

**Geof Little**

---

**From:** Geof Little [Geof.Little@ncmail.net]  
**Sent:** Monday, October 06, 2008 2:13 PM  
**To:** Bill Hester (recycle4u@earthlink.net)  
**Cc:** Andrew Hammonds (Andrew.Hammonds@ncmail.net); Dennis Shackelford; Mark Poindexter; Ed Mussler; Mike Scott  
**Subject:** RE: Permit No. 2611-T River City Transfer Station

Bill,

Below are responses to questions you presented in the email shown below. Please let me know should you wish to discuss the issues in detail.

1. We can store wood waste at our transfer facility (Attachment 4.16). If we grind the wood waste at our transfer facility daily and remove the mulch product from the permitted boundary to another area of our property for drying and selling, is there any additional requirements to our existing permit and if so, generally what would those requirements be?

- Under the permit, you are allowed to accept 100 tons per day of C&D wastes, and to store less than 100 tons of C&D waste at any time (Attachment 4.3).
- Any material that enters your property as waste must be included your waste totals until the material is transported off premises to an appropriate disposal point (landfill or market).
- Processing and storage areas of waste material must be included in the calculations for financial assurance, identified in your Facility Plan and detailed in your Operation Plan.

2. If we grind the wood waste at our facility and remove them daily, selling the chips to a 3rd party operator next door, who will dry, bag the mulch and/or sell the material in bulk for mulch or boiler fuel, what effect does that have on our current permit?

- The operation is not included in the currently approved Operation Plan or Facility Plan submitted by you earlier this year. Once you have satisfied the Compliance Branch concerning your current compliance issues, then you would be in position to submit a permit fee, revised Operation and Facility Plan and appropriate financial assurance.

3. Our current financial assurance is based on 100 tons per day, If conditions at our facility change that would require additional financial assurance, will that again be based only on the waste product received and/or stored in excess of 100 tons per day (ref: permit Attachment 4.3 pg 7)?

- The common formula we are currently using for financial assurance and on-site storage for facilities similar in nature to yours is as follows:
  - 30 days x Daily Allowance (tons per day) x \$150 per ton, and
  - A maximum storage at any time equal to 15 days x Daily Allowance (tons per day)

4. It seems logical that if a wood waste notification allows an operator to process and store 6000 cy without financial assurance, that this same rule would apply if the wood waste processing is saddled to a transfer facility as it appears the state may require. Is this a correct assumption?

- We have permitted sites (transfer stations and others) that operate in compliance with their permit and separate Yard Waste Notification conditions.

5. Can you point me to the rules or the state law that prohibits the operation of a permitted mixed waste facility and a wood waste notification facility on the same tract of land by the same operator?

- In reference to the previous response, neither the Solid Waste rules nor General Statutes prohibit the activities you present. We have facilities with separate permit and notifications.

Geof

10/6/2008

---

**Geoffrey H. Little**  
Solid Waste Section  
NC-DENR Division of Waste Management  
401 Oberlin Road, Suite 150  
1646 Mail Service Center  
Raleigh, North Carolina 27699-1646

Tel: 919-508-8498  
Fax: 919-733-4810  
e-Mail: [geof.little@ncmail.net](mailto:geof.little@ncmail.net)  
Web: <http://wastenotnc.org/swhome>

-----Original Message-----

**From:** Bill Hester [mailto:[recycle4u@earthlink.net](mailto:recycle4u@earthlink.net)]  
**Sent:** Friday, October 03, 2008 2:18 PM  
**To:** [Geof.Little@ncmail.net](mailto:Geof.Little@ncmail.net)  
**Subject:** RE: Permit No. 2611-T River City Transfer Station

Never did get an answer to the revised questions...any possibility to get this early next week. We are trying to make some big decisions...that your questions will effect!

-----Original Message-----

**From:** Geof Little  
**Sent:** Sep 26, 2008 2:49 PM  
**To:** 'Bill Hester'  
**Cc:** Dennis Shackelford , Andrew Hammonds , Ed Mussler , Mark Poindexter  
**Subject:** RE: Permit No. 2611-T River City Transfer Station

Bill,

I will not be able to address your questions specifically until at least late Monday. In the meantime, perhaps you might contact Drew Hammonds or Dennis Shackelford to understand what you need to do to comply with present permit conditions.

Thanks,

Geof

---

**Geoffrey H. Little**  
Solid Waste Section  
NC-DENR Division of Waste Management  
401 Oberlin Road, Suite 150  
1646 Mail Service Center  
Raleigh, North Carolina 27699-1646

Tel: 919-508-8498  
Fax: 919-733-4810  
e-Mail: [geof.little@ncmail.net](mailto:geof.little@ncmail.net)  
Web: <http://wastenotnc.org/swhome>

-----Original Message-----

**From:** Bill Hester [mailto:[recycle4u@earthlink.net](mailto:recycle4u@earthlink.net)]  
**Sent:** Friday, September 26, 2008 11:54 AM  
**To:** [Geof.Little@ncmail.net](mailto:Geof.Little@ncmail.net)  
**Subject:** RE: Permit No. 2611-T River City Transfer Station

I am in current operation at our transfer facility and not having answers to our preliminary questions for that facility potentially effects our decisions on how we move forward in correcting the problem with our wood waste facility as well as future changes to our transfer facility. The timeliness of this information flow is also critical to our resolve of violations that may exist in our wood waste processing and how we may choose to resolve those matters.

I just seems that this has evolved into a grey elephant that no one has answers. It would seem that if one is dealing with permits and decisions are being made as to what is allowed or not allowed that somewhere it

would be in black and white... somewhere in state law (NCGS) or in NCDENR rules. Doesn't seem that difficult ... but who am I to say, because my interpretation of the environmental law and rules to this point has been marginal at best.

I will restate my questions more concisely in hopes to avoid the time that will elapse to schedule a meeting in the near future for your staff and myself and possible legal council.

1. We can store wood waste at our transfer facility (Attachment 4.16). If we grind the wood waste at our transfer facility daily and remove the mulch product from the permitted boundary to another area of our property for dying and selling, is there any additional requirements to our existing permit and if so, generally what would those requirements be?
2. If we grind the wood waste at our facility and remove them daily, selling the chips to a 3rd party operator next door, who will dye, bag the mulch and/or sell the material in bulk for mulch or boiler fuel, what effect does that have on our current permit?
3. Our current financial assurance is based on 100 tons per day, If conditions at our facility change that would require additional financial assurance, will that again be based only on the waste product received and/or stored in excess of 100 tons per day (ref: permit Attachment 4.3 pg 7)?
4. It seems logical that if a wood waste notification allows an operator to process and store 6000 cy without financial assurance, that this same rule would apply if the wood waste processing is saddled to a transfer facility as it appears the state may require. Is this a correct assumption?
5. Can you point me to the rules or the state law that prohibits the operation of a permitted mixed waste facility and a wood waste notification facility on the same tract of land by the same operator?

Hopefully this helps...just not sure that we are far enough along in our decision making process about our wood waste just yet to sit down and hammer out the final details. We are just trying to figure out the wood waste dilemma in that we now understand that we can only have 6000 cy at one time and that it appears that there is some regulation that will not allow the same operator to have both a wood waste processing notification and a transfer facility all on the same tract of land.

-----Original Message-----

From: Geof Little  
Sent: Sep 26, 2008 10:09 AM  
To: 'Bill Hester'  
Cc: Dennis Shackelford , Andrew Hammonds , Ed Mussler  
Subject: RE: Permit No. 2611-T River City Transfer Station

Bill,

These are questions that cannot be properly addressed by email.

If you need, I'll be glad to meet with you here with Drew and/or Dennis to discuss permitting and operational issues. However, you must comply with existing permitting conditions before any requests for permitting changes will be reviewed.

Please let me know if you wish to meet to discuss your permit and operating plan.

Thanks,

Geof

---

**Geoffrey H. Little**  
Solid Waste Section  
NC-DENR Division of Waste Management  
401 Oberlin Road, Suite 150  
1646 Mail Service Center  
Raleigh, North Carolina 27699-1646

---

Tel: 919-508-8498  
Fax: 919-733-4810  
e-Mail: [geof.little@ncmail.net](mailto:geof.little@ncmail.net)  
Web: <http://wastenotnc.org/swhome>

-----Original Message-----

**From:** Bill Hester [mailto:recycle4u@earthlink.net]  
**Sent:** Thursday, September 25, 2008 1:36 PM  
**To:** Geof.Little@ncmail.net  
**Subject:** RE: Permit No. 2611-T River City Transfer Station

Have another question...

You were suggesting that our wood waste processing / composting be incorporated into our transfer facility. Since our current permit incorporates the collection and storage of wood waste I assume we are good on that part of the permit.

How will the finished mulch product be incorporated into our permit or will it be...we do not intend to store the mulch within the permitted boundary?

Again assuming that the current financial assurance includes the storage of our wood waste as a part of our permitted area, how will the financial assurance work for the sellable product. Since there would be not cost to dispose of that material but money made it would seem illogical to require financial assurance on a mulch stockpile?

Should we choose, I assume there is nothing that would preclude us from selling the wood chips to a neighboring mulch wholesale facility?

We are trying to finalize our wood waste processing plans and trying to make the final decision if that will be incorporated into the transfer facility or if we dispose of it at another processing plant...since time is of the essence your reply is appreciated...

Thanks

Bill Hester

ICAN  
1049 S. Eastern Blvd.  
Fayetteville NC 28306  
(910) 486 4226 (ofc)  
910 263 2748 (mbl)  
910 485 7713 (fax)

Bill Hester

ICAN  
1049 S. Eastern Blvd.  
Fayetteville NC 28306  
(910) 486 4226 (ofc)  
910 263 2748 (mbl)  
910 485 7713 (fax)

Bill Hester

ICAN  
1049 S. Eastern Blvd.  
Fayetteville NC 28306  
(910) 486 4226 (ofc)  
910 263 2748 (mbl)  
910 485 7713 (fax)