



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Dexter R. Matthews

Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

SOLID WASTE SECTION

May 3, 2010

Mr. Jimmy Hawk
Hawk Sanitation and Recycling
4260 Mountain Creek Road
Iron Station, North Carolina 28080-8418

Subject: Permit to Operate Requirements – Transfer Station
Hawk Sanitation
Mecklenburg County, DIN 10485

Dear Mr. Hawk:

On April 15, 2010, Ms. Deb Aja and Mr. Jason Watkins of the North Carolina Solid Waste Section, Mr. Joe Hack and Mr. Mike Stillwell of Mecklenburg County Solid Waste Management and I toured your Facility at 5232 Hovis Road in Charlotte. The purpose of the visit was to determine the Facility's need for a Solid Waste Permit. As a result of our observations of the Facility, the Division has determined that you will be required to apply for and meet the conditions of a Permit to Operate, in order to continue operations. Furthermore, a determination has been made that the Facility will be permitted as a Transfer Station. Since your Facility was not previously permitted, at this site, the Division considers this a new Transfer Station permit. Please provide the following application information in order to expedite the permitting process;

Transfer Station Application – Format and Contents

Letter of transmittal, which states desired Department action (including whether the request is for a new permit, permit amendment, or permit modification)

Title page

Table of Contents

Section 1 – General Information

Provide a narrative of general information for the facility, including the following:

1. Name of proposed or existing transfer station.
2. Name, address, telephone number, and email address of the applicant and contact person.
3. Name, address, telephone number, and email address of the contract operator and contact person, if applicable.
4. Name, address, telephone number, and email address of the landowner. A landowner authorization form must be signed and notarized if the property is to be leased (see attached form).



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5. Name, address, telephone number, and email address of the engineer.
6. Name, address, telephone number, and email address of person to receive permit fee invoices and annual fee invoices.

Section 2 - Property information and maps

7. Describe the location of the facility. If the property was previously used for solid waste management activities, provide a description of the operation including permit information and a map with boundaries.
8. Provide the total acreage of the property and the size of the actual area to be used for the transfer and storage operation.
9. Provide a legal description of the property and a complete copy of the land deed.
10. Provide a copy of the USGS topographic quadrangle map of the area. The property boundaries of the site and the approximate transfer area should be drawn onto the map. The map may be a high quality photocopy.
11. Provide a letter from the appropriate City or County official confirming that the siting of the facility will be in conformance with all zoning and local laws, regulations, and ordinances, or that no such zoning, laws, regulations, or ordinances are applicable.
12. Provide a copy of the FEMA Flood Insurance floodplains map for the area, with the site property marked on the map.
13. Provide a letter from the Army Corps of Engineers that addresses the wetlands determination for the property, and compliance with requirements, if applicable.

Section 3 - Operation Plan

14. Description of the wastes to be accepted (e.g., municipal solid waste, commercial waste, industrial, construction debris, demolition debris).
15. Estimate in tons per day expected to be managed at the transfer station.
16. List the service area for the facility.
17. List the specific disposal facilities where the waste will be transferred.
18. Description of the equipment, scales, structures, tipping floor, water source for cleaning, and compactor and hopper. If wastes will be unloaded on a tipping floor, the operation must be covered in a building. Rain water that has come in contact with wastes must be collected and disposed as leachate.
19. Describe site security and access control. Access roads must be of all weather construction. Also describe hours of operation.



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20. Description of signs to be posted at the entrance and within the site to direct traffic. Signs must provide a description of the types of waste received, the types of waste prohibited, operating hours, permit number, and emergency contact phone numbers.
21. Personnel requirements, qualifications, responsibilities. The plan must indicate that a trained employee must be onsite at all times the site is open, overseeing the loading and unloading of waste.
22. A narrative description of the operation from the truck arriving at the site, through all steps of the transfer station operation, to the point of waste removal. Describe traffic flow and procedures for loading and unloading of waste.
23. If the facility will take both MSW waste and C&D waste to be loaded for transport separately, describe recordkeeping of the type of the load at the scale house. Describe how the truck driver and the onsite operator will ensure that the waste load is unloaded at the correct unloading area (e.g., commercial waste must be unloaded at the MSW).
24. Describe the method for screening loads for unacceptable waste.
25. Describe surface water control features, including run-on and run-off.
26. Describe the collection, storage, and disposal of leachate, wash water, and contaminated rainfall runoff. Runoff from the tipping floor area and waste/recyclable storage areas should be collected and properly treated prior to disposal.
27. Plan for cleaning and washing down the tipping floor on a daily basis. Plan for maintaining facility property in a sanitary condition and actions to be taken to minimize noise, vectors, and odors. The tipping floor should be clear of waste at the end of each operating day.
28. Plan for litter and dust control. Procedures to prevent blowing litter from leaving the onsite management areas and from leaving the property.
29. Description of any special waste handling (waste tires, white goods, yard waste, recyclables). Description of any treatment and processing of waste.
30. Plan for fire prevention and actions to be taken in the event of an accidental fire.
31. Describe recordkeeping (daily records of amounts by weight received by County, waste screening, inspection records, training, permit, operation plan, and site drawings).
32. Contingency plans for equipment breakdown, non-conforming waste delivered to facility, spills, vectors, noise, odors, unusual traffic patterns, long-term power outages affecting the compactor and leachate pump station, etc.

Section 4 – Sedimentation and Erosion Control Plan

33. For new transfer stations or existing transfer stations with proposed construction modifications, provide a copy of the sedimentation and erosion control plan as required by local governments and the NC Division of Land Resources.



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Section 5 - Financial Assurance

34. Financial assurance documentation in accordance with N.C. G.S. 130A-294 (b2) is required for all permits. An applicant must submit a cost estimate in the application equal to the cost to hire a third party to remove, cleanup, haul and dispose of a minimum of five days volume of incoming waste plus the maximum amount of materials (waste and recyclables) that the facility plans to store onsite. This is required in the event of site abandonment or if the site is found to be in substantial non-compliance with state requirements. The facility may be considered in substantial non-compliance if it is found storing more waste/recyclables on site than the facility's operations plan and/or the facility's financial assurance mechanism covers. The Section may require the estimate to be based on more than five days volume, depending on the type of operation, the past environmental compliance history of the applicant, and if the applicant does not currently operate any solid waste management facilities in North Carolina. After the Solid Waste Section has approved the cost estimate, the financial assurance instrument for the amount must be submitted before the site becomes operational (new facilities) or soon after the permit is issued (existing facilities).

Section 6 - Traffic Study

35. Submit documentation as required by N.C.G.S. 130A-295.5.

Section 7 - Signature Pages

36. Applicant signature page (see attached).

37. Contract operator signature page (see attached).

38. If the landowner of the property is not the applicant, the attached certification form by the land owner is required (see attached).

Section 8 - Engineering Drawings

For a new transfer station operation or an existing transfer station operation with proposed construction modifications, provide drawings showing the transfer station operation building or modifications. Engineering drawings should be prepared and sealed by a NC professional engineer, drawn to scale, and should include:

1. existing and proposed contours,
2. property boundaries,
3. gates/fences or other access control features
4. utilities (*wastewater system and stormwater drains*),
5. existing and proposed roads,
6. sedimentation basin details,
7. existing surface water features (ditches, ponds, streams, wetlands, etc.),
8. tipping floor and loading area,



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9. any recyclable storage areas indicating types and sizes of containers,
10. leachate and runoff collection details,
11. buildings (existing and proposed) and scales/scale house,
12. concrete foundations/pads and all other ground cover for the site operation,
13. distances to wells, residences, wetlands, and water bodies,
14. and other physical characteristics of the site

Once I have received the application, I will request a compliance audit of your company from the Division's Compliance Officer, and you will be invoiced the appropriate permitting fee. Should you have any questions regarding this letter you may contact me at (828) 296-4704 or my email address Larry.Frost@ncdenr.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Frost".

Larry Frost
Environmental Engineer

cc: Joe Hack – Mecklenburg County
Mike Stillwell – Mecklenburg County
Deb Aja – SWS/ARO



Signature page of applicant –

Name of facility _____

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision and that the information provided in this application is true, accurate, and complete to the best of my knowledge.

I understand that North Carolina General Statute 130A-22 provides for administrative penalties of up to fifteen thousand dollars (\$15,000.00) per day per each violation of the Solid Waste Management Rules. I further understand that the Solid Waste Management Rules may be revised or amended in the future and that the facility siting and operations of this solid waste management facility will be required to comply with all such revisions or amendments.

Signature

Print Name

Date

Title

Business or organization name



Certification by Operator (if different from Applicant):

Name of facility _____

_____ has an agreement with the transfer station owner to operate a municipal solid waste transfer station on the land and the land owner has specifically granted permission for the operation of the facility. I understand that both the operator and owner are jointly and severally liable for improper operations and proper closure of the municipal solid waste transfer station.

I understand that North Carolina General Statute 130A-22 provides for administrative penalties of up to fifteen thousand dollars (\$15,000.00) per day per each violation of the Solid Waste Management Rules. I further understand that the Solid Waste Management Rules may be revised or amended in the future and that the facility siting and operations of this solid waste management facility will be required to comply with all such revisions or amendments.

Signature

Print Name

Date

Title

Business or organization name

NORTH CAROLINA

_____ County

I, _____, a Notary Public for said County and State, do hereby certify

that _____ personally appeared before me this day and

acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the ___ day of _____, 20__.

(Official Seal)

Notary Public _____

My commission expires _____, 20__



Certification by Land Owner (if different from Applicant):

I hereby certify that I have read and understand the application submitted by _____
for a permit to operate a municipal solid waste transfer station on land owned by the undersigned located at
(address) _____; (city) _____, NC, in
_____ County, and described in Deed Book and Page(s) _____.

I specifically grant permission for the proposed municipal solid waste transfer station planned for operation within the confines of the land, as indicated in the permit application. I understand that any permit will be issued in the names of both the operator and the owner of the facility/property. I acknowledge that ownership of land on which a solid waste management facility is located may subject me to cleanup of said property in the event that the operator defaults as well as to liability under the federal Comprehensive Environmental Responsibility, Compensation and Liability Act ("CERCLA"). Without accepting any fault or liability, I recognize that ownership of land on which a solid waste management facility is located may subject me to claims from persons who may be harmed in their persons or property caused by the solid waste management facility.

I am informed that North Carolina General Statute 130A-22 provides for administrative penalties of up to fifteen thousand dollars (\$15,000) per day per each violation of the Solid Waste Management Rules. I understand that the Solid Waste Management Rules may be revised or amended in the future, and that the siting and operation of the facility will be required to comply with any such revisions or amendments.

Signature

Date

Print name

NORTH CAROLINA

_____ County

I, _____, Notary Public for said County and State, do hereby certify that
_____ personally appeared before me this day and acknowledged the due execution of the
foregoing instrument.

Witness my hand and official seal, this the _____ day of _____, 20__.

(Official Seal)

Notary Public

My commission expires _____.