



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Dexter R. Matthews

Director

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SOLID WASTE SECTION

February 21, 2011

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

Subject: Determination of Completeness – Clarification
Application for a Permit to Construct, New Permit
Recycled Fuel Facility, Transfer Station Application
Mecklenburg County, DIN 12988

Dear Mr. Cobb:

On February 17, 2011 Mr. Scott Brown, P.E. with Brown and Caldwell, consulting engineer for the Recycled Fuel Facility transfer station permit application, called me requesting a clarification of an item in the Division's letter entitled;

Determination of Completeness, Application for a Permit to Construct, New Permit, Recycled Fuel Facility, Transfer Station Application, Mecklenburg County, DIN 12911. Dated February 14, 2011.

Mr. Brown's request for clarification was with regards to the note at the end of item 9., which should have read;
Note: A minimum of a 100 foot 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.

Question – Should local zoning requirements or should the requirements contained in the note at the end of item 9. be considered in the design of the Facility, specifically with regards to a buffer between waste unloading, loading, and storage areas to the site property lines?

Response – The Division requires the 100 foot buffer, as described in the note, in areas of the State which have no local zoning requirements for buffers. Therefore, if your facility is to be sited in one of those areas with no local zoning requirements for buffers, design to the 100 foot buffer requirement. However, if your facility is to be sited within an area with specific local zoning requirements for buffers, your design should not only reflect compliance with all local zoning requirements but local zoning requirements for buffers as well. Furthermore, the Division recognizes that the local zoning requirements may be less than 100 feet and the Division accepts designs with these smaller buffers. Finally, the Division encourages the largest possible buffers between waste unloading, loading, and storage areas to the site property lines, all surface waters, residential dwellings, commercial or public buildings, and wells in the design of all Solid Waste Management Facilities for the purpose of protecting the public and the environment.

I hope this clarifies the Division's position on this matter and as always should you have any questions 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