



FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:

Lined MSWLF	LCID	YW	Transfer	<input checked="" type="checkbox"/>	Compost	SLAS	COUNTY: Wake PERMIT NO.: 92-37 FILE TYPE: COMPLIANCE
Closed MSWLF	HHW	White goods	Incin		T&P	FIRM	
CDLF	Tire T&P / Collection	Tire Monofill	Industrial Landfill		DEMO	SDTF	

Date of Audit: June 16, 2008Date of Last Audit: June 05, 2007**FACILITY NAME AND ADDRESS:**

Capitol Waste C&D Transfer Facility
 424 Warehouse Drive
 Raleigh, North Carolina 27610

GPS COORDINATES: N: 35.75226 E: -078.63143**FACILITY CONTACT NAME AND PHONE NUMBER:**

Lee Pearson, Manager – Shotwell Landfill Inc.
 (919)-427-0288
 Brenda Spizzo, Human Resources – Cornerstone Capital Management LLC
 (919)-419-6419

FACILITY CONTACT ADDRESS:

Catherine Hernandez, Certified Transfer Operations Specialist Certified Mail [70080150000030684237]
 Capitol Waste Transfer, LLC
 424 Warehouse Drive
 Raleigh, North Carolina 27609

Lee Pearson, Operator
 Shotwell Landfill Inc./Shotwell Transfer Station Inc.
 3209 Gresham Lake Road Suite 114&115
 Raleigh, North Carolina 27615

Certified Mail [70080150000030684244]

James M. Barnes, Owner
 Allied Installation, LLC and Capitol Waste Systems, LLC
 4011 University Drive, Suite 202
 P.O. Box 51955
 Durham, North Carolina 27717

Certified Mail [70080150000030683728]

AUDIT PARTICIPANTS:

Bradley Bailey, NCDENR - Solid Waste Section
 Karim Pathan, P.E., NCDENR – Solid Waste Section
 Donna Wilson, NCDENR – Solid Waste Section
 Zinith Barbee, NCDENR – Solid Waste Section
 Catherine Hernandez, Capital Waste – Certified Transfer Operations Specialist/Public Weigh Master

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STATUS OF PERMIT:

PTC & PTO issued May 4, 2007(On or before January 4, 2012 owner shall submit request for review)

PURPOSE OF AUDIT:

Partial Audit

NOTICE OF VIOLATIONS:

§ 130A-295.2 (g) In order to continue to hold a permit under this Article, a permit holder must maintain financial responsibility and must provide any information requested by the Department to establish that the permit holder continues to maintain financial responsibility. A permit holder shall notify the Department of any significant change in the: (i) identity of any person or structure of the business entity that holds the permit for the facility; (ii) identity of any person or structure of the business entity that owns or operates the facility; or (iii) assets of the permit holder, owner, or operator of the facility. The permit holder shall notify the Department within 30 days of a significant change. A change shall be considered significant if it has the potential to affect the financial responsibility of the permit holder, owner, or operator, or if it would result in a change in the identity of the permit holder, owner, or operator for purposes of either financial responsibility or environmental compliance review. Based on its review of the changes, the Department may require the permit holder to reestablish financial responsibility and may modify or revoke a permit, or require issuance of a new permit. **No notification has been received from you.**

You are hereby advised that, pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 per day may be assessed for each violation of the Solid Waste Statute or Regulations. If the violation(s) noted here continue, you may be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

STATUS OF PAST NOTED VIOLATIONS:

None

OTHER COMMENTS /SUGGESTIONS:

1. The service area for this facility consists of WAKE County. You need to implement a contingency plan to ensure that your facility only receives waste from your designated service area.
2. The permit was onsite and available for review. The operations plan, waste screening and contingency plan were not available and must be maintained onsite for use by the operator and inspection.
3. The facility handles 2,000 to 3,000 tons per month at this time.
4. The facility is permitted (condition 4) to transfer waste to Red Rock (92-28), Paper Stock and TT&E. The annual report shows that waste was transferred to Upper Piedmont and Shotwell Landfill Inc. **Facilities not permitted to receive your waste.**
5. **A sign with Shotwell Transfer Station was observed at the entrance on the corner of Garner and Warehouse Road.**
6. The hours of operation are Monday thru Friday 7am – 4pm.
7. The Certified Landfill Operations Specialist are as follows:
Catherine Hernandez, expires April 15, 2011

It is recommended that more than one certified operator be available in the event Ms. Hernandez cannot be onsite. **Permit condition 6 a. states “ A responsible individual certified in transfer facility operations shall be on-site at all times during all operating hours of the facility while open for public use to ensure compliance with operational requirements.”**

Permit condition 6 b. states “All pertinent transfer facility operating personnel shall receive training and supervision necessary to properly operate the landfill units in accordance with G.S. 130A-309.25 and addressed by memorandum dated March 1, 2004.

A record of this training for personnel in the recognition of acceptable/unacceptable waste must be maintained onsite to ensure the safety of your personnel and operational compliance with your permit.

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8. **Permit condition 7 states “This permit is not transferable.”** It appears that there are significant changes in the operation of the facility and no notification or approval has been granted.

Please contact me if you have any questions or concerns regarding this audit report.

Phone: (919)-508-8565

Bradley W. Bailey
Environmental Senior Specialist
Solid Waste Section
Regional Representative

Delivered on: <u>August 7, 2008</u> by		Hand delivery	X	US Mail	Certified No.[70080150000030683728]
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Cc: Mark Poindexter, Field Operations Branch Head
Jason Watkins, Central District Supervisor
Amy Kadrie, Compliance Officer
Edward F. Mussler, III, P.E., Permitting Branch Supervisor