



DW

November 10, 2008

Ms. Donna Wilson
Environmental Engineer
North Carolina Dept. of Environment and Natural Resources
Division of Waste Management - Solid Waste Section
 401 Oberlin Road, Suite 150
 Raleigh, NC 27605



Re: Apex C&D Waste Transfer Facility
(Transfer of NC Solid Waste Permit No. 92-29T)
Apex, North Carolina

Dear Ms. Wilson:

On behalf of Shotwell Transfer Station II, Inc. (STS2), Richardson Smith Gardner & Associates, Inc. (RSG) has prepared this request to transfer the subject solid waste Transfer Facility permit to STS2, in accordance with Section 5(a), § 130A-295.2., (g) of Senate Bill 1492¹. In response to recent events regarding a compliance order² by the existing operator, PCM Construction Services, LLC, it is the desire of STS2 to transfer the facility permit without any lapse in the facility operations. Therefore, we are providing the following documents to assist the Division in the due review of this matter:

PROPERTY DESCRIPTION

The facility will be operated on a portion of property owned by Booth Properties, LLC. The complete tract is approximately 18 acres and the operations will continue within a 3.5 acre area labeled on the site plan as "facility boundary". A copy of the site plan is provided as **Attachment A**.

The property is described under Wake County Deed Book 11285, Pages 1429-1432. A legal description for this property is included in **Attachment B**.

OWNERSHIP AND OPERATION

The proposed facility will be operated by Shotwell Transfer Station II, Inc. on property owned by Booth Properties, LLC. A Landowner Authorization is provided as **Attachment C**. Mr. David King formed Shotwell Transfer Station II, Inc. to operate the facility. Articles of Incorporation for this entity is also provided in **Attachment D**. As the Division is aware, Mr.

1 General Assembly of NC, Session 2007, Session Law 2007-550, Senate Bill 1492, Section 5(a), § 130A-295.2., (g).

2 The Division of Waste Management, Compliance Order With Administrative Penalty PCM Apex C&D Transfer Permit #92-29T, Wake County, August 12, 2008.



November 10, 2008

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Environmental Engineer
North Carolina Dept. of Environment and Natural Resources
Division of Waste Management - Solid Waste Section
401 Oberlin Road, Suite 150
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(Transfer of NC Solid Waste Permit No. 92-29T)
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Ms. Donna Wilson
November 10, 2008
Page 2 of 3

King has additional solid waste operations in the state and an updated organizational description has been included in **Attachment D**.

Contact information for the operator is as follows:

Operator:	Shotwell Transfer Station II, Inc.
Owner:	Mr. David W. King Jr.
Manager:	Mr. Lee Pearson
Address:	3209 Gresham Lake Road, Suite 115 Raleigh, North Carolina 27615
Phone:	(919) 773-9899
Email:	daviddebris@bellsouth.net

STS2 agrees to operate the facility in accordance with the terms of the existing permit provided as **Attachment E**. An applicant authorization agreement has been prepared and executed by Shotwell Transfer Station II, Inc. and is provided as **Attachment F**.

SERVICE AREA AND DISPOSAL FACILITIES

STS2 requests the service area for the transfer facility to be concentrated in Wake County as well as its contiguous counties.

The disposal facilities for the transfer station will include the following facilities:

1. Shotwell C&D Landfill (Permit No. 92-26)
2. WCA Material Recovery C&D Landfill (Permit No. 92-31)
3. Red Rock Disposal C&D Landfill (Permit No. 92-28)

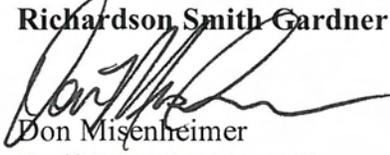
FINANCIAL ASSURANCE

In accordance with Session Law 2007-550, an estimate has been provided for financial assurance of the waste transfer facility. STS2 will provide an irrevocable letter of credit upon approval of the Division. A copy of the estimate has been included in **Attachment G**.

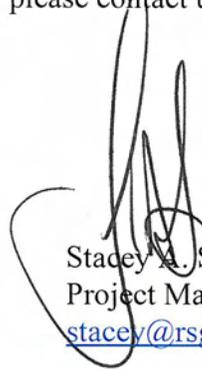
Ms. Donna Wilson
November 10, 2008
Page 3 of 3

Should you have any questions or require clarification, please contact us at (919) 828-0577 or by email.

Sincerely,
Richardson Smith Gardner & Associates, Inc.



Don Misgenheimer
Staff Scientist, Ext. 140
don@rsgengineers.com



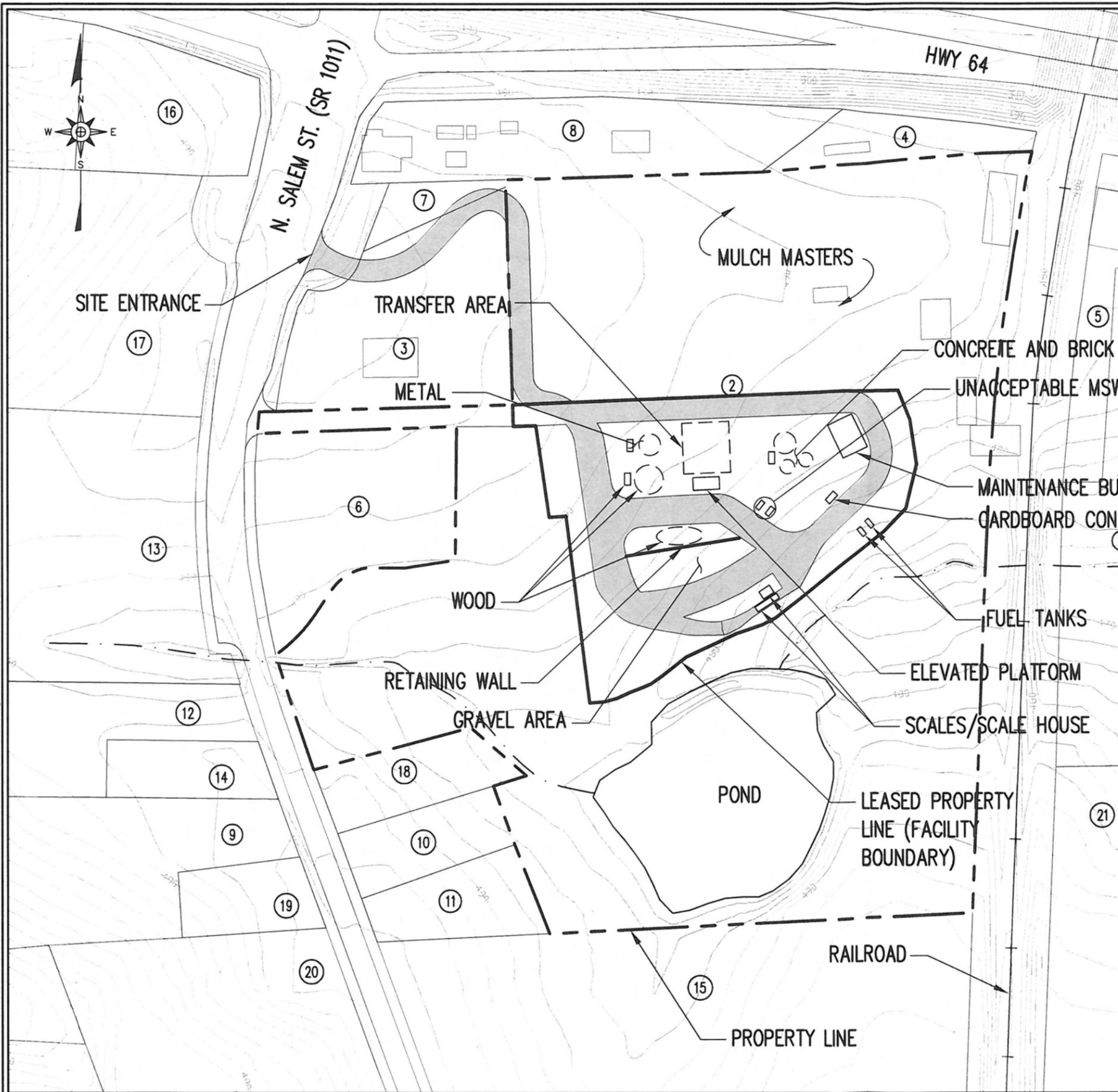
Stacey A. Smith, P.E.
Project Manager, Ext. 127
stacey@rsgengineers.com

Att.

Cc: Mr. David King, Shotwell Transfer Station II, Inc.
Mr. Bradley Bailey, NCDENR
Mr. Jason Watkins, NCDENR
File

Attachment A

G:\CAD\Shotwell Transfer Station\Shotxfer 08-1\sheets\SHOT-B0025.dwg - 11/10/2008 10:50 AM



ID	OWNER	DEED BOOK	PAGE	ACRES	PIN
1	APEX FIRST DEVELOPMENT LLC	11198	1367	14.35	742564866
2	BOOTH PROPERTIES LLC	11285	1429	18.01	742476007
3	BOOTH, WILLIAM J JR	2821	552	1.61	742472366
4	BOOTH, WILLIAM JENNINGS JR & MARY L	10611	503	1.36	742571267
5	BOOTH, WILLIAM JENNINGS JR & MARY L	10611	503	1.36	742571267
6	COLHOUN, THOMAS F & LINDA B	5075	734	1.39	742471014
7	FRAZIER, MARK F	8973	2396	0.20	742472415
8	FRAZIER, MARK F & MARA S	6950	897	1.48	742474555
9	GOODWIN, WILLIAM S	12399	1196	2.54	742366583
10	HURLOCK, RICHARD E	10496	1218	0.46	742462517
11	KELLY'S NORTH CAROLINA LEASING LLC	11465	2735	0.50	742462489
12	KEYE, RONALD E & JODY P	2873	167	1.00	742367712
13	MAXWELL, TRACEY JANELLE, SHERK, VICKI LANE	12865	2633	13.58	742374063
14	NETTLES, FRIEDA MAE & CARL	93-E	2555	0.50	742368697
15	PRINCE OF PEACE EPISCOPAL CHURCH OF APEX	10588	609	5.00	742465381
16	SALEM RIDGE OF APEX LLC	12283	526	0.79	742378518
17	SMITH, LOUIS C SMITH, STANLEY C	11218	843	3.02	742376342
18	SMITH, VONNIE BRYAN & TONI ANNETTE	8635	683	0.51	742461696
19	THOMPSON, JUNE N	2764	579	0.50	742369479
20	THOMPSON, JUNE N	2335	365	2.80	742369278
21	APEX FIRST DEVELOPMENT LLC	10902	190	45.67	742556730

LEGEND

- EXISTING CONTOUR (SEE REFERENCE 1)
- PROPERTY LINE (SEE REFERENCE 2)
- LEASED PROPERTY LINE (APPROXIMATE)
- PROPERTY ADJOINERS
- CREEK/STREAM

REFERENCES

1. OVERALL SITE TOPOGRAPHY FROM WAKE COUNTY GIS DEPARTMENT, DATA GENERATED FROM LIDAR DATED 1999.
2. SITE PROPERTY LINE AND SURROUNDING PROPERTIES FROM WAKE COUNTY GIS DEPARTMENT.



RICHARDSON SMITH GARDNER & ASSOCIATES
www.rsgengineers.com

14 N. Boylan Ave.
Raleigh, N.C. 27603

PH: 919-929-0577
FAX: 919-929-3899

FIGURE NO.	1
SCALE:	AS SHOWN
CHECKED BY:	
DRAWN BY:	J.A.L.
FILE NAME	SHOT-B0025
PROJECT NO.	SHOTXFER 08-1
DATE:	Nov. 2008

TITLE:
**APEX C&D WASTE
TRANSFER FACILITY**

Attachment B

BK011285PG01429

WAKE COUNTY, NC 12
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
03/30/2005 AT 08:41:35

BOOK:011285 PAGE:01429 - 01432

Excise Tax 0.00

Recording Time, Book and Page

Tax Lot No. 0007121 Parcel Identifier No. _____
Verified by _____ County on the _____ day of _____
by _____

Mail after recording to Wilson & Rattledge, PLLC, PO Box 31447, Raleigh, North Carolina 27622

This instrument was prepared by Wilson & Rattledge, PLLC (without title examination)

Brief description for the Index 18 +/- Ac. 1402 N. Salem St., Apex

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 17th day of March, 2005, by and between

GRANTOR

GRANTEE

William J. Booth Jr., and Mary Lou Booth, husband
and wife

Booth Properties, LLC
1505 N. Salem Street
Apex, North Carolina 27502

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration given by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that

certain lot or parcel of land situated in the City of Apex, White Oak Township,
Wake County, North Carolina and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

BK011285PG01430

The property hereinabove described was acquired by Grantor by instrument recorded in Book 9853, page 531.

A map showing the above described property is recorded in Plat Book _____ page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. Year 2005 Ad Valorem taxes, not yet due and payable.
2. All restriction, easement, rights of way and other exceptions of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name)

By: _____

President

ATTEST: _____

Secretary (Corporate Seal)

USE BLACK INK ONLY

William J. Booth, Jr. (SEAL)
William J. Booth, Jr.

Mary Lou Booth (SEAL)
Mary Lou Booth

(SEAL)

(SEAL)



NORTH CAROLINA, Wake County.

I, a Notary Public of the County and State aforesaid, certify that William J. Booth, Jr. and Mary Lou Booth

Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my

hand and official stamp or seal, this 17th day of March, 2005.

My commission expires: 4-30-2006 Wesley W. Bennett Notary Public

SEAL-STAMP

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____

personally came before me this day and acknowledged that _____ he is _____ Secretary of

_____ a North Carolina corporation, and that by authority duly

given and as the act of the corporation, the foregoing instrument was signed in its name by its _____

President, sealed with its corporate seal and attested by _____ as its _____ Secretary.

Witness my hand and official stamp or seal, this _____ day of _____, _____.

My commission expires: _____ Notary Public

The foregoing Certificate(s) of _____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR _____ COUNTY

By _____ Deputy/Assistant - Register of Deeds

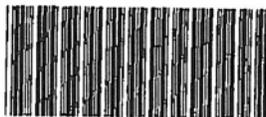
BK011285PG01431

EXHIBIT A

All of that certain tract of land at or near Apex in Wake County, as conveyed by that certain deed from Ethelbert W. King and wife to Chatham Railroad Company (predecessor in title of Thomas F. Womble) dated October 6, 1870, and recorded in Deed Book 31 at Page 101, in the Public Records of said County; SAVING AND EXCEPTING a strip of land 200 feet in width, extending 100 feet, measured at right angles, on each side of the center line of Chatham Railroad Company's main line track and also, SAVING AND EXCEPTING a parcel of land containing three (3) acres, more or less, lying on the westwardly side of the railroad and in the southwest corner of the tract of land conveyed by the aforementioned deed dated October 6, 1870, bounded on the northerly side by a line extending westerly and at a right angle to the center line of Chatham Railroad Company's main line track from a point distant 1550 feet southwestwardly, as measured along said main track, from Chatham Railroad Company's Mile Post 170; on the easterly side by a line distant 100 feet northwestwardly from as measured at a right angle from the center line of Chatham Railroad Company's main line track; on the south by the south boundary line of the tract of land conveyed by the aforementioned deed, dated October 6, 1870, and on the west by the west boundary line of the tract of land conveyed by said deed dated October 6, 1870, said land herein described being substantially located as shown in yellow on blue print NC-137 attached to deed recorded in Book 1010, page 385, Wake County Registry.

BEING THE same tract of land conveyed to W. J. Booth by deed recorded in Book 1010, page 385, Wake County Registry.

BK011285PG01432



BOOK:011285 PAGE:01429 - 01432

Yellow probate sheet is a vital part of your recorded document. Please retain with original document and submit for rerecording.



Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

North Carolina - Wake County

The foregoing certificate ___ of _____

Lesly M Bennett

____ Notary(ies) Public is (are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

Laura M. Riddick, Register of Deeds
By: *Frederick C. ...*
Assistant/Deputy Register of Deeds

This Customer Group
_____ # of Time Stamps Needed

This Document
_____ New Time Stamp
4 # of Pages

Attachment C

Certification by Land Owner:

I hereby certify that I have read and understand the Operations Plan submitted by PCM Construction for a permit to operate the PCM Apex Construction Waste Transfer Station, on land owned by the undersigned, Booth Properties, LLC, located at Salem Road, Apex in Wake County. I understand that the facility will be operated by Shotwell Transfer Station II, Inc. I specifically grant permission for the construction and operation of the solid waste management facility within the confines of the land described by and in Deed Book: 11285 and Page: 1429, as indicated in the permit application. I understand that any permit will be issued in the names of both the operator(s) and the owner(s) 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.

William J. Booth Jr. Owner 6/25/08
William J. Booth, Jr. Title Date
Booth Properties, LLC

NORTH CAROLINA

WAKE County

I, Christina L. RAINE, Notary Public for said County and State, do

hereby certify that William J. Booth Jr. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 25th day of June, 2008.

(Official Seal)

Christina L. Raine
Notary Public

My commission expires 4-29, 2012



Attachment D

ARTICLES OF INCORPORATION

OF

SHOTWELL TRANSFER STATION II, INC.

Pursuant to N.C. G. S. §55-2-02, the undersigned hereby submits these Articles of Incorporation for the purpose of forming a business corporation under the laws of the State of North Carolina:

1. The name of the corporation is **Shotwell Transfer Station II, Inc.**
2. The number of shares the corporation is authorized to issue is 100,000. These shares shall be all of one class, designated as common stock.
3. The address of the initial registered office of the corporation is 3209 Gresham Lake Road, Suite 114, Raleigh, Wake County, North Carolina 27615, and the name of the initial registered agent at such address is David W. King, Jr.
4. The principal office address of the corporation is 3209 Gresham Lake Road, Suite 114, Raleigh, Wake County, North Carolina 27615.
5. The name and address of the incorporator is David K. Liggett, 2840 Plaza Place, Suite 400, Raleigh, North Carolina 27612.
6. To the fullest extent permitted by the North Carolina Business Corporation Act, no person who is serving or who has served as a director of the corporation shall be personally liable to the corporation or any of its shareholders for monetary damages for breach of duty as a director. No amendment or repeal of this article, nor the adoption of any provision of these articles of incorporation inconsistent with this article, shall eliminate or reduce the protection granted herein with respect to any matter that occurred prior to such amendment, repeal, or adoption.
7. These articles will become effective upon filing.

This the 11th day of June, 2008.



David K. Liggett, Incorporator

ORGANIZATIONAL EXPLANATION

The attached organizational chart shows the ownership structure and names of the various entities controlled by David W. King, Jr. Mr. King owns 100% of the common stock of Shotwell Landfill, Inc., Shotwell Transfer Station, Inc., Shotwell Transfer Station II, Inc. and 100% of the membership interests of Shotwell Trucking, LLC, Debris Removal Partners, LLC and Dynasty Holdings, LLC. All of these companies are run through Mr. King's office located at 3209 Gresham Lake Road, Suite 114-115, Raleigh. Although the companies are all owned by Mr. King, they are not related to each other beyond ownership; in other words, none of the companies are subsidiary companies of another.

Shotwell Landfill, Inc. owns and operates the landfill located at 4724 Smithfield Road, Wendell, North Carolina 27591.

Shotwell Transfer Station operates a construction debris transfer facility located at 5505 Thornton Road, Raleigh, North Carolina 27616.

Shotwell Transfer Station II operates a construction debris transfer facility located off of S.R. 1101 (Salem Street, Apex, North Carolina 27502).

Shotwell Trucking is a limited liability company that owns the trucks used in connection with the hauling for the various companies and charges a fee for the use of those trucks.

Debris Removal Partners, LLC owns and operates a container and hauling company that primarily removes debris from construction sites.

Dynasty Holdings, LLC ("Dynasty") owns the property located at 5509 Thornton Road in Raleigh (the "Property"). Its only asset is the Property upon which Shotwell Transfer Station operates its transfer facility.

DAVID W KING, JR.

Shotwell Landfill, Inc.

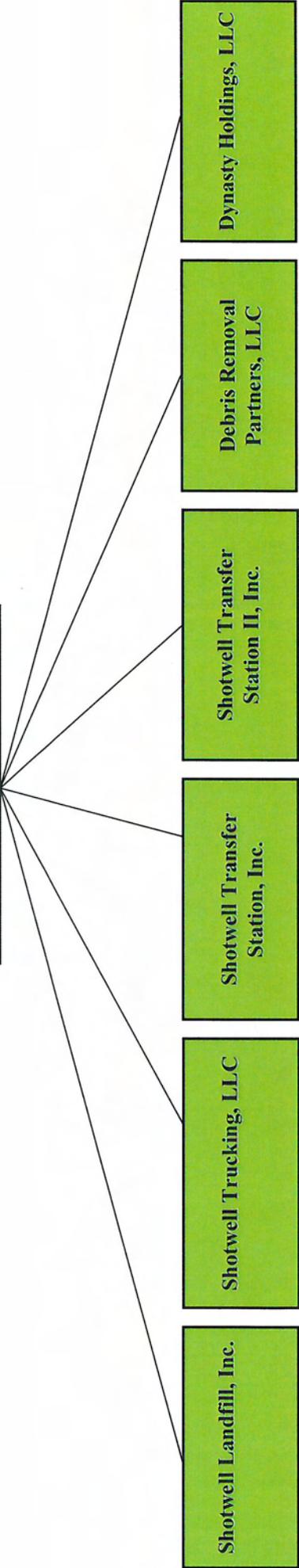
Shotwell Trucking, LLC

Shotwell Transfer Station, Inc.

Shotwell Transfer Station II, Inc.

Debris Removal Partners, LLC

Dynasty Holdings, LLC



Attachment E



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

September 16, 2005

Mr. William J. Booth, Jr., Landowner
P.O. Box 156
Apex, North Carolina 27502
and

Ms. Dawnna Hogan, President
General Operations
PCM Construction
103 Salem Town Court
Apex, North Carolina 27502

Subject: PCM APEX C&D Transfer Facility
Permit # **92-29T**
S.R. 1011, Apex, Wake County, North Carolina

Dear Mr. Booth and Ms. Hogan:

Enclosed is a Permit to Operate for the referenced solid waste Transfer Facility and the accompanying conditions for the above referenced facility.

Please note Operational Condition #5, which identifies the operational requirements for this facility once the Permit to Operate is issued. Please review the conditions of the permit carefully and if you have any questions or comments please contact Jim Barber in the Raleigh Central Office at (919) 508-8495 or Dennis Shackelford at (910) 486-1541 in the Fayetteville Regional Office.

Sincerely,

Jim Barber
Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management

cc: Jim Coffey
John Crowder
Dennis Shackelford
Raleigh Central File - Wake County (92-29T)
Wake County Solid Waste Management: Johnny Beal

FACILITY PERMIT NO: 92-29T
ORIGINAL DATE ISSUED(PTC): 01/18/02
ORIGINAL DATE ISSUED(PTO): 02/01/02
DATE MODIFICATION ISSUED(PTO): 09/16/05

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
1646 MAIL SERVICE CENTER; RALEIGH, N.C. 27699-1646

SOLID WASTE PERMIT

**MR. WILLIAM J. BOOTH, Jr. (LANDOWNER)
MRS. MARGARET B. PERRY (LANDOWNER)
MR. CALVIN PERRY (LANDOWNER)
P.O. BOX 156, APEX N.C. 27502**

AND

**PCM CONSTRUCTION (OPERATOR)
103 SALEM TOWN COURT; APEX, N.C. 27502**

are hereby issued a PERMIT TO OPERATE a

CONSTRUCTION WASTE TRANSFER STATION

on property located off of S.R. 1101(Salem Street), in Apex, Wake County, North Carolina and further identified as Pin Number 0742.10-47-6007 (Deed Book: 8439 and Page: 2678 and Book of Maps: 1959 Page: 169) consistent 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 facility is located and described by the construction plan submitted and the permit application narrative.


James C. Coffey
Section Chief
Solid Waste Section
Division of Waste Management

PERMIT NUMBER: 92-29T
ORIGINAL DATE ISSUED(PTC): 01/18/02
ORIGINAL DATE ISSUED(PTO): 02/01/02
DATE MODIFICATION ISSUED(PTO): 09/16/05
FACILITY NAME: PCM-APEX CONSTRUCTION WASTE Transfer Station

CONDITIONS OF PERMIT

OPERATION:

1. This facility is permitted to receive new construction waste only, no demolition waste, hazardous waste, household waste, commercial/industrial waste, liquid wastes and those wastes listed in the operations plan submitted by PCM are to be accepted at this facility.
2. This facility may receive solid waste that is generated within the service area described in Appendix I of this document and shall dispose of said solid waste at Red Rock Disposal C&D Landfill (Permit #92-28) located in Holly Springs, Wake County, North Carolina.
3. This permit shall be reviewed every five (5) years, on or before 16 September 2010 in accordance with 15A NCAC 13B Section .0201(e) & (f) and G.S. 130A-309.06(b). Modifications shall be in accordance with the Rules in effect at the time of review.
4. This permit is for operation of the transfer facility in accordance with the approved plans and the approved Operational Plan prepared by Bass, Nixon and Kennedy, Inc., dated 7 December 2001 and received 15 December 2001 and the amendment letters from PCM dated 13 March 2003 and 16 April 2003. Any revisions or modifications to these plans shall be approved by the North Carolina Solid Waste Section.
5. Operation of the facility shall occur in accordance with 15A NCAC 13B .0402, "Operational Requirements for Transfer Facilities", the approved operations plan prepared by Bass, Nixon and Kennedy, Inc., the revised site plan dated 18 March 2003, approved on 19 May 2003 and these additional requirements:
 - a. The owner or operator of a municipal solid waste management facility shall not knowingly dispose of any type or form of municipal solid waste that is generated within the boundaries of a unit of local government that by ordinance:
 1. Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.

PERMIT NUMBER: 92-29T
ORIGINAL DATE ISSUED(PTC): 01/18/02
ORIGINAL DATE ISSUED(PTO): 02/01/02
DATE MODIFICATION ISSUED(PTO): 09/16/05
FACILITY NAME: PCM-APEX CONSTRUCTION WASTE Transfer Station

CONDITIONS OF PERMIT

OPERATIONS:

2. Requires generators or collectors of municipal solid waste to recycle that type or form municipal solid waste.

- b. On or before 1 August(or at an earlier date as requested by the Division), the owner or operator shall report to the NC Solid Waste Section, for the previous year beginning 1 July and ending 30 June, the amount by weight of the solid waste that was received at the facility and disposed of in a landfill, incinerated, or converted to fuel. To the maximum extent practicable, such reports shall indicate by weight the COUNTY of origin of all solid waste. The owner or operator shall transmit a copy of the report to the county in which the facility is located and to each county in which waste originated.

- c. New construction waste shall not be stored on the "tipping area" after operating hours. Waste can be stored in transfer trailers, at the facility with covers in place, after operating hours, but no longer than 48 hours.

- d. The transfer facility shall be maintained in a sanitary, clean condition after operating hours in accordance with the approved Operational Plan prepared by Bass, Nixon and Kennedy, Inc. dated 7 December 2001 and the revised site plan dated 18 March 2003, approved on 19 May 2003.

- e. New construction waste shall not be placed on the tipping area during rainfall events. Any liquids that are produced by the new construction shall be collected by use of absorbents, soil, or other devices for retaining liquids and said materials shall be placed with the new construction waste for transport to the disposal facility.

- f. Waste shall not be placed or unloaded onto or in ponding water at the site.

APPENDIX 1

APPROVED SERVICE AREA

PCM CONSTRUCTION-APEX TRANSFER FACILITY

The following counties are included in the service area for the referenced facility:

1. WAKE

ATTACHMENTS

1. Transfer Station permit application/operations plan dated 7 December 2001 and construction site plan dated 13 December and received 14 December 2001.
2. Letter dated 7 November 2001, received 14 December 2001 with the permit application, from David R. Rowland addressing the zoning of the property for the proposed transfer station.
3. Landowner Authorization form dated 14 January 2002 from William Jennings Booth Jr., Margaret B. Perry and Calvin Perry acknowledging their understanding and approval of the transfer station on property identified by P.I.N. # 0742.10-47-6007 in Apex, N.C..
4. Certification letter from Bass, Nixon & Kennedy dated 31 January 2002, received 1 February 2002, signed by Kirby Robert Bell, Jr..
5. Revised site operations plan dated 18 March 2003, approved 19 May 2003.
6. Certification letter dated 16 September 2003 addressing the upgrades to the transfer station site per the drawings dated 18 March 2003.

Attachment F

Applicant Certification:

Name of facility Shotwell Transfer Station II, Inc. C&D Waste Transfer 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 agree to submit a complete permit application for a new facility permit within 30 days in accordance with the North Carolina Solid Waste Management Rules and Statutes. Furthermore, I agree to operate this facility in accordance with (1) the solid waste permit (NC Solid Waste Permit No. 92-29T) as issued on September 16, 2005, (2) the approved Operating Plan, and (3) the North Carolina Solid Waste Management Rules and Law until a new permit decision is made by the NCDENR Division of Waste Management. I understand that the Division's permit decision may be to issue or deny the new facility permit application.

I understand that the owner and land owner are jointly and severally liable for improper operations and proper closure of the solid waste management facility. 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]
Signature
Pres

DAVID W. KING, JR.
Print Name

11-10-08
Date

Title
Shotwell Transfer Station II.
Business or organization name

NORTH CAROLINA

WAKE County

I, STACEY A. SMITH, a Notary Public for said County and State, do

hereby certify that DAVID W. KING, JR. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 10th day of NOVEMBER, 2008.



[Signature]

My commission expires July 11, 2009.

Attachment G



DATE: 10-Nov-08
BY: SFS

**Financial Assurance
Shotwell Transfer Station II, Inc.
Apex C&D Waste Transfer Facility
Engineer's Remedial Cost Estimate**

Item No.	Item Description	Unit	Contractor			Comments
			Quantity	Unit Price	Total Price	
Facility Area (Horizontal Plan) ---->		AC	3.5			
1.0	Pre-Remedial Response			Subtotal	\$1,750.00	
1.1	Coordination, Contracts, and Management	AC	3.5	\$500.00	\$1,750.00	RSGA Estimate
2.0	Remedial Response Activities				\$68,375.00	
2.1	Surveys and Layout	AC	3.5	\$250.00	\$875.00	RSGA Estimate
2.2	Mobilization, Demobilization, and Project Closeout	AC	3.5	\$500.00	\$1,750.00	RSGA Estimate
2.3	Wash Down & Cleanup of the Transfer Recycling Areas	DY	1	\$1,500.00	\$1,500.00	Assume single work crew per day.
2.4	Fencing & Concrete Barrier Protection	LF	1,200	\$15.00	\$18,000.00	Assume close transfer station door and place concrete barriers across wall.
2.5	Excess Waste Disposal (C&D & Recycling)	TN	1,250	\$30.00	\$37,500.00	Five (5) days of waste as specified by NCDENR. Shotwell C&D Landfill tipping fee.
2.6	Excess Recycling Disposal	CY	175	\$10.00	\$1,750.00	Assume cost of loading and transport.
2.6	Erosion & Sediment Control (grading, silt fence, maintenance, etc.)	AC	3.5	\$500.00	\$1,750.00	RSGA Estimate
2.7	Revegetation	AC	3.5	\$1,500.00	\$5,250.00	RSGA Estimate
3.0	Quality Assurance, Certification, & Deed Notation				\$3,000.00	
3.1	Engineering and Reporting	LS	1	\$2,500.00	\$2,500.00	RSGA Estimate
3.2	Surveying and Deed Notation	LS	1	\$500.00	\$500.00	RSGA Estimate
Remedial Response Estimate ---->					\$73,125	
10% Contingency ---->					\$7,313	
Total Estimate ---->					\$80,438 (2008\$) (See Note 1)	

Notes:

- All costs are presented in current dollars and should be increased at an inflation rate of 1.5% if additional review is not performed annually.
- This ESTIMATE has been prepared for financial assurance purposes only and shall not be considered a replacement for an actual bid from a licensed contractor and is considered acceptable within a +/- 10% of the Total Estimate value.

Denotes values calculated in spreadsheet.