

Wilson, Donna

From: Kurt Shaner [KurtS@WasteConnections.com]
Sent: Thursday, November 19, 2009 11:56 AM
To: Wilson, Donna
Cc: Tim Fadul; Epstein, Robert H.; Tyler Fitzgerald
Subject: RE: draft permit Queen City Transfer Station
Attachments: SL01-4690160-vDOC-Ltr to D Wilson updates to Ops Plan - Queen City Transfer.doc; 6014 PTO Queen City TS-11-19-09 redline.doc

Donna,

Thanks you for sending the draft permit. We have two suggestions for the permit. They are shown on the attached red line and strike out of the permit and are described a little here. First, we would like to add an item five to the list of documents for the approved plan, that references the letter with the changes to the operations plan and clarifies that the updated plan supersedes prior plans. Second, item 15b in the Conditions of Permit to Operate says that the floor shall drain away from the entrance. The existing floor drains towards a "speed bump" that runs across the entrance to the building. A trench drains is located at the inside edge of that speed bump to collect any leachate. We plan to replace the trench drain with two larger catch basins. The larger catch basins are less likely to clog in our experience. Drainage will flow to these catch basins and will not exit the building. The speed bump will remain in place. We would like to revise the language to say that leachate will drain to the collection system and that it will not drain out of the building, which we think is the same intent of your statement.

I have also attached a revised letter with the changes to the operations plan. I think it now reflects all of our discussions.

Please let me know what you think.

Kurt

From: Wilson, Donna [mailto:donna.wilson@ncdenr.gov]
Sent: Tuesday, November 17, 2009 1:44 PM
To: Kurt Shaner; Robert Epstein (rhepstein@gjn.com); Preston, Robert B.
Subject: draft permit Queen City Transfer Station

Hello – Attached is the draft permit for the Queen City Transfer Station. Please let me know by 5:00 Thursday if you have any questions or comments.

Thanks, Donna

Donna J. Wilson
Environmental Engineer
Solid Waste Section/Division of Waste Management/NC DENR
1646 Mail Service Center
Raleigh NC 27699-1646
Phone 919-508-8510
Section webpage - <http://wastenotnc.org/swhome>

New email address - donna.wilson@ncdenr.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.



Facility Permit No. 60-14T-Transfer-2009
Queen City Transfer Station
Permit to Operate
November xx, 2009
Doc ID 8066
Page 1 of 10

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

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

**MUNICIPAL SOLID WASTE TRANSFER FACILITY
PERMIT NO. 60-14T-Transfer-2009**

WASTE CONNECTIONS OF NORTH CAROLINA, INC.,
A WHOLLY OWNED SUSIDIARY OF WASTE CONNECTIONS, INC.

are both hereby issued a

PERMIT TO OPERATE

QUEEN CITY TRANSFER STATION
A MUNICIPAL SOLID WASTE (MSW) TRANSFER FACILITY

Located at 3130 Jeff Adams Drive, Charlotte, Mecklenburg County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The legal description of the site is identified on the deeds recorded for this property listed in Attachment 1 of this permit.

Edward F. Mussler, III, P.E.,
Permitting Branch Supervisor
Solid Waste Section

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Telephone 919-508-8400 \ Fax 919-733-4810 \ Internet <http://wastenotnc.org>

An Equal Opportunity / Affirmative Action Employer – Printed on Dual Purpose Paper

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ATTACHMENT 1

PART I: PERMITTING HISTORY

Issuance	Date	Doc ID No.
Original Issue Permit to Construct	July 12, 1996	7885
Original Issue Permit to Operate	September 6, 1996	7885
Permit to Operate – change in waste storage	October 11, 1996	7885
Permit to Operate	July 24, 2000	
Permit to Operate	May 4, 2001	7887
Permit to Operate	May 4, 2006	7330
Permit to Operate – change in ownership	October xx, 2009	8066

1. In 1996, the transfer station was first permitted to USA Waste Services, Inc. The facility property was owned by Chambers Waste Systems of North Carolina, Inc., a subsidiary of USA Waste Services, Inc.
2. In April 2000, the property was sold from Chambers Development (Chambers Waste Systems), through Allied Waste North America, Inc., to Republic Services Real Estate Holding, Inc.
3. In May 2001, the permit was issued to Republic Services of North Carolina, LLC.
4. In December 2008, Republic Services, Inc. was merged with Allied Waste Industries, Inc. As a result of the merger, this transfer station and a landfill in Anson County were required by the U.S. Justice Department to be sold or divested to address possible anti-competitive effects from the merger.
5. In April 2009, the Queen City Transfer Station was purchased by Waste Connections of North Carolina, Inc. The purchase also included the Chambers Development MSW Landfill (Anson Landfill) in Anson County.
6. Subsequent to the purchase of the facility, Waste Connections, Inc. submitted information and documentation to the Solid Waste Section to apply for the permit to operate the facility to be re-issued to Waste Connections of North Carolina, Inc. During this period, Waste Connections continued to operate the transfer station as previously permitted to Republic Services.

PART II: LIST OF DOCUMENTS FOR APPROVED PLAN

1. *Operations Plan, Construction Site Stormwater Control Plan – Charlotte Transfer Station - Permit to Construct and Operate Application.* Prepared by GZA GeoEnvironmental, Inc., Duluth, GA. March 1996, revised through April 1996.
2. *Operations Plan – Queen City Transfer Station for Republic Services of North Carolina.* Prepared by: Hodges, Harbin, Newberry, & Tribble, Inc., Macon, GA. April 2000. Doc ID 7330.
3. *Operations Plan – Queen City Transfer Station for Republic Services of North Carolina.* Prepared by: Hodges, Harbin, Newberry, & Tribble, Inc., Macon, GA. April 2006. Doc ID 8121.
4. *Application for Permit Transfer, Queen City Transfer Station.* Doc ID 7611, Doc ID 8088, Doc ID 8699.
5. *Update to April 2006 Operations Plan Pursuant to a Letter of Robert H. Epstein dated November 19, 2009 updating the April 2006 Operations Plan which supersedes any prior Operations Plans.*

Formatted: Bullets and Numbering

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Mecklenburg County, N.C. Register of Deeds				
Book	Page	Grantee	Grantor	Parcel No.
24747	683-692	Waste Connections of North Carolina, Inc.	Republic Services of North Carolina, LLC et al	077-171-08 and 077-171-09
Total Site Acreage: 10.835 acres				

PART IV: GENERAL PERMIT CONDITIONS

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B .0201(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Operate shall expire **November xx,**

2014. The Permit to Operate must be implemented in accordance with Attachment 3 of this permit.

2. The persons to whom this permit is issued (“permittee”) are the owners and operators of the solid waste management facility.
3. This permit shall not be effective until the certified copy of this permit which references legal descriptions for all land within the solid waste management facility boundary is recorded in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording, must be returned to the Section within 30 calendar days of issuance of this permit. If the Section does not receive the certified copy of the recorded permit within 30 calendar days of issuance of the permit, then and in that event, the permit is suspended and of no effect until the date the Section receives the certified copy of the recorded permit.
4. (Intentionally blank)
5. By beginning construction or receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
6. Construction and operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit, and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.
7. This permit is issued based on the documents submitted in support of the application for permitting the facility identified in Attachment 1, “List of Documents for Approved Plan,” which constitute the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.
8. This permit may be transferred only with the approval of the Section, through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g), the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to, a proposed transfer of

ownership of the facility or a change in the parent company of the owner or operator of the facility.

9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for sedimentation and erosion control, and a General or Individual National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit, if applicable. Issuance of this permit does not remove the permittee's responsibilities for compliance with any other local, state or federal rule, regulation or statute.

- End of Section -

ATTACHMENT 2
CONDITIONS OF PERMIT TO CONSTRUCT

1. Construction of any new or modified structure or operational component of the transfer facility requires written approval of the Section. Application for a Permit to Construct must be prepared in accordance with applicable statutes and rules in effect on that date and will be subject to a permitting fee.

- End of Section-

**ATTACHMENT 3
CONDITIONS OF PERMIT TO OPERATE**

PART I: OPERATING CONDITIONS

1. This Permit to Operate shall expire **November xx**, 2014. Pursuant to 15A NCAC 13B .0201(g), no later than **July xx**, 2014, the owner or operator must submit a request to the Section for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.
2. The transfer facility is permitted to receive municipal solid waste as defined in NCGS 130A 290 (a)(18a).
3. The following, at a minimum must not be accepted at the facility: hazardous waste, yard trash, liquid wastes, regulated medical waste, sharps not properly packaged, regulated asbestos-containing material as defined in 40 CFR 61, PCB waste as defined in 40 CFR 761, and wastes banned from disposal in North Carolina by G.S. 130A-309.10(f). Barrels and drums shall not be accepted unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein.
4. This facility is permitted to receive solid waste generated within North Carolina and South Carolina. Waste must be transported for disposal to the Chambers Development MSW Landfill (Anson Landfill) located in Anson County, Permit Number 04-03-MSWLF-2009, or to the Richland Landfill, Inc., Permit No. 402401-1101 in Richland County, South Carolina. Waste must only be transported to facilities whose service area includes the generation source. Proposed changes to the service area and/or the disposal facilities must be approved by the Section and are a modification to the permit and may be subject to a permitting fee.
5. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, solid waste that is generated within the boundaries of a unit of local government that by ordinance:
 - a. Prohibits generators or collectors of solid waste from disposing of that type or form of solid waste.
 - b. Requires generators or collectors of solid waste to recycle that type or form of solid waste.
6. A responsible individual trained and certified in facility operations must be on-site at all times during all operating hours of the facility, in accordance with G.S. 130A-309.25. An attendant must be present to oversee the loading and unloading of waste.

7. The permittee must develop and use a training and screening program at the facility for detecting and preventing unauthorized wastes from being accepted at the facility. At a minimum, the program must include:
 - a. Random inspections of incoming loads or other comparable procedures.
 - b. Records of all inspections.
 - c. Training of personnel to recognize hazardous, liquid and other excluded waste types.
 - d. Development of a contingency plan to properly manage any identified hazardous, liquid, or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.
8. The facility must be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the Section to prevent unauthorized entry.
9. Interior roadways must be of all-weather construction and maintained in good condition.
10. Signs must be posted at the entrance to the facility that state that no hazardous waste or liquid waste can be received at the facility; and that provide information on dumping procedures, the hours of operation, the permit number, and other pertinent information. Traffic signs or markers must be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.
11. Open burning of solid waste is prohibited. The permittee must provide oral notification of any fire to the Regional Waste Management Specialist within 24 (twenty-four) hours of the occurrence, followed by a written report of the details of the fire within 10 days of the occurrence. The report must include the cause, the location(s) on the premises, the dimensions and volume of material involved, a description of emergency response activities with results, and a description of mitigation measures implemented to reduce or eliminate conditions leading to the fire. Fire lanes must be maintained and passable at all times. Dimensions of the fire lanes must be coordinated with the Fire Marshall having jurisdiction over the site.
12. The facility must not cause nuisance conditions.
 - a. The tipping floor and transfer trailer loading area must be maintained in a clean, sanitary condition at all times and must be cleaned at least daily in accordance with the approved Operation Plan.

- b. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.
 - c. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter. Fugitive dust emissions are prohibited. Windblown materials must be collected by the end of the day and no windblown material may be allowed to leave the facility boundary.
13. Waste must only be deposited on the tipping floor or directly into a transfer container in accordance with the approved Operation Plan. Waste must not be stored on the tipping floor after operating hours.
14. Any waste stored on-site after operating hours must be stored in leak proof transfer trailers, with watertight covers, a maximum of 24 hours except that a minimal amount of waste may be stored for a maximum of 48 hours when the facility is closed during a weekend and a maximum of 72 hours when closed for a weekend holiday. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.
15. All water that comes in contact with solid waste, including vehicle wash-down water, is leachate and must be captured and properly treated before release to the environment.
- a. The leachate control system, such as floor drains, leachate collection devices, sanitary sewer connections, and leachate storage tanks, must be operational during facility operations.
 - b. The tipping floor must drain ~~away from the building entrance and~~ into the leachate collection system and shall not drain uncontrolled out of the building.
16. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated under 15A NCAC 4.
17. Facility construction, operations or practices must not cause or result in a discharge of pollution, dredged material, and/or fill material into waters of the state in violation of the requirements under Sections 401 and 404 of the Clean Water Act, as amended.
18. Copies of this permit, the approved plans and all records required to be maintained by the permittee must be maintained at the facility, unless otherwise approved by the Section, and made available to the Section upon request during normal business hours.

19. The permittee must maintain a record of the amount of solid waste received at the facility, including daily records of waste received and origins of the loads. Scales must be used to weigh the amount of waste received. The daily records are to be summarized into a monthly report for use in the required annual reports.
20. On or before August 1 annually, the Permittee must submit an annual facility report to the Section, on forms prescribed by the Section.
 - a. The reporting period shall be for the previous year beginning July 1 and ending June 30.
 - b. The annual facility report must list the amount of waste received in tons and be compiled:
 - i. On a monthly basis.
 - ii. By county, city or transfer station of origin.
 - iii. By specific waste type.
 - iv. By receiving disposal facility.
 - v. By diversion to alternative management facilities.
 - c. The completed report must be forwarded to the Regional Environmental Senior Specialist for the facility by the date due on the prescribed annual facility report form.
 - d. A copy of the completed report must be forwarded to each county manager for each county from which waste was received the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Specialist by the date due on the prescribed annual facility report form.
21. Processing of materials, shredding, or grinding must not take place at the facility unless approval has been granted under the special use permit and a revised operations plan has been submitted to the Section.

PART II: MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS

(Not applicable)

- End of Permit Conditions -

I do hereby certify that the attached PERMIT TO OPERATE is an exact and true original of PERMIT NUMBER 60-14T-Transfer-2009 for the Queen City Transfer Station.

Edward F. Mussler, III, P.E.
Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management

North Carolina

_____ County

I, _____, Notary Public for _____ County,

North Carolina, do hereby certify that Edward F. Mussler, III, Supervisor of the Permitting Branch, Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal,

This the _____ day of _____, 20 _____.

OFFICIAL SEAL

NOTARY PUBLIC

My commission expires _____, 20 _____.

Note to Register of Deeds: This certified original permit shall be recorded by the Register of Deeds and indexed in the grantor index under the name of the land owner. The certified original affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Permitting Branch Supervisor, Division of Waste Management, Solid Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646.

NOTE: THE SPACE ABOVE IS FOR THE REGISTER OF DEEDS USE

THIS PAGE IS PROVIDED FOR RECORDATION PURPOSES. THE ENTIRE DOCUMENT, INCLUDING THIS PAGE, SHOULD BE RECORDED IN THE GRANTOR INDEX UNDER THE NAME OF THE LANDOWNER FOR THE PARCEL OF PROPERTY LOCATED IN MECKLENBURG COUNTY AND SAID PROPERTY BEING OWNED BY WASTE CONNECTIONS OF NORTH CAROLINA, INC. AND FURTHER IDENTIFIED BY THE DEEDS RECORDED AS LISTED BELOW:

Mecklenburg County, N.C. Register of Deeds				
Book	Page	Grantee	Grantor	Parcel No.
24747	683-692	Waste Connections of North Carolina, Inc.	Republic Services of North Carolina, LLC et al	077-171-08 and 077-171-09
Total Site Acreage: 10.835 acres				

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A SOLID WASTE MANAGEMENT ACTIVITY HAS OPERATED ON THE PROPERTY.

November 19, 2009

**VIA E-MAIL (donna.wilson@ncdenr.gov)
AND FIRST CLASS MAIL**

Ms. Donna J. Wilson
Environmental Engineer
Solid Waste Section/Division
of Waste Management/NC DENR
1646 Mail Service center
Raleigh, NC 27699-1646

Re: Updates to Operations Plan for Queen City Transfer Station Permit No. 60-14T-Transfer-2009

Dear Ms. Wilson:

Thank you for forwarding the April 2006 Operations Plan for the Queen City Transfer Station. Since the new holder of the Queen City Transfer Station Permit will be Waste Connections of North Carolina, Inc., we wanted to advise you of our proposed updates to the Plan in light of the change in ownership of the Queen City Transfer Station. Our proposed updates are as follows:

1. All references to Republic Services of North Carolina, Inc. should be revised to read Waste Connections of North Carolina, Inc. (“Waste Connections”).
2. Every reference to KR Drenth in the Operations Plan should also be updated to now refer to Waste Connections.
3. The first line in Section 1.1 should be revised to read: “Waste Connections of North Carolina, Inc. and Operator Waste Connections of North Carolina, Inc.”
4. Section 1.2 should be revised so that the reference to the third to last line now reads: “The transfer station building occupies approximately 0.22 acres of the 10-acre parcel of property.”
5. The fourth paragraph of Section 1.3 should be revised to utilize the term “trench or floor drains” in lieu of the term “trench drain.” The sixth paragraph in Section 1.3 should be updated to read: “The primary contact person for issues concerning operation of the transfer station is the District Manager.”

Waste Connections of North Carolina, Inc.
Mr. Timothy J. Fadul, District Manager
5516 Rozzelles Ferry Road

Charlotte, NC 28214
(704) 596-2077

6. In Section 2.2, the following should be inserted as the second to last sentence:
"The service area for the transfer station is North Carolina and South Carolina."
7. The fourth line of the second paragraph in Section 3.0 should delete the reference to "KR Drenth," and should be replaced with "Waste Connections of North Carolina, Inc."
8. The third paragraph in Section 3.2 should be revised to delete the reference to "Republic" in the fourth line and substitute the words "Waste Connections" and substitute the language below.
"Waste received by this transfer station will be transported to the Anson Landfill, located in Anson County North Carolina. In the event of an emergency, small amounts of waste may be taken to the Richland County Landfill located in Elgin, SC. In this event, or in the event that the destination would change, a written notification of change to another Subtitle D Landfill will be given to the proper local and state agencies."
9. The first line of Section 3.5 should be revised to delete the reference to "Republic" and insert in lieu thereof the reference to "Waste Connections."
10. The first line of Section 8.2 should delete the reference to "Republic" and insert in lieu thereof "Waste Connections."
11. Please update Schedule A as follows:

I. Assets

Equipment Description
Caterpillar 966G Loader or equivalent
Caterpillar 970F Loader or equivalent (back-up)
Bob Cat
Yard Dog
Pressure Washer

Please advise if you have any questions or comments. Thank you.

Very truly yours,
GALLOP, JOHNSON & NEUMAN, L.C.

Robert H. Epstein

RHE/klh

cc: Kurt Shaner
Tim Fadul