



North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

SOLID WASTE SECTION
February 14, 2011

Mr. Ron Cobb, Manager of Permits and Compliance
FCR, LLC
809 West Hill Street
Charlotte, North Carolina 28208

Subject: Determination of Completeness
Application for a Permit to Construct, New Permit
Recycled Fuel Facility, Transfer Station Application
Mecklenburg County, DIN 12911

Dear Mr. Cobb:

On December 30, 2010 the Division of Waste Management (Division), Solid Waste Section received your application for a Permit to Construct, New Permit, for the Recycled Fuel Facility, entitled;

Recycled Fuel Facility, Transfer Station Application. Prepared for FCR, LLC. Prepared by Brown and Caldwell. December 29, 2010. DIN 12639.

The Division has performed a review of your application for determination of completeness and has determined the application is not complete in accordance with North Carolina General Statute NCGS 130A and North Carolina Administrative Code 15A NCAC 13B. In accordance with NCGS 130A-295.8(e) you are hereby notified of the components needed to complete the application, they are as follows:

General

1. On January 12, 2011, Mr. Donald Herndon, Division Compliance Officer, sent you a letter entitled; *Compliance Review for FCR, LLC, New Permit, Mecklenburg County, North Carolina*, included was a request for information. In order for the Division to issue a permit the requested information must be provided.

Application

2. *Section 1: General Information* indicates the property is owned by ReVenture Park Investments I, LLC however, *Appendix A: Legal Description of Property* contains the deed for property owned by Roadway Express Inc. In order for the Division to issue a permit a deed indicating ReVenture Park Investments I, LLC is indeed the property owner must be submitted.
3. *Section 3.5.3 Processing Operations* refers to "properly permitted landfills". In order for the permit application to be considered complete a list of permitted disposal facilities must be provided.
4. *Section 3* contains no information on personnel requirements, qualifications, and responsibilities. In order for the permit application to be considered complete the plan must, at a minimum, indicate that a



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trained employee must be onsite at all times the site is open, overseeing the loading and unloading of waste.

5. *Section 3* contains no information on record keeping, including but not limited to; daily records of amounts by weight received by County, waste screening, inspection records, training, permit, operation plan, and site drawings. In order for the permit application to be considered complete information regarding record keeping must be provided.
6. *Section 4 Sediment and Erosion Control Plan* contains no information or plan. In order for the permit application to be considered complete new transfer stations must provide a copy of the sedimentation and erosion control plan as required by local governments and the NC Division of Land Resources.
7. *Section 5 Financial Assurance* contains no information. 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. In order for the permit application to be considered complete information regarding Financial Assurance must be provided. Note: after the Solid Waste Section has approved the cost estimate, a financial assurance mechanism for the approved amount must be submitted before the site can receive a permit to operate.
8. *Appendix D: Traffic Study*, the study provided does not address the requirements of NCGS 130A-295.5. In order for the permit application to be considered complete the appropriate traffic study must be provided.
9. *Appendix F: Engineering Drawings*, the only drawing provided is a site plan. In order for the permit application to be considered complete you must provide drawings, prepared and sealed by a NC professional engineer and drawn to scale. The drawings should include at minimum:
 - a. existing and proposed contours,
 - b. property boundaries,
 - c. gates/fences or other access control features,
 - d. utilities (*wastewater system and stormwater drains*),
 - e. existing and proposed roads,
 - f. sedimentation basin details,
 - g. existing surface water features (ditches, ponds, streams, wetlands, etc.),
 - h. tipping floor and loading area,



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- i. any recyclable storage areas indicating types and sizes of containers,
- j. leachate and runoff collection details,
- k. buildings (existing and proposed) and scales/scale house,
- l. concrete foundations/pads and all other ground cover for the site operation,
- m. distances to wells, residences, wetlands, and water bodies,
- n. and other physical characteristics of the site

Note: A minimum of 100 feet buffer is required from the waste unloading, loading, and storage areas to the site property lines, all surface waters, residential dwellings, commercial or public buildings, and wells.

Finally, this determination of completeness concludes that not all of the components required for a complete application have been submitted and that no further action will be taken on this application until the information requested has been provided. Furthermore, this determination of completeness does not infer that the required components provided all of the information that is required for the Division to make a decision on the application and you can expect further technical review(s) once a complete application is received. Should you have any questions regarding this matter you may contact me at (828) 296-4704 or larry.frost@ncdenr.gov.

Sincerely,

Larry Frost
Environmental Engineer

cc: Scott Brown – Brown and Caldwell
Joe Hack – Mecklenburg County

