

Permit No.	Date	Document ID No.
P1263	August 23, 2013	19591

From: Chao, Ming-tai
To: mikerice@robertmchilespe.com
Subject: FW: Permit Application for Craven LCIDLF
Date: Wednesday, August 21, 2013 3:04:00 PM

Sent by an e-mail
Date: August 21, 2013
Solid Waste Section
Raleigh Central Office

Dear Mr. Rice:

I am sorry to hit the wrong key and sent out the previously e-mail message without my signature.

I am still waiting the Compliance Offer to approve the compliance history review for the site, and after that I can work on the permit. The permit can't be issued until the Erosion and Sediment Control Plan is approved by the NC LQS. Please contact me if you have any questions of the permitting processes.

Best regards,

Ming-Tai Chao, P.E.
Environmental Engineer
Permitting Branch, Solid Waste Section
Division of Waste Management
(Mailing Address)
1646 Mail Service Center
Raleigh, NC 27699-1646
(Street Address)
Green Square, 217 West Jones Street
Raleigh, NC 27603
Tel. 919-707-8251
ming.chao@ncdenr.gov
<http://portal.ncdenr.org/web/wm/sw>

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From: Chao, Ming-tai
Sent: Wednesday, August 21, 2013 2:57 PM
To: 'Mike Rice'
Subject: RE: Permit Application for Craven LCIDLF

Dear Mr. Rice:

I have found a discrepancy of the "Volume of Waste" (on Page 5 of the Permit Application). The total capacity of the LCIDLF is 107,500 cubic yards (cy) which including the in-place waste volume of 52,500 cy [consistent with the original submittal) and the remaining capacity of the proposed Craven LCIDLF – **54,500 cy**. I think this remaining volume is likely 55,000 cy. Please confirm the remaining volume of the landfill.

After reviewing your responses dated 08/19/2013 I would like point out my purposes for my pervious comments/concerns:

Comment 1.

The recyclables can be stockpiled in the working faces as long as the duration is not violate the cover requirements stated in Rules .0566(4) & (5). I agreed with your approach that the stockpiles can be seated in the location within the permitted waste footprints (about 3.6 acres) but not inside the working faces, and relocate as necessary when the waste fill in progress.

The record of recyclable is optional; your client may use the record to ask for tax or grant if they are available. The record will be the official document for grant or tax deduction applications (However, I can't guaranty anything).

According to previously court ruling, the permit conditions can't be enforceable if the permit conditions don't incorporate the written statements, descriptions, methods, approaches, or measurements in the approved operations plan or if the permit conditions are not required by State, Federal, or local Rules, Laws, or Regulations. If you provide the maximum stockpile amount and duration in the operations plan, as long as it is reasonable, the Solid Waste Section will approved them which will be incorporated into the permit conditions and become a legal-bounding document. So, any responses you think is necessary for the waste operation please put them in the written operations plan.

I have no further comments on your responses 2 & 3.

After you receiving the approval of the Erosion and Sediment Control Plan & permit issued by the NC Land Quality Section, please provide me a copy of the approve letter and permit and any revised portions of the Permit Application.

From: Mike Rice [<mailto:mikerice@robertmchilespe.com>]
Sent: Monday, August 19, 2013 11:39 AM
To: Chao, Ming-tai
Cc: Shackelford, Dennis; Williams, Ray
Subject: Re: Permit Application for Craven LCIDLF

Dear Mr. Chao:

With all due respect, the drawing attached to my August 15, 2013 email will not be added to the permit. Referring to that drawing, please note the following: the date in the titleblock that indicates **May 5, 2005**; and the text immediately above "Sheet 1 of 4" that reads "revised per NCDENR **August 3, 2005**," emphasis added. That drawing was revised in response to comments contained in a letter dated July 20, 2005, written by Mr. Jim Barber of your office. The drawing represented the existing conditions at the project site in 2005 and was submitted to your office as part of a revised LCID application package, attached to our August 9, **2005** cover letter to Mr. Mussler, on behalf of the previous landowner, Mr. Robert Jones, of RJ Bushhogging, Inc. According to the US Postal Service return receipt, that submission was received by the mail service center on August 10, 2005 by a Mr. H. Lee Holt, and should already be among the archives of your office under the name RJ Bushhogging, Inc. or

Sanders Lane LCID. The conditions indicated in that drawing have not represented the existing site conditions since 2006 according to aerial photographs available through Google Earth. In one way or another, Mr. Jones filled what was then an existing ditch in order to expand his LCID operation to what was eventually issued the closure notice.

With regard to your concerns/comments about the revised Operation Plan:

1

The last paragraph of Section 3, Volume of Waste on Page 5 merely contains a few suggestions to the operator that, if employed, can extend the operating life of the LCID. The introductory paragraph of 15A NCAC 13B.0563 states that disposal in a landfill is the least desirable method of disposing of land clearing and inert debris waste. In light of that sentiment, we included the suggestions contained in the last paragraph of our section 3 to offer a few methods for the operator to reduce the volume of material ultimately landfilled in the disposal area.

1(i)

If any of the suggested methods are utilized, recyclable stockpiles will be located within the footprint of the approved disposal area. This is the only way to comply with the setbacks required for the LCID, and to remain within the disturbed area boundary of the proposed erosion control plan (still awaiting approval).

1(ii)

If your office would like to add this stockpile retention time limit as a condition of the approved permit, please do. Doing so will provide additional guidance that will apply in the event that recycling woody debris for reuse as mulch or as fuel is performed as a method of reducing landfilled quantities.

1(iii)

Given the requirements for cover placement, it is almost necessary to have 800 to 1,600 cubic yards of soil stockpiled onsite. This is easily accomplished with an average of 10 feet of material covering one-tenth of an acre. It is just as easy to stockpile a like quantity of mulch in a similar footprint. Given the ease of transporting material to the nearby energy plant, the operator may choose to stockpile no more than one truckload before removing it to the plant, but that is a matter for the operator to decide, provided the operation complies with the issued permit.

On a practical note, if we consider that the active portion of the LCID is held to a single acre, it is realistic to assume that stockpiled material will be limited to quantities that can be maintained within a quarter-acre, thereby allowing for ingress/egress of haul trucks, handling and placement of material. With soil and recycled wood presumably in separate piles and with working room between them, stockpiles much larger than one-tenth of an acre each (per acre of active disposal area) are unlikely.

1(iv)

We understand if your office would like the operator to document the type and amount of recyclable material sold, if any. If your office would like to add this as another condition of the approved permit, please do.

2

The existing disposal area depicted in the drawings prepared for Craven LCID, LLC is most definitely not consistent with the existing waste limit depicted in the copy of our August **2005** drawing that we provided for your information on August 15, **2013**. The area depicted in our drawings for Craven LCID, LLC reflect many years of activity performed by RJ Bushhogging, and closely approximate the currently existing LCID footprint.

3

We see no reason to revise the drawings for Craven LCID, LLC to match the depiction contained in the drawings prepared for RJ Bushhogging, Inc, as the current conditions do not match those depicted in the 2005 drawing.

We hope this addresses your concerns satisfactorily. Again, if you have additional questions or require more information, please contact me at your convenience.

Thank you for your continued review of this application.

Michael

Michael L. Rice, P.E., P.L.S.

ROBERT M. CHILES, P.E.
PO Box 3496
New Bern, NC 28564
(252) 637-4702 (ofc)
(252) 637-3100 (fax)

----- Original Message -----

From: [Chao, Ming-tai](#)

To: [Mike Rice](#)

Cc: [Shackelford, Dennis](#) ; [Williams, Ray](#)

Sent: Friday, August 16, 2013 9:10 AM

Subject: RE: Permit Application for Craven LCIDLF

Dear Mr. Rice:

Thank you for the prompt response to my question on the buffer. The drawing that is attached to the e-mail message dated August 15, 2013 shows the existing site conditions; I think this drawing should be added to the permit. Apparently, the segment of the on-site ditch traversing the site will be located underneath the proposed landfill waste footprints. The Permit Application must provide a plan to use clayey earthen material to backfill this ditch section and properly compact the backfill so that the buried ditch will not become a passage to discharge any leachate from the landfill cell into the nearby surface water body and/or drainage features. After completing a review of the revised application (Doc ID 19525) dated August 6, 2013, I also have several concerns/ comments on the revised Operation Plan which stated below:

1. (Section 3, Volume of Waste on Page 5, the last paragraph) The Operation Plan proposes to conduct screening and recycling cleaning soil for cover material and woody material for mulch and fuel sources at the facility. Please address the following concerns:
 - i. Please provide the locations of the recyclable stockpiles on the site-wide drawing which must be 50-feet away from property boundaries, 50-feet away from surface water body, and 25-feet away any drainage features including the intermittent drainage ditches.

- ii. If the recyclable woody material is intended to sell and not used for facility operation, the stockpiled material shall not be stored at the facility more than one year after they are been processed and treated. The 25-foot fire isle must always maintain between woody stockpiles for firefighting.
 - iii. Please provide the estimated maximum quantities of the on-site recyclable stockpiles at any given day or annually.
 - iv. The operating record must document the type and the amount of recyclable sold or used on site which will be recorded to the facility annual report.
2. (Section 7, Drawing titled Section and Isometric Views) The existing disposal area limits (“Approximate Existing Disposal Area Surface”) shown on the Section E-W is likely not consistent with the existing waste limits on the drawing that provide in the August 15, 2013 e-mail message.
3. (Section 7) Please submit the revised site-wide drawing as indicated in the August 14, 2013 e-mail message.

Please provide me a copy of the revised portions of the permit application and contact me if you have any questions of the comments or require any further clarification. Thank you and have a wonderful weekend.

Ming-Tai Chao, P.E.
Environmental Engineer
Permitting Branch, Solid Waste Section
Division of Waste Management
(Mailing Address)

**1646 Mail Service Center
Raleigh, NC 27699-1646**

(Street Address)
Green Square, 217 West Jones Street
Raleigh, NC 27603
Tel. 919-707-8251
ming.chao@ncdenr.gov
<http://portal.ncdenr.org/web/wm/sw>

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