



North Carolina Department of Environment and Natural Resources  
Division of Waste Management

Pat McCrory  
Governor

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Director

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Secretary

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

**SOLID WASTE MANAGEMENT FACILITY**  
**Permit No. 92-29**

SHOTWELL TRANSFER STATION II, INC  
and DAVID W. KING, JR. (Operator)  
and  
BOOTH PROPERTIES, LLC (Landowner)

are all hereby issued a

**PERMIT TO CONSTRUCT**  
*Not Applicable*

**PERMIT TO OPERATE**  
9229T-TRANSFER-2009, Shotwell Transfer Station II

**PERMIT FOR CLOSURE**  
*Not Applicable*

Located at 1506½ North Salem Street, in Apex, 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 legal description of the site is identified on the deed recorded for this property listed in Attachment 1 of this permit.

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

## ATTACHMENT 1

### GENERAL PERMIT CONDITIONS INFORMATION

#### **Part I     General Facility**

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 Rule 15A NCAC 13B .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 must be implemented in accordance with Attachment 2 of this permit. The permit to operate must 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. The permit to operate for this facility issued March 25, 2009, was recorded in the Wake County Register of Deeds on April 2, 2009, in Deed Book 13466, Pages 1523-1535. (DIN 9303)
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 solid waste management facility and a reference by book and page to the recordation of the permit.
5. By receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
6. Operation of this solid waste management facility shall be in accordance with the North Carolina Solid Waste Management Rules, 15A NCAC 13B; Article 9 of the 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. Failure to comply may result in compliance action or permit revocation.
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 shall 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 a General or Individual National Pollutant Discharge Elimination System Stormwater Discharge Permit. Issuance of this permit does not remove the permittee's responsibilities for compliance with any other local, state or federal rule, regulation, or statute.

**PERMIT TO OPERATE**

Permit	Issuance	Limited Review	Expiration
9229T-TRANSFER-2009	April 27, 2015	March 25, 2019	March 25, 2024

**PROPERTIES APPROVED FOR THE SOLID WASTE MANAGEMENT FACILITIES**

Wake County Register of Deeds					
Book	Page	Parcel No.	Grantor	Grantee	Acres
11285	1429	074 247 6607	William J. Booth, Jr. and Mary Lou Booth	Booth Properties, LLC	18

Several facilities, in addition to the transfer station, are located on the property. The transfer station facility occupies approximately 5 acres.

**Part II Municipal Solid Waste Landfill Unit(s)**

*Not Applicable*

**Part III Construction and Demolition Landfill Unit(s)**

*Not Applicable*

**Part IV Industrial Landfill Unit(s)**

*Not Applicable*

**Part V Land Clearing and Inert Debris Landfill Unit(s)**

*Not Applicable*

**Part VI Transfer Station/Treatment & Processing Unit(s)**

*Permitting History*

Permit Type	Date Issued	DIN
Permit to Construct (PTC) – PCM Transfer Station	January 18, 2002	
Permit to Operate (PTO)	February 1, 2002	
PTC Modification	May 19, 2003	
PTO Modification	September 16, 2005	
PTO – Change in Ownership	March 25, 2009	6994
PTO – Amendment (10-yr)	April 27, 2015	21548

1. On January 2002, the construction of the waste transfer facility was first permitted to PCM Construction Services, as operator.
2. In May 2003, the facility permit was modified to add a sorting pad area and ramp modifications, including wood grinding and gypsum processing.
3. In March 2005, ownership of the property was sold from William J. Booth, Jr. and Mary Lou Booth to Booth Properties, LLC. The property owner concurs with the use of the property as a transfer station.
4. In June 2008, PCM Construction Services sold a portion of its waste management assets to Shotwell Transfer Station II, Inc.
5. In November 2008, PCM Construction Services relinquished the permit for this facility. Shotwell Transfer Station II, Inc. submitted information and documentation to the Solid Waste Section to apply for the permit to operate the facility to be re-issued to Shotwell Transfer Station II, Inc. and David W. King. Between November 2008 and March 2009, Shotwell continued to operate the transfer station as previously permitted to PCM Construction Services.

*List of Documents for the Approved Plan*

1. Transfer Station permit application/operations plan and construction site plan dated December 2001.
2. Letter dated November 7, 2001, from David R. Rowland addressing the zoning of the property for the proposed transfer station.
3. Certification letter from Bass, Nixon & Kennedy dated January 31, 2002.
4. Revised site operations plan dated March 18, 2003, approved May 19, 2003.
5. Certification letter dated September 16, 2003 addressing the upgrades to the transfer station site per the drawings dated March 18, 2003.

6. *Request to Transfer Permit, Apex C&D Waste Transfer Facility.* Prepared by Richardson Smith Gardner & Associates, Raleigh, NC. November 10, 2008, revised December 23, 2008. Doc ID 6991.
7. *Permit Renewal Application. Shotwell Transfer Station II. Permit No. 92-29T.* Prepared by Garrett & Moore. Cary, NC. Received June 4, 2014. Revised through September 30, 2014. DIN 21192.

**Part VII Miscellaneous Solid Waste Management**

*Not Applicable*

**- End of Section -**

**ATTACHMENT 2**  
**CONDITIONS OF PERMIT TO CONSTRUCT**

**Part I: General Facility**

*Not Applicable*

**Part II Municipal Solid Waste Landfill Unit(s)**

*Not Applicable*

**Part III Construction and Demolition Landfill Unit(s)**

*Not Applicable*

**Part IV Industrial Landfill Unit(s)**

*Not Applicable*

**Part V Land Clearing and Inert Debris Landfill Unit(s)**

*Not Applicable*

**Part VI Transfer Station/Treatment & Processing Unit(s)**

*Not Applicable*

**Part VII Miscellaneous Solid Waste Management**

*Not Applicable*

***-End of Section-***

## ATTACHMENT 3

### CONDITIONS OF PERMIT TO OPERATE

#### Part I: General Facility

1. 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.
2. Signs must be posted at the entrance to the facility that state that no hazardous waste or liquid waste can be received at the facility; and provide information on dumping procedures, the hours of operation, the permit number, contact name, telephone 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.
3. Interior roadway must be of all-weather construction and maintained in good condition.
4. 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 NCGS 130A-309.25. An attendant must be present to oversee the loading and unloading of waste.
5. Copies of this permit, the approved plans, and all records required to be maintained by the permittee must be maintained at the facility and made available to the Section upon request during normal business hours.
6. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act, NCGS 113A-50 et seq., and rules promulgated under 15A NCAC 4. The Section must be notified of any approved modifications to the sedimentation and erosion control plan.
7. 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 4040 or the Clean Water Act, as amended.
8. Fire lanes must be established and maintained at all times. The dimensions of the fire lanes must be coordinated with the Fire Marshall having jurisdiction over the site.
9. Open burning of solid waste is prohibited. Fires must be reported to the regional waste management specialist with 24 hours of the occurrence, followed by a written notification within 15 calendar days of the occurrence.
10. Financial assurance as required by state rules and statutes must be continuously maintained for the duration of the facility and updated and submitted annually to the Section by the anniversary date of the issuance of this permit.

**Part II: Municipal Solid Waste Landfill Unit(s)**

*Not Applicable*

**Part III: Construction and Demolition Debris Landfill Unit(s)**

*Not Applicable*

**Part IV: Industrial Landfill Unit(s)**

*Not Applicable*

**Part V: Land Clearing and Inert Debris Landfill Unit(s)**

*Not Applicable*

**Part VI: Transfer Station / Treatment and Processing Unit**

1. The Permit to Operate shall expire March 25, 2024. Pursuant to 15A NCAC 13B .0201(c) and .0206(a), no later than September 25, 2023, the permittee must submit a request to Section for a permit amendment and must update pertinent facility plans including, but not limited to , the facility plan, operation plan and waste screening plan.
2. Pursuant to NCGS 130A-294(a2) and 15A NCAC 13B .0206(b), the Permit to Operate is subject to a limited review by March 25, 2019. The permittee must request the five-year limited review on or before September 25, 2018. A five-year limited review of a 10-yr permit includes review of the operations plan, closure plan, post-closure plan, financial assurance cost estimates, environmental monitoring plans, and any other applicable plans for the facility.
3. 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).
4. The following, at a minimum, must not be accepted for disposal at the facility: hazardous waste, yard trash, liquid wastes, regulated medical waste, sharps not properly packaged, regulated-asbestos containing material as defined in 40 CFR 61, PCB waste as defined in

40 CFR 761, and wastes banned from disposal in North Carolina by NCGS 130A-309.10(f).

5. 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 material as defined in 40 CFR 61 must not be accepted at the transfer facility. Barrels and drums shall not be accepted unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein.
6. This facility is permitted to receive solid waste generated within Durham, Chatham, Franklin, Granville, Harnett, Johnston, Nash, Orange, and Wake Counties. Waste must be transported for disposal to Shotwell Landfill (Permit Number 9226-CDLF-2001) in Wendell, North Carolina; Red Rock Disposal C&D Landfill (Permit Number 9228-CDLF-2001) in Holly Springs, North Carolina; or Material Recovery C&D Landfill (Permit Number 9231-CDLF-2012) in Raleigh, North Carolina. Changes to the service area and/or the disposal facility must be approved by the Section and will constitute a permit modification and may be subject to a permitting fee.
7. The Shotwell Transfer Station II facility may maintain at any one time a maximum amount of waste and recovered materials of 1,800 tons.
8. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, 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 municipal solid waste.
9. The permittee must develop, and use, 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, or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.

10. The facility must not cause nuisance conditions.
  - a. The tipping floor and transfer trailer loading area must be maintained in a clean, sanitary condition at all times and must be cleaned at least daily in accordance with the approved Operational Plan.
  - b. Waste must only be deposited on a “tipping floor” or directly into a transfer container. Waste must not be stored on the “tipping floor” after operating hours.
  - c. Waste may be stored on-site, in transfer trailers, designed and maintained to be leak resistant in accordance with industry standards for a maximum of 24 hours except that a minimal amount of waste may be stored for a maximum of 72 hours when the facility is closed during a weekend or holiday. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.
  - d. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.
  - e. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter.
    - i) Fugitive dust emissions are prohibited.
    - ii) Windblown materials must be collected by the end of the day and no windblown material may be allowed to leave the facility boundary.
11. All water 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.
  - a. The leachate control system, such as floor drains, leachate collection devices, sanitary sewer connections and leachate storage tanks, must be operational during facility operations.
  - b. The tipping floor must drain away from the building entrance and into the leachate collection system.
12. The permittee must maintain a record of the amount of solid waste received at the facility and transferred out of the facility, including daily records of waste received and origins of the loads. Scales must be used to weigh waste. The daily records are to be summarized into a monthly report for use in the required annual reports.
13. 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 completed report must be forwarded to the Regional Environmental Specialist for the facility by the date due on the prescribed annual facility report form.
- d. A copy of the completed report must be forwarded to each county manager for each county from which waste was received at 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.

**Part VII: Miscellaneous Solid Waste Management**

- 14. 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.
- 15. Recyclables must be handled and stored in accordance with the approved operation plan.

***- End of Permit Conditions -***