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Backus	06/08/2011	13899	25-10T



DEPARTMENT OF THE NAVY

NAVAL FACILITIES ENGINEERING COMMAND, MID-ATLANTIC
RESIDENT OFFICER IN CHARGE OF CONSTRUCTION
PSC BOX 8006
CHERRY POINT, NC 28533-0006

IN REPLY REFER TO:
07-D-1908
7 June 2011

State of North Carolina
Department of Environment
Health and Natural Resources
P. O. Box 29536
Raleigh, NC 27626-0536

Subj: CONTRACT N40085-07-D-1908 Task Order No. 0100, MODIFY TRANSFER
STATION, B-4185, MARINE CORPS AIR STATION, CHERRY POINT, NORTH
CAROLINA

In accordance with Permit Number 25-10T dated 16 June 2008, the Cherry Point Transfer Station ,
Mockingbird Road Site, it is herein certified that all work was accomplished in accordance with
the approved plans and specifications.

For further information contact the undersigned at 252-466-4730.

A handwritten signature in dark ink, appearing to read "J. R. Rhodes".

J. R. RHODES, P. E.
State of Washington License # 29709
Supervisory Construction Manager
(252) 466-4730

Copy to: Facilities Engineering
ROICC Files
Facilities Maintenance Dept.
Environmental Affairs Dept., Attn: Mr. Jeff Christopher



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RESIDENT OFFICER IN CHARGE OF CONSTRUCTION
PSC BOX 8006
CHERRY POINT, NC 28533-0006

IN REPLY REFER TO:
07-D-1908 / JKW
22 October 2009

From: Resident Officer in Charge of Construction

To: Commanding Officer, Marine Corps Air Station, Cherry Point, North Carolina (Code LC)
(Attn: George Broadstreet)

Subj: CONTRACT N40085-07-D-1908 Task Order No. 0100 MODIFY TRANSFER STATION,
B-4185, MARINE CORPS AIR STATION, CHERRY POINT, NORTH CAROLINA

1. The following personnel performed a final inspection of the facility on 19 October 2009:

<u>Name</u>	<u>Activity</u>
Marty Williams	Williams Services
Willie Styron	Joyce & Associates
Lee Johnson	Joyce & Associates
Marc Garland	ROICC
Keith Willis	ROICC

2. Enclosure (1) represents a list of deficiencies as of 19 October 2009. These items will be completed as soon as possible to facilitate contract closeout. The work was accepted for Beneficial Use as of 19 October 2009.
3. The contract provides for a one-year warranty commencing from the date of beneficial acceptance of the work for any defects in workmanship and / or materials. Please direct requests for remedial action pursuant to the warranty to the prime contractor, Joyce & Associates, telephone number 252-223-3171. In the event the contractor fails to respond or there is disagreement with the contractor concerning the warranty, please contact this office to resolve the matter.
4. Upon the discovery of a latent defect, please contact the Officer in Charge of Construction, Marine Corps Air Station, Cherry Point, North Carolina, for further action with the construction contractor. A latent defect is defined as a defect that may be proven to be in existence at the time of final acceptance but that cannot be discovered by reasonable inspection procedures. The determination of the applicability of a defect being latent in nature rests with the Officer in Charge of Construction.
5. The Warranty and other closeout submittals will be transmitted under separate cover.

Keith Willis
Construction Manager
(252) 466-5312

Encl. (1): Punchlist – 10/19/09
Copy to: ROICC Files

Enclosure (1)

**Modify Transfer Station, B-4185
Final Punchlist
October 19, 2009**

Item:

1. Install the removable rail at the wood dumpster.
2. Hand grade and seed the disturbed area between the seeded area and the silt fence.

From: [Belli CIV William G](#)
To: [Backus, Pat;](#)
cc: [Dave Cooke; Jeff Christopher;](#)
Subject: Project Completion Letter
Date: Wednesday, June 08, 2011 1:00:56 PM
Attachments: [2011-06-07 PE Cert ltr for DENR signed1.pdf](#)
[2011-06-07 DENR Cert Letter.pdf](#)
[Modify Transfer Station B-4185 BOD.pdf](#)

Pat-

Good Morning. Enclosed are two copies of the Project Completion Certification for the most recent modifications to our Transfer Station. One copy contains an actual signature, and the other includes a digital signature. The BOD (Beneficial Occupancy Date) file included is a letter to the contractor which documents the government's acceptance of the project, and the start of the contractor's one year warranty period.

Dave Cooke remains the Solid Waste Program Manager for Cherry Point. My Solid Waste Program responsibilities within the Environmental Affairs Department are more focused on the technical aspects related to the permit and engineering activities. If you have any questions or require additional information at any time, please do not hesitate to contact me or Dave. We will strive to address your needs and requests in a prompt and more efficient manner.

The following narrative is provided to explain and document the events of the past several years relevant to the Solid Waste Transfer Facility located at MCAS Cherry Point, Permit No 25-10T, due in part to the personnel turnover in this area (7 program managers in the last 15 years).

On November 19, 1997, the NC DENR Division of Waste Management issued Solid Waste Transfer Facility Permit No. 25-10T to MCAS Cherry Point to allow its operation to commence (PTO- Permit to Operate). On September 23, 2004, DENR issued a Permit to Construct (PTC) for "Construct Upgrade to Correct Transfer Station Deficiencies", Contract No. N62470-05-C-7135 (Project No. CP05002R) which included the demolition of the existing transfer station and the construction of a new transfer station with new lechate controls, concrete pads, and site grading. The Project Completion Certification dated 5 April 2007 specified Contract No. N62470-04-C-1183 which was also specified on the completed construction drawings submitted to DENR on April 5, 2007. DENR issued the PTO dated March 5, 2008 based on the Professional Engineer's Project Completion Certification. For clarification, it was later determined that the construction contract was not awarded in fiscal year 2004 as planned;

therefore, a new contract number reflecting the actual 2005 fiscal year award date, N62470-05-C-7135, was assigned to this project, "Construct Upgrade to Correct Transfer Station Deficiencies"(Project No. CP05002R).

The Cherry Point letter to DENR dated May 1, 2008 noted the receipt of the PTO dated March 5 2008, and the need to modify the recently completed (new and upgraded) Transfer Station due to a significant engineering design flaw- the garbage trucks not able to efficiently or effectively transfer solid waste into the solid waste trailers located at the new facility. DENR then issued the PTO dated June 16, 2008 which rescinded the PTO dated March 5, 2008, and reinstated the PTO dated September 23, 2004. Since our Facilities Maintenance Department was unable to successfully remedy this situation in-house, a subsequent project, "Modify Transfer Station Facility No. 4185", Contract No. N62470-07-D-1908 Task Order No. 0100 (Project No. WR4483112) was initiated. This project was completed and accepted by the government on October 19, 2009 (attached BOD file). The Project Completion PE Certification dated June 7, 2011 was forwarded to DENR by email dated June 8, 2011. The acceptance of the Completion Certification should allow DENR to issue Cherry Point a new PTO.

Respectfully submitted,
Bill Belli
Environmental Engineer
MCAS Cherry Point
Environmental Affairs Department
Email: william.belli@usmc.mil
Phone: 252-466-5271
Fax: 252-466-2000