

Subject: Emailing: comment response_permit_transfer_122308.pdf - Apex C&D Waste Transfer Facility
From: "Don Misenheimer" <don@rsgengineers.com>
Date: Tue, 23 Dec 2008 17:18:26 -0500
To: <DONNA.WILSON@ncmail.net>
CC: <daviddebris@bellsouth.net>, <michelle_debris@bellsouth.net>, <bradley.bailey@ncmail.net>, <stacey@rsgengineers.com>

Ms. Wilson,

Please find the attached response to the comments issued in correspondence dated December 12, 2008. Should you have any questions or require clarification, please contact me at your earliest convenience.

Thank you,

Don M. Misenheimer

Richardson Smith Gardner & Associates, Inc.

14 N. Boylan Ave.
Raleigh, NC 27603
Office: (919) 828-0577 ext. 140
Cell: (919) 815-4315
rsgengineers.com

comment response_permit_transfer_122308.pdf	Content-Type: application/pdf Content-Encoding: quoted-printable
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December 23, 2008

Ms. Donna J. Wilson
Environmental Engineer
NC DENR – Division of Waste Management
401 Oberlin Road, Suite 150
Raleigh, North Carolina 27605

Re: **Response to Comments**
Apex C&D Waste Transfer Facility, formerly PCM Apex Transfer Station
Application for transfer of Permit
Wake County, Doc ID No. 6417

Dear Ms. Wilson

On behalf of Shotwell Transfer Station, Inc., Richardson Smith Gardner & Associates, Inc (RSG) has prepared this response to the comments issued in correspondence dated December 12, 2008 (**copy attached**). The following responses address each comment. Please find each comment in *italics* and the associated response below.

Comment No. 1

The cost estimates for financial assurance should include the waste volume being transported and disposed at a municipal solid waste landfill.

Response No.1

The financial assurance estimate has been revised to reflect South Wake Landfill.

Comment No. 2

Please Provide the contact name, address, phone number, and email address for the landowner.

Response No.2

The Property Ownership information has been added as follows:

Landowner: Booth Properties, LLC
Attn: Mr. William J. Booth, Jr.
Address: P.O. Box 156 or 1505 N. Salem St.
Apex, NC 27502
Phone: (919) 362-6168

Mr. Booth does not have an email address.

Ms. Donna Wilson
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Comment No. 3

The requested service area of Wake County and surrounding counties does not include Orange County. The last two annual reports indicate that waste was received from Orange County. Please confirm the service area.

Response No. 3

Please revise our request to as follows:

“STS2 requests the service area for the transfer facility to be concentrated in Wake County, its contiguous counties, as well as Orange County.”

Comment No. 4

Please confirm that copies of the approved operating plan, current permit, and waste screening records are currently onsite at the facility, or describe plan for obtaining these records as soon as possible.

Response No. 4

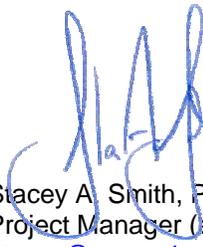
RSG contacted Ms. April Armour Milla at the scale house on December 23, 2008 and confirmed that these plans are on-site.

Should you have any questions or require clarification, please contact us at your earliest convenience at (919) 828-0577 or by email listed below.

Sincerely,
Richardson Smith Gardner & Associates, Inc.



Don Misenheimer
Staff Scientist (ext. 140)
don@rsgengineers.com



Stacey A. Smith, P.E.
Project Manager (ext. 127)
stacey@rsgengineers.com

Attachments

Cc: Mr. David King, Shotwell Transfer Station, Inc.
Ms. Michelle Pearson, Debris Removal Partners
Mr. Bradley Bailey, NCDENR
File



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

December 12, 2008

Mr. David King
Shotwell Transfer Station, Inc.
3209 Gresham Lake Road, Suite 115
Raleigh NC 27615

Re: Apex C&D Waste Transfer Facility, formerly PCM Apex Transfer Station
Application for transfer of permit
Permit No. 92-29T
Wake County, Doc ID No. 6417

Dear Mr. King:

An application for the above referenced facility has been submitted to the Solid Waste Section on your behalf by your consultant RSG Engineers. In accordance with GS 130A-295.8(e), the Section has reviewed your application and found it to be complete within the meaning of the statute. A determination of completion means that the application includes all required components but does not mean that the required components provide all the information that is required for the Section to make a decision on the application. We have performed a technical review of the submitted application and request the following:

1. The cost estimates for financial assurance should include the waste volume being transported and disposed at a municipal solid waste landfill.
2. Please provide the contact name, address, phone number, and email address for the landowner.
3. The requested service area of Wake county and surrounding counties does not include Orange County. The last two annual reports indicate that waste was received from Orange County. Please confirm the service area.
4. Please confirm that copies of the approved operating plan, current permit, and waste screening records are currently onsite at the facility, or describe plan for obtaining these records as soon as possible.

An invoice for the permit fee of \$3,000 will be forthcoming.

The application indicates that an irrevocable letter of credit will be used for financial assurance. The wording of the letter of credit should be approved by this office prior to issuance. Also, a standby trust fund is required with the letter of credit.

Please submit a complete revised copy of the application with an electronic copy.

If you have any questions or comments, please contact me at (919) 508-8510, or by email at donna.wilson@ncmail.net. Questions regarding the financial assurance mechanism may be directed to Donald Herndon, phone (919) 508-8502.

Sincerely,

A handwritten signature in black ink that reads "Donna J. Wilson". The signature is written in a cursive style with a large initial "D".

Donna J. Wilson
Environmental Engineer
Solid Waste Section

Attachments

cc: Stacey Smith, RSG&A
Don Misenheimer, RSG&A
Jason Watkins, DWM
Brad Bailey, DWM
Donald Herndon, DWM



December 23, 2008

Ms. Donna Wilson
Environmental Engineer
North Carolina Dept. of Environment and Natural Resources
Division of Waste Management - Solid Waste Section
401 Oberlin Road, Suite 150
Raleigh, NC 27605

Re: Apex C&D Waste Transfer Facility
(Transfer of NC Solid Waste Permit No. 92-29T)
Apex, North Carolina

Dear Ms. Wilson:

On behalf of Shotwell Transfer Station II, Inc. (STS2), Richardson Smith Gardner & Associates, Inc. (RSG) has prepared this request to transfer the subject solid waste Transfer Facility permit to STS2, in accordance with Section 5(a), § 130A-295.2., (g) of Senate Bill 1492¹. In response to recent events regarding a compliance order² by the existing operator, PCM Construction Services, LLC, it is the desire of STS2 to transfer the facility permit without any lapse in the facility operations. Therefore, we are providing the following documents to assist the Division in the due review of this matter:

PROPERTY DESCRIPTION

The facility will be operated on a portion of property owned by Booth Properties, LLC. The complete tract is approximately 18 acres and the operations will continue within a 3.5 acre area labeled on the site plan as “facility boundary”. A copy of the site plan is provided as **Attachment A**.

The property is described under Wake County Deed Book 11285, Pages 1429-1432. A legal description for this property is included in **Attachment B**.

OWNERSHIP AND OPERATION

The proposed facility will be operated by Shotwell Transfer Station II, Inc. on property owned by Booth Properties, LLC. A Landowner Authorization is provided as **Attachment C**. Mr. David King formed Shotwell Transfer Station II, Inc. to operate the facility. Articles of Incorporation for this entity is also provided in **Attachment D**. As the Division is aware, Mr.

1 General Assembly of NC, Session 2007, Session Law 2007-550, Senate Bill 1492, Section 5(a), § 130A-295.2., (g).

2 The Division of Waste Management, Compliance Order With Administrative Penalty PCM Apex C&D Transfer Permit #92-29T, Wake County, August 12, 2008.

Ms. Donna Wilson
December 23, 2008
Page 2 of 3

King has additional solid waste operations in the state and an updated organizational description has been included in **Attachment D**.

Contact information for the operator is as follows:

Operator:	Shotwell Transfer Station II, Inc.
Owner:	Mr. David W. King Jr.
Manager:	Mr. Lee Pearson
Address:	3209 Gresham Lake Road, Suite 115 Raleigh, North Carolina 27615
Phone:	(919) 773-9899
Email:	daviddebris@bellsouth.net

STS2 agrees to operate the facility in accordance with the terms of the existing permit provided as **Attachment E**. An applicant authorization agreement has been prepared and executed by Shotwell Transfer Station II, Inc. and is provided as **Attachment F**.

SERVICE AREA AND DISPOSAL FACILITIES

STS2 requests the service area for the transfer facility to be concentrated in Wake County, its contiguous counties, as well as Orange County.

The disposal facilities for the transfer station will include the following facilities:

1. Shotwell C&D Landfill (Permit No. 92-26)
2. WCA Material Recovery C&D Landfill (Permit No. 92-31)
3. Red Rock Disposal C&D Landfill (Permit No. 92-28)

FINANCIAL ASSURANCE

In accordance with Session Law 2007-550, an estimate has been provided for financial assurance of the waste transfer facility. STS2 will provide an irrevocable letter of credit upon approval of the Division. A copy of the estimate has been included in **Attachment G**.

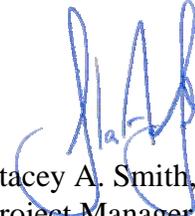
Ms. Donna Wilson
December 23, 2008
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Should you have any questions or require clarification, please contact us at (919) 828-0577 or by email.

Sincerely,
Richardson Smith Gardner & Associates, Inc.



Don Misenheimer
Staff Scientist, Ext. 140
don@rsgengineers.com



Stacey A. Smith, P.E.
Project Manager, Ext. 127
stacey@rsgengineers.com

Att.

Cc: Mr. David King, Shotwell Transfer Station II, Inc.
Mr. Bradley Bailey, NCDENR
Mr. Jason Watkins, NCDENR
File



DATE: 23-Dec-08
BY: SFS

**Financial Assurance
Shotwell Transfer Station II, Inc.
Apex C&D Waste Transfer Facility
Engineer's Remedial Cost Estimate**

Item No.	Item Description	Unit	Contractor			Comments
			Quantity	Unit Price	Total Price	
Facility Area (Horizontal Plan) ---->		AC	3.5			
1.0	Pre-Remedial Response			Subtotal	\$1,750.00	
1.1	Coordination, Contracts, and Management	AC	3.5	\$500.00	\$1,750.00	RSGA Estimate
2.0	Remedial Response Activities				\$70,875.00	
2.1	Surveys and Layout	AC	3.5	\$250.00	\$875.00	RSGA Estimate
2.2	Mobilization, Demobilization, and Project Closeout	AC	3.5	\$500.00	\$1,750.00	RSGA Estimate
2.3	Wash Down & Cleanup of the Transfer Recycling Areas	DY	1	\$1,500.00	\$1,500.00	Assume single work crew per day.
2.4	Fencing & Concrete Barrier Protection	LF	1,200	\$15.00	\$18,000.00	Assume close transfer station door and place concrete barriers across wall.
2.5	Excess Waste Disposal (C&D & Recycling)	TN	1,250	\$32.00	\$40,000.00	NCDENR. South Wake MSW Landfill tipping fee.
2.6	Excess Recycling Disposal	CY	175	\$10.00	\$1,750.00	Assume cost of loading and transport.
2.6	Erosion & Sediment Control (grading, silt fence, maintenance, etc.)	AC	3.5	\$500.00	\$1,750.00	RSGA Estimate
2.7	Revegetation	AC	3.5	\$1,500.00	\$5,250.00	RSGA Estimate
3.0	Quality Assurance, Certification, & Deed Notation				\$3,000.00	
3.1	Engineering and Reporting	LS	1	\$2,500.00	\$2,500.00	RSGA Estimate
3.2	Surveying and Deed Notation	LS	1	\$500.00	\$500.00	RSGA Estimate
Remedial Response Estimate ---->					\$75,625	
10% Contingency ---->					\$7,563	
Total Estimate ---->					\$83,188 (2008\$) (See Note 1)	

Notes:

- All costs are presented in current dollars and should be increased at an inflation rate of 1.5% if additional review is not performed annually.
- This ESTIMATE has been prepared for financial assurance purposes only and shall not be considered a replacement for an actual bid from a licensed contractor and is considered acceptable within a +/- 10% of the Total Estimate value.

Denotes values calculated in spreadsheet.