



William G. Ross Jr., Secretary

May 14, 2008

Mr. David King
Shotwell Transfer Station, Inc.
3209 Gresham Lake Road, Suite 115
Raleigh NC 27615

Re: Application for Thornton Road Mixed Waste Transfer Station
Shotwell Transfer Station, Inc.
Transfer of permit from PCM Construction
Permit No. 92-27T
Wake County, Doc ID No. 4480

Dear Mr. King:

An application for a municipal solid waste and construction and demolition debris transfer station, hereafter referred to as a mixed waste transfer station, has been submitted to the Division of Waste Management, Solid Waste Section (Section) on your behalf by your consultant RSG Engineers. In accordance with GS 130A-295.8(e), the Section has reviewed your application and found it to be complete within the meaning of the statute. A determination of completion means that the application includes all required components but does not mean that the required components provide all the information that is required for the Section to make a decision on the application. We have performed a technical review of the submitted application and request the following:

1. Please clarify in the application the acreage of the total property and the acreage of the transfer station area. The stormwater report is confusing in that it lists different acreages.
2. The grading plan indicates that up to 10 feet of LCID fill will be removed, and lesser amounts will be filled. Please discuss how this will be accomplished and what will be done with the excavated waste. What will be done if unacceptable waste (hazardous) is excavated? To which facility will the wastes be taken? The wastes may include demolition debris in addition to land clearing debris.
3. In the executive summary, please add current address, phone, and email address information for David King. Also include the attached signed applicant signature page.
4. Attachment A - Please correct the deed information.
5. Appendix B – Please provide the attached signed landowner authorization form.

6. Section 2.2.1 of the Operating Plan – Please provide a list of the types of waste that will be accepted at the MSW transfer station. The reference provided, 15A NCAC 13A .0101 (36) is incorrect.
7. Section 2.2.2 of the Operating Plan – Please correct the references to the General Statutes, as listed for land clearing debris and asphalt.
8. Section 2.3.1 of the Operating Plan – Please correct the reference to the NCAC for the definition of hazardous waste.
9. Section 2.3.1 – The transfer facility should not accept leachate or gas condensate derived from a MSW landfill unit. Please clarify why the paint filter liquids test is in the Operating Plan.
10. The service area of the facility is listed in the report as the State of North Carolina but generally concentrated in Wake County and surrounding counties. How will the facility be operated to ensure that for wastes transferred to an MSW or C&D landfill, the source of generation for the waste is within the disposal facility's approved service area? For example, the approved service area for the Upper Piedmont Landfill includes the counties that are within 60 miles of Person County, and the approved service area for the South Wake MSW Landfill is only Wake County.
11. How will each type of recyclables be stored, handled, and removed? Show recyclable storage areas on the site sketch, indicating the types of materials stored, proposed storage areas, storage conditions, traffic lanes, etc. Material other than brick, concrete, concrete block, or asphalt shall either have a designated storage container or be stored covered on a concrete or asphalt pad. The recyclable material should be processed and removed no longer than one year from receipt at the site.
12. Will the wood recyclables be chipped or otherwise processed? If yes, the storage areas must meet the siting and operational compost rules found in the .1400 rules. All sides of storage areas for flammable materials/waste should be clear and drivable, to provide vehicular access in the event of a fire.
13. Section 2.7.2 – Wood pallets and wood debris are not considered inert and must be stored covered on a pad or in containers.
14. Will demolition debris be sorted? An asbestos screening plan must be submitted to the Division of Epidemiology of the Department of Health and Human Services for approval. Otherwise, asbestos containing material or material suspected to contain asbestos must not be placed in the sorting area.
15. Please provide a sketch of the building layout, showing storage and sorting areas, and the cardboard compactor. Is the cardboard compactor under roof? How will sorted recyclables be moved from sorting to storage in the recycling area?
16. Please provide the maximum size of each waste/product pile, for each waste/product type (height, width, length). What is the maximum amount of each waste or product that will be stored onsite at any time? What is the combined volume of the maximum amount of the wastes or products that will be stored on the property at any time?
17. Why will the recycling area contain commingled recyclables? Will waste be sorted in the recycling area? If yes, the sorting area should be on a pad. If the sorting operation is to operate during precipitation events, the tipping pad area must be sheltered from precipitation.
18. Section 2.7.2 – What other new construction materials besides wood will be recycled?
19. Please clarify the source of paper, newsprint, and magazines for recycling. Will MSW waste be sorted?

20. Please provide a list of all proposed end uses for the recycled materials.
21. Please provide leachate drainage locations and details (drain, tank) on the drawings.
22. On at least one drawing, please clarify the ground cover (concrete, gravel, asphalt, etc.) for the traffic areas and waste management areas.
23. Page 3-2 – The transfer areas should be washed down daily instead of weekly.
24. The Operating Plan should also address litter control, and should include the days/hours of operation.
25. Please clarify what will be done with the junk cars and the tire pile on the site.
26. Will the site continue to operate during construction of the new transfer station facilities? If so, how will this be managed?
27. Recordkeeping – How will the volumes/weight of waste and the volumes/weight of recyclables be measured, when a truck load may contain both waste and recyclables? These amounts are to be reported in the annual report of the facility, and are important to state planning, reporting, and calculations of the Solid Waste Disposal Tax.
28. Appendix J - The financial assurance amount should be equal to the cost to hire a third party to remove and clean up waste from the facility, haul, and dispose of the waste, in the event of site abandonment. The amount of waste and product for this calculation is equal to 5 days worth of transfer station volume plus the maximum amount of waste and product that could be stored at the facility at any time, including a full sorting pad.
29. Once the amount of financial assurance is agreed upon, please clarify which financial assurance mechanism will be used for financial assurance, in accordance with N.C. G.S. 130A-295.2 (f).
30. The letter from the Department of Transportation indicates that roadway improvements and pavement strengthening may be required to mitigate impacts on traffic along Thornton Road, and that these improvements will be made requirements of any subsequent Driveway Permit issued by the District Engineer. Please clarify the status of the Driveway Permit and whether these improvements will be made. If required by DOT, a permit condition will require that these improvements be made prior to implementation of the proposed changes to the facility operation.
31. Please re-check the report for spelling and grammatical errors.

Please submit response to comments as replacement pages to the December 2007 report. Only one paper copy is necessary, but an electronic copy is also needed, either sent by email, or on a CD.

For your reference, the Solid Waste Section rules can be found on the Section's website at <http://www.wastenotnc.org/swhome/rule.htm>; the North Carolina General Statutes concerning solid waste are located at http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_130A/Article_9.html; and the 2007 legislation can be found at <http://www.ncleg.net/Sessions/2007/Bills/Senate/PDF/S1492v6.pdf> and <http://www.ncleg.net/Sessions/2007/Bills/Senate/HTML/S6v4.html>.

If you have any questions or comments, please contact me at (919) 508-8510, or by email at donna.wilson@ncmail.net.

Sincerely,



Donna J. Wilson
Environmental Engineer
Solid Waste Section

Attachments

cc: Stacey Smith, RSG&A
Jason Watkins, Central Regional Supervisor, DWM
Brad Bailey, Waste Management Specialist, DWM

Signature page of applicant –

Name of facility _____

I certify that the information provided by me 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 _____

Title _____

Date _____

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 _____.