: President & Manager

- Continuation Sheet -

Use this sheet if additional space is needed

Applicant: Green Ridge Recycling and Disposal Facility, LLC Date: April 9, 2020

Remarks or continuation from previous page:

None

DEQ Form DISC-02
KEY PERSONNEL DISCLOSURE STATEMENT

Instructions: A separate DEQ Form DISC-02 must be completed for each of the Key Personnel listed on DEQ Form DISC-01. The information provided on this form is specific to the "person" listed, whether that is an individual, corporation, partnership, association, government body or other legal entity, as defined in the Virginia Solid Waste Management Regulations, 9 VAC 20-81-10, and as required by the Virginia Waste Management Act, § 10.1-1400 et seq.

Key Personnel Name: Michael Castellarin (as manager of GR Manageco, LLC)

Facility Name: Green Ridge Recycling and Disposal Facility

Permit #: SWP 626

Business Address: 22 St. Clair Avenue East, Suite 1700, Toronto ON M4T-2S3, CANADA

Check if updating previously submitted DISC-02

BUSINESS EXPERIENCE:

Provide all information that reasonably relates to the qualifications and ability of the key personnel listed on this form to lawfully and competently operate a solid waste management facility in Virginia. Use continuation sheet, if needed.

EMPLOYER or ENTITY	DATES	POSITION Title & Responsibilities
Clairvest Group, Inc.	2002-present	Managing Director; previously Principal and Vice President
County Waste of Virginia, LLC	2013-Jan 2020	Member of Board of Managers
DTG	Jan 2020-present	Member of Board of Directors

PERMITS & LICENSES (past 10 years):

List all permits or licenses issued to or held by the above named person within the past ten years, for the collection, transportation, treatment, storage, or disposal of solid or hazardous waste. Include waste management facility operator licensing, and agencies outside the Commonwealth which have or has had regulatory responsibility over the named person.

PERMIT / LICENSE	AGENCY	Current?
None held personally		

Violations, Prosecutions, Enforcement Actions, License or Permit Suspensions, Felonies (past 10 years):

List and explain any findings or allegations of civil or criminal violation of any law, regulation or requirement relating to the collection, transportation, treatment, storage or disposal of solid waste (pending or concluded, by the above named person or by any facility at which the person was key personnel); any license or permit suspensions in any state; and convictions of any crimes as specified in § 10.1-1400, definition of "Disclosure Statement," Item 5. Check if none

Does the above named person hold an equity interest of 5 percent or more in any entity that collects, transports, treats, stores, or disposes of solid waste or hazardous waste? NO YES

If YES, provide full name and address of that entity: _____

I certify, to the best of my knowledge and belief, that the information contained in this Disclosure Statement is true, accurate, and complete.

Applicant Signature: _____

Date: March 31, 2020

Type or print full name: Michael Castellarin

Title: as manager of GR Manageco, LLC

Per § 10.1-1408.1.C.3, this Disclosure Statement must be updated upon any change in condition that renders any portion of the statement materially incomplete or inaccurate.

DEQ Form DISC-02
KEY PERSONNEL DISCLOSURE STATEMENT

- Continuation Sheet -

Use this sheet if additional space is needed

Key Personnel Name: Michael Castellarin  **Date:** March 31, 2020

Business Experience:

Winters Bros. Waste Systems of Long Island

2015-present

Member of Board of Managers

Winters Bros. Waste Systems of Connecticut / Oak Ridge Waste & Recycling

2013-2019

Member of Board of Managers

Hudson Valley Waste Holding Inc (dba County Waste & Recycling)

Jan 2010-March 2011

Member of Board of Directors

Winters Bros Waste Systems Inc.

June 2006-Aug 2007

Member of Board of Directors

Permits and Licenses (past 10 years):

None held personally

Violations, Prosecutions, Enforcement Actions, License or Permit Suspensions, Felonies (past 10 years):

None

Equity Interests:

No

DEQ Form DISC-02 KEY PERSONNEL DISCLOSURE STATEMENT

Instructions: A separate DEQ Form DISC-02 must be completed for each of the Key Personnel listed on DEQ Form DISC-01. The information provided on this form is specific to the “person” listed, whether that is an individual, corporation, partnership, association, government body or other legal entity, as defined in the Virginia Solid Waste Management Regulations, [9 VAC 20-81-10](#), and as required by the Virginia Waste Management Act, [§ 10.1-1400 et seq.](#)

Key Personnel Name: Adrian Pasricha (manager of GR Manageco, LLC)

Facility Name: Green Ridge Recycling and Disposal Facility **Permit #:** SWP 626

Business Address: 22 St. Clair Ave. E., Suite 1700; Toronto, ON M4T 2S3, CANADA

Check if updating previously submitted DISC-02

BUSINESS EXPERIENCE:

Provide all information that reasonably relates to the qualifications and ability of the key personnel listed on this form to lawfully and competently operate a solid waste management facility in Virginia. Use continuation sheet, if needed.

EMPLOYER or ENTITY	DATES	POSITION Title & Responsibilities
Clairvest Group Inc.	2010-Present	Partner: make and monitor company's investments in operating companies particularly in solid waste industry
County Waste of Virginia, LLC	Apr 2013 - Jan 2020	Manager - Board of Managers
DTG Recycle	Jan 2020 - Present	Director - Board of Directors

PERMITS & LICENSES (past 10 years):

List all permits or licenses issued to or held by the above named person within the past ten years, for the collection, transportation, treatment, storage, or disposal of solid or hazardous waste. Include waste management facility operator licensing, and agencies outside the Commonwealth which have or has had regulatory responsibility over the named person.

PERMIT / LICENSE	AGENCY	Current?
None held personally		

Violations, Prosecutions, Enforcement Actions, License or Permit Suspensions, Felonies (past 10 years):

List and explain any findings or allegations of civil or criminal violation of any law, regulation or requirement relating to the collection, transportation, treatment, storage or disposal of solid waste (pending or concluded, by the above named person or by any facility at which the person was key personnel); any license or permit suspensions in any state; and convictions of any crimes as specified in [§ 10.1-1400](#), definition of “Disclosure Statement,” Item 5. Check if none

Does the above named person hold an equity interest of 5 percent or more in any entity that collects, transports, treats, stores, or disposes of solid waste or hazardous waste? NO YES

If YES, provide full name and address of that entity: _____

I certify, to the best of my knowledge and belief, that the information contained in this Disclosure Statement is true, accurate, and complete.

Applicant Signature: _____ **Date:** 31 March 2020

Type or print full name: Adrian Pasricha **Title:** Manager

DEQ Form DISC-02
KEY PERSONNEL DISCLOSURE STATEMENT

Per [§ 10.1-1408.1.C.3](#), this Disclosure Statement must be updated upon any change in condition that renders any portion of the statement materially incomplete or inaccurate.

- Continuation Sheet -

Use this sheet if additional space is needed

Key Personnel Name: Adrian Pasricha **Date:** 31 March 2020

Business Experience:

Winters Bros. Waste Systems of Connecticut , LLC: Nov 2013 - May 2015

Permits and Licenses (past 10 years):

None

Violations, Prosecutions, Enforcement Actions, License or Permit Suspensions, Felonies (past 10 years):

None

Equity Interests:

None

ATTACHMENT 4
CUP INFORMATION



County of Cumberland Virginia

1 Courthouse Circle | P.O. Box 110
Cumberland, Virginia 23040
Telephone 804 492 3800
Facsimile 804 492 9224
info@cumberlandcounty.virginia.gov
www.cumberlandcounty.virginia.gov

William F. Osl, Jr.
District 1

Lloyd Banks Jr.
District 2

William K. "Kevin" Ingle
District 3

David E. Meinhard
District 4

Parker H. Wheeler
District 5

July 16, 2018

William H. Shewmake, Esquire
Green Ridge Recycling and Disposal Facility
919 East Main Street, 24th Floor
Richmond, VA 23219

Subject: Conditional Use Permit Approval Letter

Dear Mr. Shewmake:

At a meeting of the Cumberland County Board of Supervisors on June 28, 2018, the Board approved your Conditional Use Permit CUP 18-06. The property is described as Tax Map Numbers 37-A-69, 44-A-20, 45-A-1, 45-A-7, 44-A-19A, 44-A-13, 44-A-14, 44-A-19, 44-A-22, 44-A-36, 45-1-41, 45-2-2A, 45-2-2B, 44-A-21, and 38-A-7. The property is located on the north side of Route 60 at the Cumberland/Powhatan line.

The following conditions were passed as a part of your Conditional Use Permit:

1. The applicant has submitted a conceptual site plan for the Facility prepared by Draper Aden Associates, entitled "Conceptual Facility Plan" dated May 22, 2018 and revised on June 11, 2018 (the "master plan"). The development of a sanitary landfill authorized to accept municipal solid waste, certain industrial wastes, institutional waste, approved special waste, and construction demolition debris as defined pursuant to the Virginia Waste Management ACT ("Act") (Va. Code §§ 10.1-1400 e.t. seq. and Virginia Solid Waste Management regulations (9VAC20-81) ("Regulations") and accessory and related uses ("Landfill" or "Facility") on the site, including without limitation, a convenience center, transfer station, and gas collection and conversion power plant, will be generally consistent with the master plan, but the location and dimensions of identified uses may differ from the master plan as may be required or permitted by the Virginia Department of Environmental Quality (VDEQ), Virginia Department of Transportation ("VDOT") and other governmental agencies, with the uses generally retaining the same relation to each other as reflected on the master plan subject to the approval of and to the extent permitted by VDEQ, VDOT and other applicable governmental departments and agencies.
2. Final site plans shall be submitted to the County Administrator, or designee, who shall review them for conformance with the County's zoning ordinance, the terms of this Conditional Use Permit and the master plan approved in connection with this Conditional Use Permit, and with such modifications as may be approved at the time of site plan review. As reflected on the master plan, the Facility may be designed, constructed, or modified using the current location of Route 654, or based on the relocation of Route 654 as generally depicted on the master plan, subject to approval of the Virginia Department of Transportation

("VDOT"). Permittee shall obtain approval of its final site plans prior to constructing any buildings or other improvements on the Facility Property and prior to commencing landfill operations at the Facility. Final site plans shall provide, at a minimum and consistent with the Zoning Ordinance, detailed information regarding:

- a. the location and design of planned improvements, including, but not limited to roads, staging areas, parking areas, lighting, buildings, and disposal cells;
 - b. the location of streams, creeks and delineated wetlands, the topography, floodplains, soil and groundwater conditions;
 - c. the buffers and any structures to be placed within the buffer areas adjoining the operational area (in accordance with the terms of this Conditional Use Permit) and the plans for landscaping and screening augmentation;
 - d. the steps to be taken to protect floodplains and water quality;
 - e. stormwater management and erosion control plans; and
 - f. a transportation phasing plan.
3. Permittee shall not commence operation of the Landfill until all applicable state and federal permits are obtained, and Permittee shall operate the Facility consistent with all applicable federal and state statutes and regulations and the terms and conditions of such permits issued for the Facility.
4. The Facility shall not accept for disposal in the Landfill any of the following ("Unacceptable Wastes"):
- a. Any material the disposal of which, at the time of acceptance, would violate any then existing federal or state laws, rules, regulations or permits pertaining to a Landfill;
 - b. Any "Hazardous Waste" which shall be deemed to be: (i) any waste defined as "hazardous waste" by Section C of the Resource Conservation and Recovery Act; (ii) any waste defined as "hazardous material" or identified as hazardous waste and described and regulated by VDEQ's Hazardous Waste Management Regulations; (iii) solid waste, which because of its quantity, concentration or physical, chemical or infectious characteristics may: (a) cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or (b) pose a substantial present or potential hazard to human health, the Landfill, or the environment when treated, stored, transported, disposed of, or otherwise managed; (iv) potentially infectious medical waste; (v) regulated levels of polychlorinated biphenyls as defined by the Toxic Substances Control Act, 15 U.S.C. § 2601-2629, or regulations adopted thereunder; and (vi) radioactive waste or low-level radioactive waste as defined by the Atomic Energy Act, 42 U.S.C. § 2011, et seq., or the Southeast Interstate Low-Level Radioactive Waste Management Compact, or the implementing regulations of either;
 - c. Any nonhazardous domestic, irrigation return flows or industrial wastewater sludges not approved for disposal by the VDEQ regulations, or industrial discharges which are point sources subject to permits under § 402 of the Federal Water Pollution Control Act, as amended (86 Stat. 880);
 - d. Any nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923);

- e. Any material number of animal carcasses disposed of in a single day or, except as authorized by VDEQ, without specific written approval by the County.
 - f. Waste water treatment and industrial sludges.
 - g. Any recycled or processed construction and demolition debris ("Processed C&D") from a Construction Demolition Debris Recycling Facility that Permittee knows at the time of Permittee's acceptance of the material did not recycle out sheetrock. Before knowingly accepting material from a Construction Demolition Debris and Recycling Facility, Permittee will require the Construction Demolition Debris Recycling Facility to certify that it recycles out the sheetrock from its Processed C&D.
5. Copies of all applications and submittals for permits associated with the Facility, shall be provided to the County Administrator, or designee, upon request.
6. Ingress and egress to and from the Facility shall be by way of an access road connecting the Facility with State Route 60. Permittee will operate the Facility in such a manner as to avoid unreasonable traffic congestion involving company-controlled waste stream providers on County roads. If VDOT determines a signal and/or other road improvements are necessary at any new intersection with Route 60 and/or an intersection created at Route 685 or Route 654, such improvements shall be provided at Permittee's expense. All VDOT permitting shall be completed by Permittee at its expense. At a minimum, it is anticipated that turn lanes at the new intersection of State Route 60 and the new entrance road into the Facility shall be provided at Permittee's expense prior to commencing operations at the Facility. Further, subject to VDOT approval, street lights on either side of the entrance on Route 60 shall be installed, with the spacing and design of each street light along Route 60, as well as street lights at the intersection with Route 685 or 654, determined by VDOT and approved at the time of final site plan review.
7. All areas of the Landfill which are used for the disposal of waste shall at a minimum have buffers in accordance with and as defined by applicable VDEQ Regulations. Additionally, except for the entrance road property, at a minimum the Landfill property shall have a perimeter buffer of not less than 200 feet adjacent to properties with a residence that is not owned by Permittee or its subsidiary or affiliate. Provided, however, there will be a minimum 50 foot buffer on the entrance road property, identified on the master plan. The entrance road property may also include a convenience center, scales, scale house, hardware, gate and related uses and structures. There shall be a 100 foot buffer along any other portion of the perimeter of the Landfill property. The location of buffers are generally depicted on the master plan except minimum area of the buffers can be cleared for access roads, utility easements, monitoring wells and other environmental structures, and screening berms. Natural vegetation shall be maintained in such buffers and supplemented where necessary with evergreens to insure four season screening of operations. Additionally, the areas of the Landfill's Disposal Unit Boundary as defined by VDEQ shall be sited:
- a. not less than 300 feet from the nearest residence, as of the date of the purchase of the site by Permittee (the "Purchase Date");
 - b. not less than 500 feet from any well or spring being used for drinking water as of the effective date of the Host Agreement with the Cumberland County Board of Supervisors until the well or spring is no longer used for drinking water through no fault of the operation of the Landfill;
 - c. not less than 100 feet from any perennial stream or river as of the date of this Agreement, and

- d. not less than 50 feet from any public road as of the date of this Agreement.
8. The height of any buildings will not exceed forty (40) feet. The height of any appurtenant structures (such as leachate collection tanks) will not exceed fifty-five (55) feet above existing ground elevation unless otherwise approved by the County at the time of site plan review.
9. The Disposal Unit Boundary (that area of land upon which waste is directly deposited) of the Facility shall not exceed 650 acres.
10. Groundwater shall be monitored in accordance with VDEQ regulations as reflected in the approved Landfill permit. Copies of VDEQ monitoring reports shall be provided to the County Administrator, or designee. Permittee shall allow the County to install additional groundwater monitoring wells on, at or around the Facility under the direction of a "qualified groundwater scientist" as defined by VDEQ, at the County's expense of installing and monitoring. (If the additional wells are to be incorporated into the permitted groundwater monitoring system, the well construction and location are subject to the approval by VDEQ and a major modification filed with VDEQ for incorporation.)
11. All fuels stores at the Facility shall be maintained in approved corrosive-resistant, above ground storage tanks. Bulk fuels shall not be stored in buildings on the site. Fuel stores or other holding tanks at the Facility shall be noted on any site plan for approval by the County Administrator, or designee.
12. Pursuant to applicable state regulations, including 9VAC20-82-140, and prior to accepting waste, the Facility shall have an emergency management and contingency plan which delineates procedures for responding to fire and other emergency situations and Permittee shall submit such plan for County approval which shall not be unreasonably withheld.
13. The Facility shall comply with all applicable state and federal laws, and VDEQ Regulations relating to closure of the Facility and post-closure monitoring. As part of the post-closure plans for the Facility, a Final Use Plan shall be prepared at the end of the operating life of the Facility.
14. The Permittee shall employ persons to patrol the Facility and surrounding public property, including those public roads within one-half (1/2) mile of the new intersection of the access road and State Route 60 and at the intersection of Route 685, to collect litter.
15. Permittee shall implement and maintain all stormwater management and erosion control measures as required by applicable state regulations and local ordinances.
16. The County Administrator, or designee, shall have the right to inspect the Facility during operating hours.
17. Access Point(s) to the Landfill shall be equipped with a gate which shall be closed and locked during non-operating hours. A scale house attendant shall be present during operating hours to screen incoming waste. The attendant shall screen out unauthorized vehicles and vehicles with unauthorized cargo. Those vehicles not permitted into the Landfill will be turned away at that point. Access after operating hours will be allowed only to employees of Permittee and Landfill personnel. The regular Landfill operating hours shall be twenty-four (24) hours per day on weekdays (opening 6:00 a.m. Monday morning and closing 11:59 p.m. Friday evening) and 6:00 a.m. to 4:00 p.m. on Saturday. During other times, only trucks and vehicles owned and operated by Permittee shall be admitted to the solid waste management facility. The

Landfill personnel will remain onsite as long as necessary following primary disposal hours to complete the daily disposal of waste and to accomplish the necessary daily shut-down tasks.

At a minimum, Permittee shall employ appropriate supervisors, managers and mechanics, as well as equipment operators, laborers and office personnel. Permittee shall have sufficient equipment on site to ensure orderly operation of the Facility.

18. The Facility shall:

- a. Comply with VDEQ regulations pertaining to the placing of intermediate and final cover.
- b. Permittee shall manage all leachate at the Facility in accordance with applicable state regulations.
- c. Comply with VDEQ regulations relating to the monitoring and control of decomposition gases produced at the Facility.

19. Permittee shall have an inspection program of each truck to verify that all incoming waste is acceptable in content and origin. Records relating to waste accepted at the Facility shall be maintained and will be available for review at any time during operating hours by the County Administrator or his/her designee. Permittee shall train personnel employed at the Facility to identify unauthorized wastes, including familiarity with typical containers, markings, labels and placards that aid in recognizing unauthorized wastes.

- a. Non-Approved Waste. Permittee will maintain an active "Unauthorized Waste Screening Program," and all personnel involved in screening, shall be trained in this program. Signs shall be conspicuously posted informing users of acceptable and non-acceptable types of waste.
- b. Permittee shall implement a surface water monitoring plan for natural streams and other surface water bodies located on or adjacent to the Facility that conforms to applicable state requirements.

20. On-site permanent survey benchmarks for horizontal and vertical control will be established at the Facility. There will be annual topographic surveys of the active landfill which will be delivered to the County administrator or designee.

21. Roads within the Facility shall be graded as necessary to maintain smooth, well-drained surfaces. During dry periods, dust control shall be maintained. All roads necessary for the operation of the Facility shall be kept in passable condition and maintained after closure. Permanent unpaved roads shall be covered with gravel or other suitable material. Except for the incoming entrance road which shall be at least fifty (50) feet from adjacent property lines, roads will have a setback of at least one-hundred (100) feet from adjacent property lines of properties not owned by Permittee or its subsidiary or affiliate, except (i) as necessary to access the Facility, (ii) as contained in the approved VDEQ Part A and Park B permits, and/or (iii) as required by VDOT or as otherwise approved at the time of site plan review.

22. The entrance road from Route 60 to Route 685 (Miller Lane) shall be paved.

23. The sides of all borrow areas within the Facility shall be graded to prevent sudden changes in slopes. All stockpiles of overburden shall be graded to minimize erosion potential and to prepare the site for future uses in the final plan.

24. This Conditional Use Permit shall terminate if the Landfill does not commence operations within seven (7) years of this Conditional Use Permit and the rezoning of the subject property to M-2 being approved and the approvals becoming final and non-appealable. Following commencement of operations at the Facility, this Conditional Use Permit shall terminate if the Landfill ceases to operate and maintain the required state permits for four (4) consecutive years or more.
25. In lieu of the noise standards set forth in Section 74-588(a)(1) of the Zoning Ordinance, the following standard shall apply to the Facility: Any noise resulting from the Facility's operations, defined to include all aspects of Permittee's work once the Facility begins operations, shall not exceed sixty-seven decibels at the property line of the nearest residence currently sited on a residential lot. If the noise level at such line exceeds the permitted limit, the Company, after receiving written notice and a reasonable opportunity to cure, shall take corrective measures to eliminate such noise that exceeds the aforementioned threshold level. This noise restriction shall not apply at the entrance from Route 60 and the intersection with Route 685 (Miller Lane). Except for bird control, operations at the Facility shall not involve the use of any external speakers.
26. In lieu of the glare and lighting standards set forth in Section 74-588(a)(2) of the Zoning Ordinance, the following standard shall apply to the Facility: Once construction of the ancillary facilities located within the Facility are complete, the maximum illumination at the property lines of the Facility shall be limited to .5 foot candles. Permanent exterior lighting fixtures on the Facility property shall not exceed thirty (30) feet in height above grade level. The exterior lighting fixtures shall be "shoebox" or similar type capable of shielding the light source from direct view, except the lighting for the working area of the landfill disposal area. Provided, however, this condition 26 shall not apply to the lighting required for the entrance, or the intersections with Routes 685 or 654.
27. In lieu of the odor standards set forth in Section 74-588(a)(9) of the Zoning Ordinance, the following standard shall apply to the Facility: The Facility shall implement as needed a landfill gas management plan with an odor control and corrective measures plan ("OCCMP") component. The OCCMP shall consist of the following elements: 1) Objective, 2) Source Identification, 3) Reporting and Monitoring, 4) Operational Controls, and 5) Landfill Gas System. The plan shall comply with VDEQ regulations.
28. An active gas collection system shall be installed and operational within six (6) years of the commencement of the Landfill's operations.
29. As approved by VDEQ, fly ash may be accepted at the Landfill solely for use as cover, construction material or road bed material, and shall be managed in compliance with all applicable federal and state laws, regulations and permitted requirements.
30. Permittee shall operate scales at the Landfill as identified in the Landfill Permit and the Facility's Final Site Plan(s) to ensure the proper weighing of vehicles entering the Landfill. Scales will be of a type and quality customarily used in the industry and shall be properly maintained and operated.
31. Any Convenience and Recycling Center will be separated from the landfill disposal area and may be open to the public during posted hours.
32. Landfill Liaison.
 - a. During the operation of the Landfill, Permittee will reimburse the County up to a maximum of \$100,000 per annum, to defray costs and expenses of employing a County Landfill

Liaison, which includes benefits and any other related costs, including without limitations, uniforms, vehicle expenses, cellular telephone expense, and tools and equipment. The amount of reimbursement shall be adjusted annually in January of each year, based on the Consumer Price Index for all Urban Consumers (CPI-U), at a minimum of 1% a year but no more than 3% per year based on year-over-year changes in the CPI-U. The Landfill Liaison shall be a County employee or independent contractor and shall not be an employee or contractor of Permittee.

- b. The Landfill Liaison's duties shall include monitoring and inspection of waste disposal practices at the Landfill and monitoring all requirements of any Host Agreement and zoning (including the Conditional Use Permit). The Landfill Liaison shall have access to the Landfill at all times during operating hours, and at such other times, upon prior notification to Permittee, as may be reasonable and necessary to perform his duties.
- c. Subject to compliance with safety requirements prescribed by Permittee, which may include, without limitation, training, use of protective equipment and escort by Permittee's personnel, the Landfill Liaison shall have access to working areas of the Landfill to ensure compliance with the applicable Host Agreement and this Conditional Use Permit and with other applicable laws, regulations and permit requirements.
- d. The Landfill Liaison shall have access to Landfill records as necessary to ensure compliance with the Host Agreement, Conditional Use Permit and other applicable laws, regulations and permit requirements but shall not be entitled to review confidential business information.

33. Safety and Security.

Site Access and Traffic Flow. Access to the Landfill shall be limited to a single public access point from Route 60, and the access points that result from traversing Routes 685 and Route 654. These access points will be equipped with a gate which shall be closed and locked during non-operating hours. Access will be further controlled by personnel in the scale house. Permittee shall be responsible for initial screening of solid wastes entering the facility to determine the appropriate disposition within the landfill. As appropriate, sensors and video equipment, including radiation detection equipment, shall be used as part of the screening protocol.

All residential deliveries shall be directed to the Convenience Center. Only commercial vehicles and Permittee owned vehicles will be allowed in to the working area of the landfill.

34. The initial cell area to be used for landfill waste disposal shall be located on the western portion of the Property identified as Western Fill Area on the master plan. The area identified as Eastern Fill Area on the master plan shall not be used for the disposal of waste for a minimum of ten (10) years after the commencement of landfill operations at the Facility.
35. Permittee will sweep the entrance road from the scale house to Route 60, and the intersection with Route 685, daily, weather permitting, excluding Sundays and Holidays.
36. To the extent not already addressed by other conditions herein, Permittee shall comply with County Code § 74-583(3)(a-q) and will submit all plans required under § 74-583(3) to the County prior to the commencement of operations at the Landfill and will satisfy and comply with all other requirements of § 74-583(3)(a-q).

37. Landfill Site Closure, Final Plan and Completion.

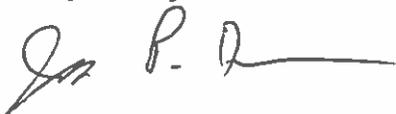
- a. Landfill Closure. The closure of the Landfill shall be in compliance with 9VAC20-81-160. No less than two years prior to the anticipated closure, Permittee shall develop a closure and post closure plan for review by the County. The final closure plan must be approved by VDEQ prior to initiating closure. Permittee shall work with engineers, landscape architects and other professionals at the end of the term of this Agreement regarding the use of the Landfill following closure, including for the possibility of constructing recreational park facilities, athletic fields or other public uses at the site of the Landfill.
- b. Post Closure Care. The post closure care for the Landfill shall be in compliance with 9VAC20-81-170.
 - i. As part of the closure and post closure plan for the final closure of the Landfill, Permittee will provide at least 25 acres of land to the County for public use at the site of the Landfill.

38. The service area for the Facility shall be limited to within 500 miles of the Facility as measured horizontally. Provided, however, the Facility may accept waste for disposal from the continental United States if that waste results or arises from a natural disaster and is considered "Acceptable Waste" under VDEQ requirements and have been approved for the Facility.

39. The Permittee shall comply with all provisions of the Host Agreement. The Board of Supervisors reserves the right to terminate this conditional use permit (CUP) upon noncompliance with any one or more provisions of the Host Agreement after an opportunity to cure the noncompliance in accordance with the applicable cure and tolling provisions of the Host Agreement, and the failure of the Permittee to cure the noncompliance as described and defined in the Host Agreement.

If you need additional information or have any questions, please do not hesitate to contact me.

Respectfully,



James P. Duncan
Planning Director/Zoning Administrator
jpduncan@cumberlandcounty.virginia.gov



County of Cumberland Virginia

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William F. Osl, Jr
District 1

Lloyd Banks Jr
District 2

William K. "Kevin" Ingle
District 3

David E. Meinhard
District 4

Parker H. Wheeler
District 5

July 16, 2018

William H. Shewmake, Esquire
Green Ridge Recycling and Disposal Facility
919 East Main Street, 24th Floor
Richmond, VA 23219

Subject: Rezoning Approval Letter

Dear Mr. Shewmake:

At a meeting of the Cumberland County Board of Supervisors on June 28, 2018, the Board approved your Rezoning REZ 18-03. The property is described as Tax Map Numbers 37-A-69, 44-A-20, 45-A-1, 45-A-7, 44-A-19A, 44-A-13, 44-A-14, 44-A-19, 44-A-22, 44-A-36, 45-1-41, 45-2-2A, 45-2-2B, 44-A-21, and 38-A-7. The property is located on the north side of Route 60 at the Cumberland/Powhatan line.

The following proffers were passed as a part of your Rezoning:

1. The permitted uses of the Property include the operation of a sanitary landfill (the Landfill), authorized to accept municipal solid waste, institutional waste, certain industrial wastes, approved special waste, and construction demolition debris as defined pursuant to the Virginia Waste Management Act ("Act") (Va. Code § 10.1-1400 et seq. and Virginia Solid Waste Management regulations (9VAC20-81) ("Regulations"). Permitted related and accessory uses to the Landfill, include, without limitation, borrow areas, soil stockpiles, scales and scale house, office, maintenance facility, leachate management system, gas management system including beneficial usage, stormwater management system, trailer storage, parking, convenience center and recycling facilities, storage, transfer stations, composting operations, fuel storage, and equipment storage. Additional permitted uses also include gas collection, generation, and sales, power plants related to the generation and conversion of gas from the Landfill, hydroponics and greenhouses (including for wholesale and retail sale). All other uses that are not related or accessory to the above uses that are allowed as a matter of right in an M-2 zoning district are excluded.
2. Any relocation of Route 654 or 685, as generally shown on the master plan is subject to review and approval by VDOT and subject to any conditions or requirements of VDOT. Any such relocation and improvements shall be at the expense of the Owner.

If you need additional information or have any questions, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "James P. Duncan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

James P. Duncan
Planning Director/Zoning Administrator
jpduncan@cumberlandcounty.virginia.gov