

Scanned By	Date	DOC ID	Permit
Backus	12/11/2014	22469	3212-TRANSFER-2014



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

December 11, 2014

Mr. Bruce Woody
Solid Waste Disposal Manager
City of Durham, Solid Waste Management Department
101 City Hall Plaza
Durham, NC 27701

Re: Permit to Construct and Permit to Operate
City of Durham Transfer Station
Durham County, Permit No. 3212-TRANSFER-2014, Document ID No. 22469

Dear Bruce:

Thank you for the update on the construction schedule for the new transfer station building at the City of Durham Transfer Station. Construction has begun and the projected date for transfer of operations to the new building is September of 2015. I do understand that this is subject to change based on conditions encountered during the construction including weather. Please keep me informed of your progress and any significant changes to the schedule.

I understand that there may be some confusion about your permit. In accordance with 15A NCAC 13B .0201(d), a solid waste management facility permit has two parts, a permit to construct and a permit to operate. Typically, a permit to construct is not needed or requested for a transfer station at the renewal. In the case of the City of Durham Transfer Station, the City included construction of the new transfer station building in the permit amendment application. The application was submitted prior to expiration of the previously issued permit and found to be complete, therefore, fulfilling the requirement to submit a permit application prior to expiration. The construction of a new building was considered a substantial amendment. A substantial amendment is billed the same fee as a new permit in according with statute. The four digit year at the end of the permit number was changed to reflect the substantial amendment. This may have led to confusion.

The permit issued in October (DIN 21770) was intended to be similar to a permit amendment issued for a landfill where a permit to construct is typically needed at each amendment. With a landfill, the permit amendment usually has the two parts: a permit to construct a new area and a permit to operate the previously constructed area. After the new area is constructed and approved for operation the permit to operate is modified to include the new area.

Your permit issued in October included two parts: a permit to construct the new facilities and, as stated in the cover letter (dated October 8, 2014 - DIN 21771), a permit to operate in accordance with your most recent permit to operate. This was done because the operation plan submitted as part of the permit amendment application was based on the transfer station operation after construction is completed. When construction at a transfer station has been completed and inspected, we will issue a letter confirming the construction was in accordance with the permit to construct and that operation is approved under the permit to operate conditions that were included in October.

I hope this clarifies that you did submit the permit amendment application as required, that a permit amendment was issued, and that your permit to operate expires in 2019.

If you have questions, please contact me at (919) 707-8257 or by email at pat.backus@ncdenr.gov.

Sincerely,

Patricia M. Backus, P.E., Environmental Engineer
Division of Waste Management, NCDENR

cc: John Barnard, P.E., Barnard Engineering, P.C.
Ed Mussler, P.E., Permitting Branch Head
Jason Watkins, Field Operation Branch Head
Deborah Aja, Western District Supervisor
John Patrone, Environmental Senior Specialist