



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

SOLID WASTE SECTION

October 24, 2008

Mr. Chad Parker
Jackson County Solid Waste Director
401 Grindstaff Cove Road
Sylva, North Carolina 28779

Subject: Five year permit review & proposed new building and scales
Jackson County Transfer Station
Jackson County, Permit #50-03T, Document ID No. 6099

Mr. King:

The Division of Waste Management, Solid Waste Section (Section) received a cover letter in addition to the document titled *Operations Plan Scott Creek Transfer Station, Jackson County, North Carolina*, June 17 2008 and a drawing titled *Leachate Control and Traffic Control Plan*, August 25, 2008. These documents were submitted on your behalf by Wayne Sullivan of Municipal Engineering Services Company and were received by the Section on August 26, 2008. In addition, the fee required by this permit activity was deposited by the Section on October 16, 2008.

The submittals have been determined to be complete within the context of General Statute 130A-295.8(e). A determination of completeness means that the application includes all required components but does not mean that the required components provide all of the information that is required for the Section to make a decision on the application. In addition to completeness, the Section is reviewing the application for compliance with the Solid Waste Management Rules (Rules), 15A NCAC 13B. Under NCGS 150B-3, when an applicant makes a timely and sufficient application for issuance or renewal of a permit, the existing permit does not expire until a final decision on the application is made by the Division. Therefore, until the final decision is made, Jackson County is authorized to continue operation of the Scott Creek Transfer Station in accordance with the most recent Solid Waste Permit and the Rules.

A preliminary review for compliance has identified the following areas of concern that require clarification:

Operations Plan

- 1) The wording in the first sentence of the Beneficial Fill description, Section II: Operations, Part A. Overview, is unclear. Also, if only unpainted materials may be used as beneficial fill why is it necessary to test painted materials for lead?
- 2) The Brush operation description, Section II: Operations, Part A. Overview, requires additional information. The Section is now making a concerted effort to identify and properly manage Yard Trash. Yard Trash, as defined in General Statute 130A-290(a)(45), is vegetative matter resulting from landscaping maintenance. Therefore, brush, limbs, leaves and grass clippings resulting from lawn maintenance must be composted as specified in the Rules, Section .1400. Any brush or limbs from land clearing activities may be ground into mulch and distributed to the public. Please make sure you understand these rules and modify the Operations Plan accordingly.
- 3) The leachate management description, Section II: Operations, Part E. Housekeeping and Litter Control, states leachate is collected in a storage tank and pumped as required. However, the engineering drawing,

titled 'Leachate Control and Traffic Control Plan', accompanying the Operations Plan shows a connection to an existing TWSA sewer line. If the leachate is going to be pumped directly to sewer the Operations Plan should be updated to include this information.

- 4) An Erosion and Sediment Control Plan letter was referenced in Section II: Operations, Part H. Stormwater Management and Erosion Control and was supposed to be attached in Appendix B. There is no letter or Appendix B in the Operations Plan that has been submitted. Additionally, the Table of Contents shows this letter as being attached in Appendix A. There is no Appendix A in the Operations Plan that has been submitted.
- 5) A Jackson County Planning Department letter was referenced in Section II: Operations, Part I. Zoning and was supposed to be attached in Appendix C. There is no letter or Appendix C in the Operations Plan that has been submitted. Additionally, the Table of Contents shows this letter as being attached in Appendix B.
- 6) The Table of Contents shows a Waste Inspection Form as being attached in Appendix C. There is no form or Appendix C in the Operations Plan that has been submitted.
- 7) Several references are made to other departments or agencies for the purposes of notification (i.e. Fire department, DENR). Please include contact information in the Operations Plan for each reference made for the purposes of notification.

Engineering Drawings

- 8) The only engineering drawing submitted is titled 'Leachate Control and Traffic Control Plan, Drawing No. C-02, Sheet No. 3 of 5. Since there is significant construction planned for the facility the Section would like to have more detailed engineering drawings. Specifically, but not limited to, additional drawing detailing the new transfer building and scales, details and any proposed changes regarding the stormwater management system and dimensions for the all new traffic patterns proposed. Please provide additional engineering drawings as requested.

In addition to the above, Senate Bill 1492 (Session Law 2007-550) requires an applicant for a permit and a permit holder establish financial responsibility to ensure the availability of sufficient funds for proper design, construction, operation, maintenance, closure, and post-closure monitoring and maintenance of a solid waste management facility. Specifically, NCGS 130A-294(b2) (1) requires an applicant for a permit or a permit holder to satisfy the Department that the applicant or permit holder is financially qualified to carry out the activity for which the permit is required. An applicant for a permit and permit holders for solid waste management facilities that are not hazardous waste facilities shall establish financial responsibility as required by NCGS 130A-295.2. In general, for Transfer Stations, the Division would like the financial assurance portion to be equal to the cost to hire a third party to remove and clean up a week's worth of waste from the facility, including haul and disposal of the waste, in the event of site abandonment. This financial responsibility mechanism must be submitted prior to issuing the amended Permit to Operate.

Finally, I request you submit a copy of the Deed for the property the Transfer Station occupies. Once the PTO is reissued, you will need to record the permit against the Deed in the Grantors Index.

If you should have any questions regarding this matter please contact me at (828) 296-4703, or by email at allen.gaither@ncmail.net.

Sincerely,



Allen Gaither
Environmental Engineer

Cc: Wayne Sullivan – MESCo
Troy Harrison – SWS/WSRO