



November 14, 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: Capitol C&D Waste Transfer Facility
(NC Solid Waste Permit No. 92-37T)
Raleigh, North Carolina

Dear Ms. Wilson:

On behalf of Capitol Waste Transfer, LLC (CWT), Richardson Smith Gardner & Associates, Inc. (RSG) has prepared this letter to inform the Division of a change in management, in accordance with Section 5(a), § 130A-295.2., (g) of Senate Bill 1492¹. The membership interest of CWT has been acquired by Shotwell Transfer Station, Inc., a subsidiary of Mr. David W. King, Jr. As an update to the correspondence submitted on October 3, 2008 (**copy attached**), the transition is in progress, and should be concluded in the next few weeks. Therefore, we are providing the following documents to notify the Division and assist in the due review of this matter:

PROPERTY DESCRIPTION

The facility is operated on property owned by Allied Installation, LLC (AI). The complete tract is approximately 1.3 acres and the operations will continue in the current location. A boundary survey of the site was completed by Surveying Solutions, and is provided as **Attachment A**. The survey was completed at the request of Dynasty Holdings, LLC, the parent company of AI.

The property is described under Wake County Deed Book 13266, Pages 210-214. A legal description for this property is included in **Attachment B**.

OWNERSHIP AND OPERATION

The facility is operated by CTW on property owned by AI, both of which are under ownership of Mr. King. A Landowner Authorization by AI is provided as **Attachment C**. Articles of Incorporation for CTW and AI are provided in **Attachment D**. As the Division is aware, Mr. King has additional solid waste operations in the state and an updated organizational description has been included in **Attachment D**.

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

Contact information for the operator is as follows:

Operator: Capitol Waste Transfer, LLC
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

CWT 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 CWT and is provided as **Attachment F**.

SERVICE AREA AND DISPOSAL FACILITIES

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

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)

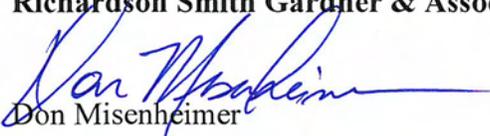
FINANCIAL ASSURANCE

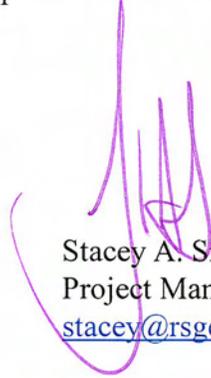
In accordance with Session Law 2007-550, an estimate has been provided for financial assurance of the waste transfer facility. CWT will provide an irrevocable letter of credit upon approval of the Division. A copy of the estimate has been included in **Attachment G**.

Ms. Donna Wilson
November 14, 2008
Page 3 of 3

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

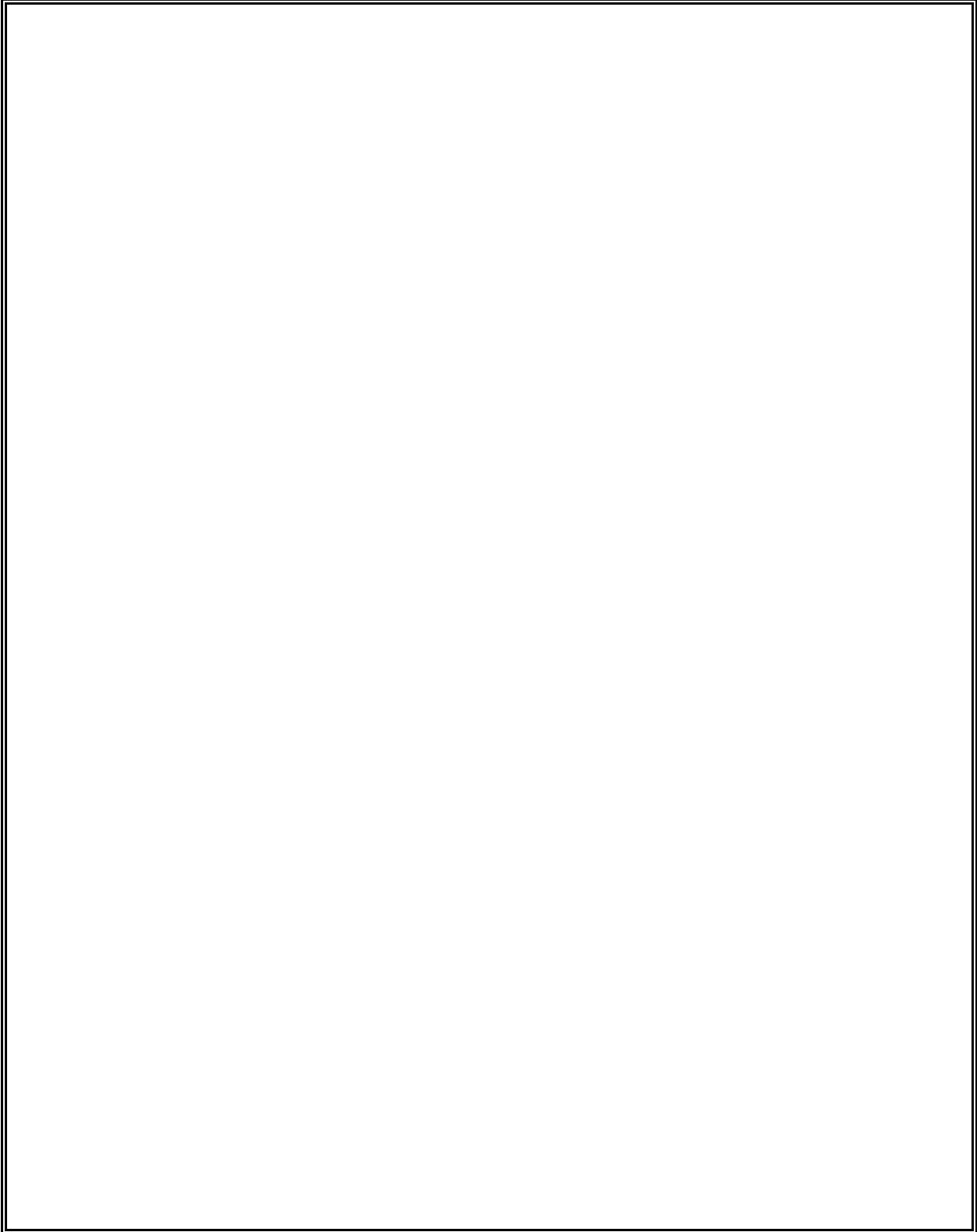
Sincerely,
Richardson Smith Gardner & Associates, Inc.


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, Capitol Waste Transfer, LLC
Mr. Bradley Bailey, NCDENR
Mr. Jason Watkins, NCDENR
File



Capitol Waste Transfer, LLC

**424 Warehouse Drive
Raleigh, NC 27610
(919) 832-8234**

October 3, 2008

**Mr. Ed Mussler III, PE
Branch Head
NCDENR – Division of Waste management
1646 Mail Service Center
Raleigh, NC 27699**

Dear Mr. Mussler

As a gesture of respect and in the spirit of full disclosure, David King and I are writing to inform you of the pending purchase of Capitol Waste Systems, LLC and Capitol Waste Transfer, LLC by David King the owner and sole shareholder of Shotwell Transfer Station. The only apparent change to the existing Permit No. 90-37T, would be a change of share ownership. It is our understanding that this would constitute a "Significant Change" and require the review and approval of DENR

As required by 6.5 130-295.2(g), we will notify the department within thirty days following the closing of the aforementioned change. Until such time, the operation of Capitol Waste Transfer Station will continue as usual. Please do not hesitate to contact us if you need any additional information.

Thank you for your assistance and guidance through this transition period.

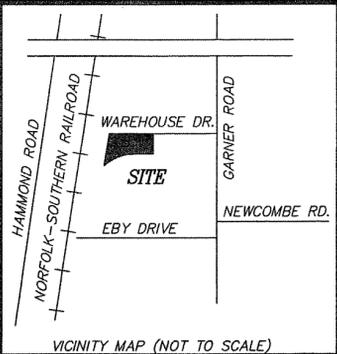
Sincerely,



James M. Barnes

David W. King

Attachment A



I, JOHN H. THOMPSON, HEREBY CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, FROM DEED DESCRIPTION RECORDED IN REFERENCES CITED; THAT THE ERROR OF CLOSURE AS CALCULATED BY THE LATITUDES AND DEPARTURES IS 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN REFERENCES CITED; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED.

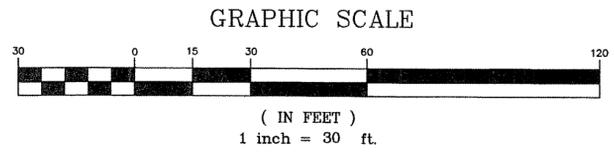
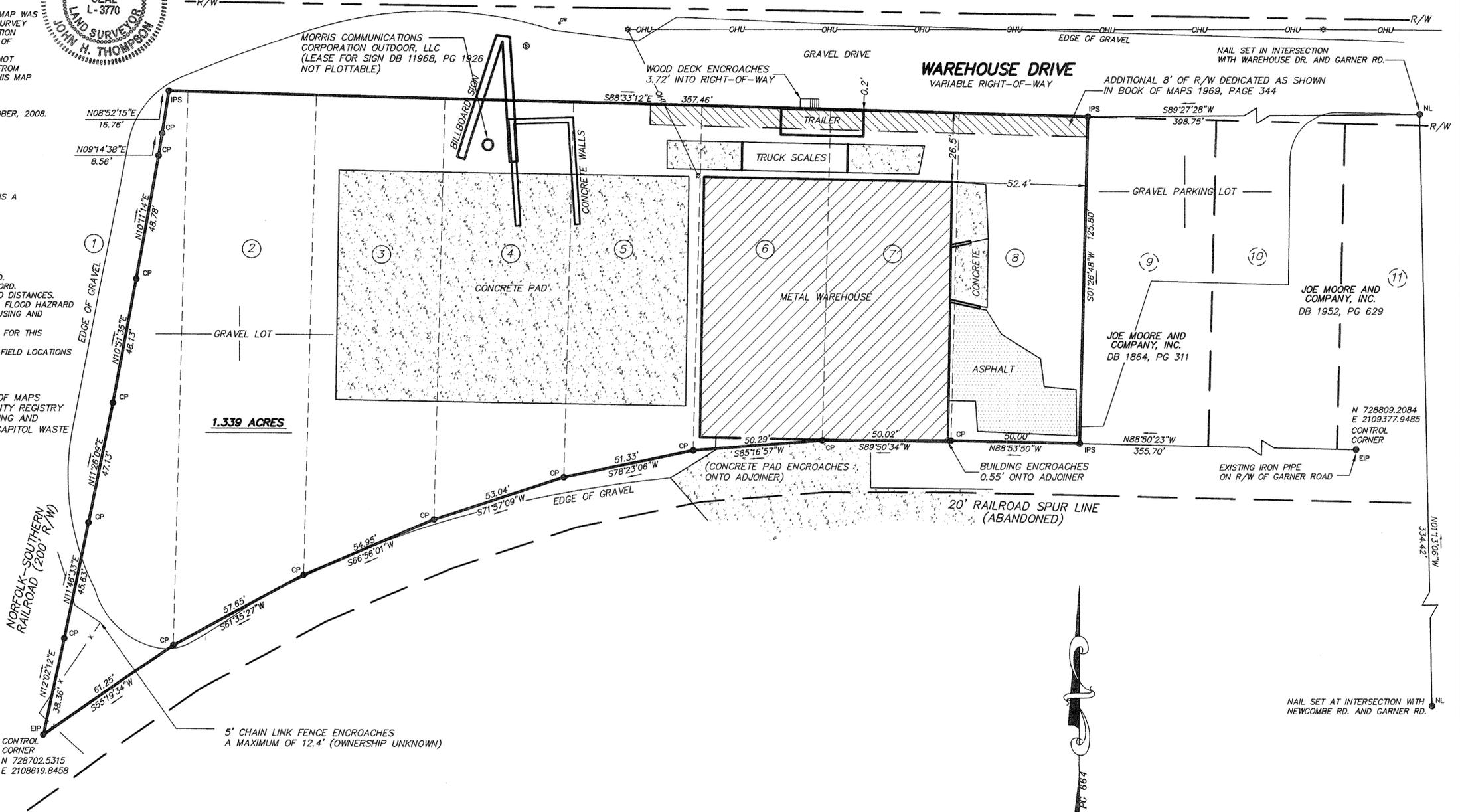
WITNESS MY HAND AND SEAL THIS 1st DAY OF OCTOBER, 2008.
 JOHN H. THOMPSON, P.L.S. L-3770

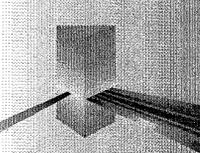
I, JOHN H. THOMPSON, HEREBY CERTIFY THAT THIS IS A SURVEY OF AN EXISTING PARCEL OR PARCEL OF LAND.
 JOHN H. THOMPSON, P.L.S. L-3770

- NOTES:**
1. AREA COMPUTED USING THE COORDINATE METHOD.
 2. PROPERTY SUBJECT TO ALL EASEMENTS OF RECORD.
 3. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.
 4. THIS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
 5. A COMPLETE TITLE REPORT WAS NOT FURNISHED FOR THIS PROPERTY.
 6. GRID COORDINATES SHOWN WERE DERIVED FROM FIELD LOCATIONS OF THE CONTROL SHOWN IN BM 2000, PG 664.

- REFERENCES:**
1. DEED BOOK 11900 PAGE 1711 AND BOOK OF MAPS OF MAPS 1946, PAGE 31 OF THE WAKE COUNTY REGISTRY
 2. UNRECORDED MAP BY SOUTHWIND SURVEYING AND ENGINEERING, INC., ENTITLED SURVEY FOR CAPITOL WASTE SYSTEMS, DATED 03/06/06
 3. BOOK OF MAPS 2000, PAGE 664
 4. BOOK OF MAPS 1969, PAGE 344
 5. BOOK OF MAPS 1982, PAGE 599

- LEGEND**
- OHU— OVERHEAD UTILITIES
 - S SIGN
 - G GUY WIRE
 - L LIGHT POLE
 - U UTILITY POLE
 - T TELEPHONE PED.
 - SM SEWER MANHOLE
 - WM WATER METER
 - EIP EXISTING IRON PIPE
 - IPS IRON PIPE SET
 - ECM EXISTING CONCRETE MONUMENT
 - CP COMPUTED POINT
 - R/W RIGHT OF WAY



		SURVEYING SOLUTIONS, P.C. 5401 HILLSBOROUGH ST. P.O. BOX 33324 RALEIGH, NC 27636 (919)-854-4833		BOUNDARY SURVEY FOR DYNASTY HOLDINGS, LLC	
DRAWN BY: JHT, DRK PIN: 1702-88-8858	SURVEYED BY: JHT, DRK ZONING: IND-2	CHECKED BY: DRK	TOWNSHIP: ST. MARYS SCALE: 1"=30'	COUNTY: WAKE DATE: SEPTEMBER 25, 2008	NORTH CAROLINA PROJECT: 08-076

Attachment B

BK013266PG00210

WAKE COUNTY, NC 247
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
10/06/2008 AT 14:34:25

BOOK:013266 PAGE:00210 - 00214

Revenue: \$0.00 (For Recording Data)

Parcel Identifier/Tax Account/PIN No.: 0067033

Brief Description for the Index: Lots 1-8 Kelly & Weatherington

After recording, mail to: Grantee

Prepared by: Ragsdale Liggett PLLC (Bolton)

GENERAL WARRANTY DEED

THIS DEED is made as of this the 3rd day of October, 2008, by and between **ALLIED INSTALLATION COMPANY, LLC**, a North Carolina limited liability company and successor by name change to **ALLIED INSTALLATION, LLC** by Articles of Amendment filed on 10/2/08 at the North Carolina Secretary of State's Office, ("**Grantor**") and **ALLIED INSTALLATION, LLC**, a North Carolina limited liability company (formed on 10/2/08 at the North Carolina Secretary of State's Office) ("**Grantee**") with a mailing address of 3209 Gresham Lake Road, Suite 114, Raleigh, North Carolina 27615.

For valuable consideration paid by Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged, Grantor has and by these presents does hereby grant, bargain, sell and convey unto Grantee in fee simple all that certain piece of parcel of land located in the County of Wake, State of North Carolina and being more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE PART HEREOF

Being the same premises conveyed to the grantor by deed recorded in Book 11900, Page 1711, Wake County Registry.

TO HAVE AND TO HOLD the Premises and all privileges and appurtenances thereto belonging to Grantee in fee simple absolute.

BK013266PG00212

GRANTOR:

ALLIED INSTALLATION COMPANY, LLC, a North Carolina
limited liability company (SEAL)

By: *James M Barnes*
Name: JAMES M. BARNES
Title: Manager

STATE OF North Carolina

COUNTY OF Wake

I, Lorie Strickland, a Notary Public of the County and State aforesaid, certify that James M. Barnes as Manager of Allied Installation Company, LLC, a North Carolina limited liability company, personally came before me this day and acknowledged the due execution of the foregoing instrument on behalf of the limited liability company.

Witness my hand and official stamp or seal, this the 3rd day of October, 2008.

Lorie Strickland
Notary Public

My Commission Expires: 11-13-2012



BK013266PG00210

WAKE COUNTY, NC 247
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
10/06/2008 AT 14:34:25

BOOK:013266 PAGE:00210 - 00214

Revenue: \$0.00 (For Recording Data)

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For valuable consideration paid by Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged, Grantor has and by these presents does hereby grant, bargain, sell and convey unto Grantee in fee simple all that certain piece of parcel of land located in the County of Wake, State of North Carolina and being more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE PART HEREOF

Being the same premises conveyed to the grantor by deed recorded in Book 11900, Page 1711, Wake County Registry.

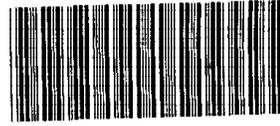
TO HAVE AND TO HOLD the Premises and all privileges and appurtenances thereto belonging to Grantee in fee simple absolute.

BK013266PG00213

EXHIBIT A
Legal Description

All of Lots 1-8, KELLY AND WEATHERINGTON SUBDIVISION, according to the plat thereof, recorded in Book of Maps 1946, Page 31, in the office of the Register of deeds of Wake County, North Carolina.

SUBJECT TO that portion of the property that may be included in the right of way of the North Carolina Railroad Company and to an 8 foot setback building line on the south line of Warehouse Drive.



BOOK:013266 PAGE:00210 - 00214

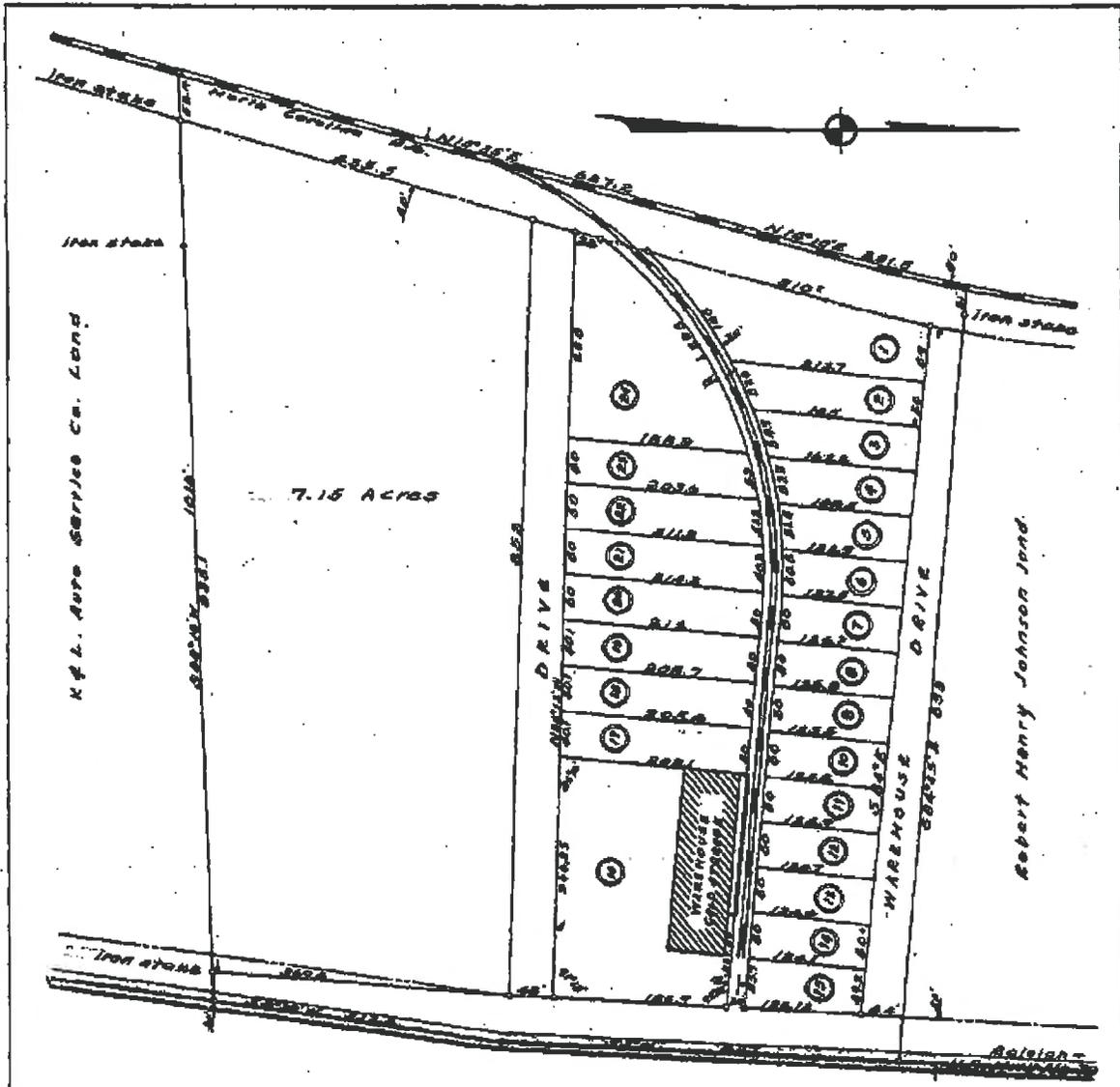
**Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.**



**Wake County Register of Deeds
Laura M. Riddick
Register of Deeds**

This Customer Group
_____ # of Time Stamps Needed

This Document *AR*
_____ New Time Stamp
5 # of Pages



**CARSON H. KELLY & HARRY R. WEATHERINGTON
SUBDIVISION**

Located in St. Marys Township, Wake Co., N.C.
 Surveyed and plotted Sept. 24, 1946.
 Scale 1" = 100' By: Sam Powell - Registered Surveyor

Book 1946 Page 31

AC 141 DAVE K. K. 10/10/10

31

Attachment C

Certification by Land Owner:

I hereby certify that I have read and understand the application submitted by Capital Waste Transfer, LLC for a permit to operate a solid waste management facility as described in the Permit to Construct and Operate (NC Solid Waste Permit No. 92-37T) issued on May 4, 2007 on land owned by the undersigned, Allied Installation, LLC, located at 424 Warehouse Drive in Raleigh, North Carolina. I specifically grant permission for the operation of the solid waste management facility within the confines of the land described by and in Deed Book 13266 and Page 210-214, as provided in this application. I certify that the undersigned is the present landowner of the above described property. I understand that Capital Waste Transfer, LLC has been acquired by Mr. David W. King, Jr. and I agree to the operation of the solid waste management facility as described above and in any future permit revisions, and as permitted by the Division of Waste Management. I understand that any permit will be issued in the names of both the operator(s) and the owner(s) of the facility/property. I acknowledge that ownership of land on which a solid waste management facility is located may subject me to cleanup of said property in the event that the operator defaults, as well as to liability under the federal Comprehensive Environmental Responsibility, Compensation and Liability Act (CERCLA). Without accepting any fault or liability, I recognize that ownership of land on which a solid waste management facility is located may subject me to claims from persons who may be harmed in their persons or property caused by the solid waste management facility.

I am informed that North Carolina General Statute 130A-22 provides for administrative penalties of up to fifteen thousand dollars (\$15,000) per day per each violation of the Solid Waste Management Rules. I understand that the Solid Waste Management Rules may be revised or amended in the future, and that the siting and operation of the facility will be required to comply with any such revisions or amendments.

[Signature]
Mr. David W. King, Jr.
Allied Installation, LLC

11-10-08
Date

Pres
Title

NORTH CAROLINA

WAKE County

I, STACEY A. SMITH, Notary Public for said County and State, do

hereby certify that DAVID W. KING, JR. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 10TH day of NOVEMBER, 2008.

(Official Seal)



[Signature]
Notary Public

My commission expires July 11, 2009.

Attachment D

State of North Carolina
Department of the Secretary of State
LIMITED LIABILITY COMPANY
ARTICLES OF ORGANIZATION

Pursuant to § 57C-2-20 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

1. The name of the limited liability company is: **Capitol Waste Transfer, LLC**
2. There shall be no limit to the duration of the limited liability company.
3. The name and address of the organizer executing these Articles of Organization are as follows:
Brian R. Brown
Wachovia Capitol Center
150 Fayetteville Street
Suite 1400
Raleigh, North Carolina 27601
4. The street address and county of the initial registered office of the limited liability company are:
Number and Street: 4011 University Drive, Suite 202
City, State, Zip Code: Durham, North Carolina 27707 County: Durham
5. The mailing address if different from the street address of the initial registered office is: Not Applicable
6. The name of the initial registered agent is: James M. Barnes
7. Check one of the following:
 (i) Member-managed LLC: all of the members by virtue of their status as members shall be managers of this limited liability company.
 (ii) Manager-managed LLC: except as provided by N.C.G.S. § 57C-3-20(a), the members of this limited liability company shall not be managers by virtue of their status as members.
8. No member, manager or executive shall have any personal liability arising out of any action whether by or in the right of the limited liability company or otherwise for monetary damages for breach of any duty as a member, manager or executive to the extent permitted by N.C.G.S. § 57C-3-32.
9. The limited liability company shall indemnify its members, managers and executives to the fullest extent permitted by N.C.G.S. § 57C-3-31 and N.C.G.S. § 57C-3-32(a)(2).
10. These Articles of Organization will be effective upon filing.

This the 12th day of July, 2006.


Signature

Brian R. Brown, Organizer
Type or Print Name and Title

SOSID: 1065814
 Date Filed: 10/2/2008 12:12:00 PM
 Elaine F. Marshall
 North Carolina Secretary of State
 C200827500391

**State of North Carolina
 Department of the Secretary of State**

**LIMITED LIABILITY COMPANY
 ARTICLES OF ORGANIZATION**

Pursuant to § 57C-2-20 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

1. The name of the limited liability company is: **Allied Installation, LLC**
2. There shall be no limit to the duration of the limited liability company.
3. The name and address of the organizer executing these Articles of Organization are as follows:

Brian R. Brown
 Wachovia Capitol Center
 150 Fayetteville Street, Suite 1400
 Raleigh, Wake County, North Carolina 27601
4. The street address and county of the initial registered office of the limited liability company are:

Number and Street: 150 Fayetteville Street, Suite 1400
 City, State, Zip Code: Raleigh, North Carolina 27601 County: Wake
5. The mailing address if different from the street address of the initial registered office is: Not Applicable
6. The name of the initial registered agent is: Brian R. Brown
7. Check one of the following:

(i) Member-managed LLC: all of the members by virtue of their status as members shall be managers of this limited liability company.

(ii) Manager-managed LLC: except as provided by N.C.G.S. § 57C-3-20(a), the members of this limited liability company shall not be managers by virtue of their status as members.
8. No member, manager or executive shall have any personal liability arising out of any action whether by or in the right of the limited liability company or otherwise for monetary damages for breach of any duty as a member, manager or executive to the extent permitted by N.C.G.S. § 57C-3-32.
9. The limited liability company shall indemnify its members, managers and executives to the fullest extent permitted by N.C.G.S. § 57C-3-31 and N.C.G.S. § 57C-3-32(a)(2).
10. These Articles of Organization will be effective upon filing.

This the 1st day of October 2008.


 Brian R. Brown, Organizer

ORGANIZATIONAL EXPLANATION

The attached organizational chart shows the ownership structure and names of the various entities controlled by David W. King, Jr. Mr. King owns 100% of the common stock of Shotwell Landfill, Inc., Shotwell Transfer Station, Inc., Shotwell Transfer Station II, Inc. and 100% of the membership interests of Shotwell Trucking, LLC, Debris Removal Partners, LLC and Dynasty Holdings, LLC. All of these companies are run through Mr. King's office located at 3209 Gresham Lake Road, Suite 114-115, Raleigh. Although the companies are all owned by Mr. King, they are not related to each other beyond ownership; in other words, none of the companies are subsidiary companies of another.

Shotwell Landfill, Inc. owns and operates the landfill located at 4724 Smithfield Road, Wendell, North Carolina 27591.

Shotwell Transfer Station operates a construction debris transfer facility located at 5505 Thornton Road, Raleigh, North Carolina 27616.

Shotwell Transfer Station II operates a construction debris transfer facility located at 1704 ½ North Salem Street, Apex, North Carolina 27502.

Shotwell Trucking is a limited liability company that owns the trucks used in connection with the hauling for the various companies and charges a fee for the use of those trucks.

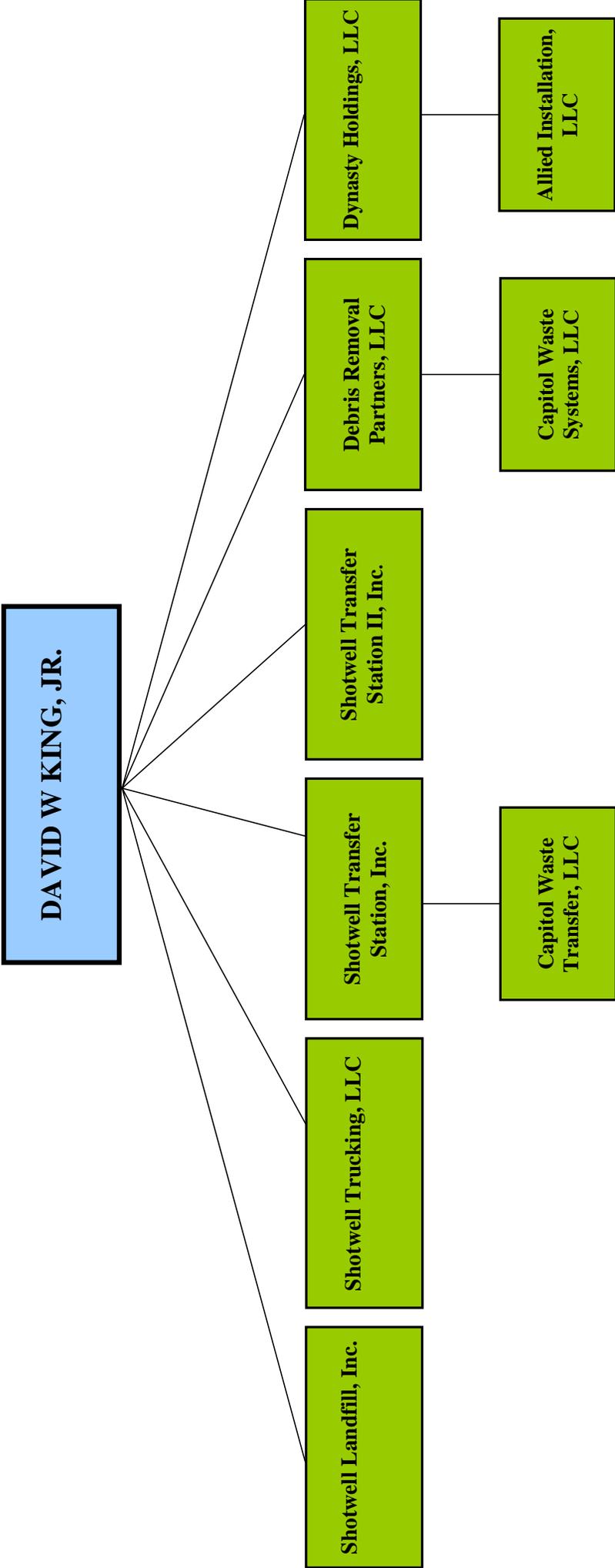
Debris Removal Partners, LLC owns and operates a container and hauling company that primarily removes debris from construction sites.

Dynasty Holdings, LLC ("Dynasty") owns the property located at 5509 Thornton Road in Raleigh (the "Property"). Its only asset is the Property upon which Shotwell Transfer Station operates its transfer facility.

On October 6, 2008, Dynasty purchased the membership interests of Allied Installation, LLC. Allied Installation, LLC's only asset is the real property located at 424 Warehouse Drive, Raleigh, NC 27610 and upon which Capitol Waste C&D Transfer Station is operated.

On October 6, 2008, Shotwell Transfer Station purchased the membership interests of Capitol Waste Transfer, LLC. Capitol Waste Transfer, LLC only operates the Garner C&D Transfer Station, pursuant to NCDENR Permit Number 92-37-T.

On October 6, 2008, Debris Removal Partners, LLC purchased the membership interests of Capitol Waste Systems, LLC. Capitol Waste Systems, LLC's assets consist only of roll-off trucks and trash or containers used for pick-up of construction debris. Debris Removal Partners, LLC is in the process of merging Capitol Waste Systems, LLC into Debris Removal Partners, LLC and Debris Removal Partners, LLC will be the surviving entity.



Attachment E

ATTACHMENT 1

PART I: PERMIT HISTORY

Issuance	Date
Original Issue (PTC & PTO)	May 4, 2007

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *Permit Application for Transfer Facility at 424 Warehouse Drive Raleigh, NC.* Prepared by: Kenneth D. Cromartie, CPESC #373, Greenworks Associates, LLC, 4872 Auburn Church Road, Garner, NC 27529. Prepared for: Capitol Waste Systems, LLC, 4011 University Drive, Suite 202, Durham, NC 27707. May 1, 2006. Revised 12 July 2006, 9 February 2007, and 15 March 2007. (Including: Operation plan, Zoning documentation, Lease Agreement, Deed, Financial Responsibility/Ownership Form; Sedimentation Pollution Control Act, Construction Sequence, Silt Fence Detail, Seeding plan, and Facility Maps.)
2. *Capitol Waste Systems, DBA Capitol Waste Transfer, LLC. Permit Revision, July 12, 2006. Doc. ID # RCO247.* Prepared by: Greenworks Associates, LLC, 4872 Auburn Church Road, Garner, NC 27529. 12 July 2006.

- End of Section -

ATTACHMENT 2 Conditions of Permit to Construct and Operate

GENERAL CONDITIONS

1. This permit is for the construction and operation of a transfer facility in accordance with 15A NCAC 13B .0400. A transfer facility is defined by 15A NCAC 13B .0101 (29) as a permanent structure with mechanical equipment used for the collection of waste prior to the transportation of the waste for final disposal. If at any time it is determined that the facility is operating as a non-putrescible treatment and processing facility, as defined by 15A NCAC 13B .0101 (30) with the exception that non-putrescible waste is being processed, the permit may be subject to review and additional requirements could be called for, to include, but not be limited to, providing financial assurance and a revised operations plan.
2. This permit shall be subject to review in accordance with 15A NCAC 13B .0201(e) on or before May 4, 2012. On or before January 4, 2012, the owner shall submit a request for review and shall update pertinent facility plans including the facility operation and waste screening plans.
3. If the performance and compliance history of this facility is determined to have been satisfactory after a review by the Division of Waste Management (Division), and no permit revisions are required, a representative of the Solid Waste Section (Section) shall inspect the facility and issue an approval to continue operation for five (5) additional years under the terms and conditions of this permit. The Section representative shall notify the Permitting Branch Supervisor in writing, either by letter or e-mail, that the conditions have been met. The owner and operator shall be copied on the correspondence. The notification shall suffice as permission to operate as of the date of the notification.
4. This facility is permitted to receive construction and demolition debris generated within Wake County as described in the approved plan. Construction or demolition debris as defined in G.S. 130A-290(a)(4) means solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures, but does not include inert debris, land-clearing debris or yard debris. Other solid wastes such as municipal solid waste, commercial waste, and industrial waste are prohibited. Waste shall be transferred to the following facilities: Red Rock Disposal, Paper Stock, and TT&E. Changes to the service area and/or the disposal facilities shall be approved by the Division. Waste shall be transferred only to facilities that have a valid solid waste permit.
5. The owner or operator of a municipal solid waste management facility shall not knowingly dispose of, or accept for transfer for subsequent disposal, any type or form of municipal solid waste that is generated within the boundaries of a unit of local government that by ordinance:
 - a. Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.

- b. Requires generators or collectors of municipal solid waste to recycle that type or form of municipal solid waste.
6. The facility operator shall have completed an approved operator training course in compliance with G.S. 130A-309.25.
- a. A responsible individual certified in transfer facility operations shall be on-site at all times during all operating hours of the facility while open for public use to ensure compliance with operational requirements.
 - b. All pertinent transfer facility operating personnel shall receive training and supervision necessary to properly operate the landfill units in accordance with G.S. 130A-309.25 and addressed by memorandum dated March 1, 2004.
7. This permit is not transferable.

CONSTRUCTION CONDITIONS

8. This permit is for construction of the transfer facility in accordance with the approved plans, Attachment 1, Document 1 and Document 2. Any revision or modification to these plans shall be submitted to the Section for review and approval prior to installation, construction or implementation of the change.
9. All sedimentation and erosion control activities shall be conducted in accordance with the Sedimentation and Pollution Control Act, 15A NCAC 4, and all applicable permits shall be secured prior to construction.
10. An approval to operate by the Section is required prior to commencement of operations at the referenced facility. The following requirements shall be met prior to issuance of an approval to operate:
- a. A site inspection shall be made by a representative of the Section.
 - b. Construction shall have been in accordance with the approved plan. A certification letter stating that the facility and related infrastructure was constructed in accordance with the approved plan shall be submitted to the Section.
 - c. Three (3) copies of the construction record (as-built) drawings shall be submitted to the Section for filing and records.
 - d. A representative of the Section shall notify the Permitting Branch Supervisor in writing, either by letter or e-mail, that the conditions have been met. The owner and operator shall be copied on the correspondence. The notification shall suffice as permission to operate as of the date of the notification

OPERATIONAL CONDITIONS

11. The transfer facility shall be operated in accordance with the conditions of the permit, the pertinent solid waste management rules, including 15A NCAC 13B Section .0400, and the approved Operations Plan as described in the List of Approved Documents, Attachment 1, Document 1 and 2.
12. This facility shall be operated, and maintained in a manner so as to prevent the creation of a nuisance, potential health hazard, or a potential fire hazard.
13. Any water that comes into contact with waste shall be contained on-site or disposed of in accordance with all pertinent rules and regulations.
14. Effective vector control measures shall be applied as necessary to control flies, rodents, insects, or vermin.
15. Adequate equipment for fire control shall be available and shall be tested as necessary to assure its proper operation in time of emergency. The facility shall meet all applicable NFPA codes.
16. Appropriate measures shall be applied to confine wind blown material on the property.
17. Floor drains, leachate collection devices, sanitary sewer connections or leachate storage tanks for the collection and disposal of wash down water and leachate shall be operational. The tipping floor shall have positive drainage away from the building entrance and toward the sump in the loading pit or a trench drain shall be installed along the entrance to the tipping floor and be connected to the leachate collection system.
18. Waste shall not be stored on the tipping floor or in the central deposit area (CDA) after operating hours. Waste can be stored in transfer trailers (holding area compartments), at the facility with covers in place, after operating hours, but no longer than 48 hours.
19. The tipping floor, CDA, and holding area compartments shall be maintained in a clean, sanitary condition after operating hours in accordance with the approved Operational Plan and shall be cleaned at least daily.
20. Based on the facility operating performance, permit conditions for the facility may be subject to revision.

RECORDKEEPING AND REPORTING REQUIREMENTS

21. A copy of the permit and the approved plans shall be maintained at the facility.
22. Fires and non-conforming waste incidents shall be reported to the Section within 24 hours, and a written notification submitted within 15 days.

23. On or before August 1 (or at an earlier date as requested by the Division) of each year, the owner or operator shall report to the Section, for the previous year beginning July 1 and June 30, the amount by weight of the construction and demolition debris that was received at the facility and disposed of in a landfill, incinerated, or converted to fuel. To the maximum extent practicable, such reports shall indicate, by weight, the county of origin of all solid waste. The owner or operator shall transmit a copy of the report to the county in which the facility is located and to each county in which waste originated.

- End of Section -

Attachment F

Applicant Certification:

Name of facility Capitol Waste Transfer, LLC C&D Waste Transfer Facility

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision and that the information provided in this application is true, accurate, and complete to the best of my knowledge. I agree to submit a complete permit application for a new facility permit within 30 days in accordance with the North Carolina Solid Waste Management Rules and Statutes. Furthermore, I agree to operate this facility in accordance with (1) the solid waste permit (NC Solid Waste Permit No. 92-37T) as issued on May 4, 2007, (2) the approved Operating Plan, and (3) the North Carolina Solid Waste Management Rules and Law until a new permit decision is made by the NCDENR Division of Waste Management. I understand that the Division's permit decision may be to issue or deny the new facility permit application.

I understand that the owner and land owner are jointly and severally liable for improper operations and proper closure of the solid waste management facility. I understand that North Carolina General Statute 130A-22 provides for administrative penalties of up to fifteen thousand dollars (\$15,000.00) per day per each violation of the Solid Waste Management Rules. I further understand that the Solid Waste Management Rules may be revised or amended in the future and that the facility siting and operations of this solid waste management facility will be required to comply with all such revisions or amendments.

[Signature]
Signature
Pres

DAVID W. KING JR
Print Name

11-10-08
Date

Title

CAPITOL WASTE TRANSFER, LLC
Business or organization name

NORTH CAROLINA

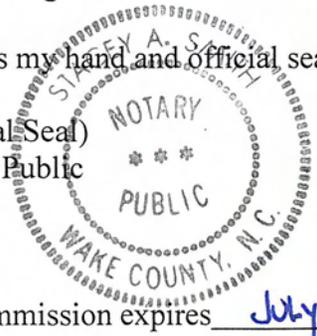
WAKE County

I, STACEY A. SMITH, a Notary Public for said County and State, do

hereby certify that DAVID W. KING, JR personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 10TH day of NOVEMBER, 2008.

(Official Seal)
Notary Public



[Signature]

My commission expires July 11, 2009.

Attachment G



DATE: 14-Nov-08
 BY: SFS

**Financial Assurance
 Capitol Waste Transfer, LLC
 Capitol Waste C&D Transfer Station
 Engineer's Remedial Cost Estimate**

Item No.	Item Description	Unit	Contractor			Comments
			Quantity	Unit Price	Total Price	
Facility Area (Horizontal Plan) ---->		AC	1.5			
1.0	Pre-Remedial Response			Subtotal	\$750.00	
1.1	Coordination, Contracts, and Management	AC	1.5	\$500.00	\$750.00	RSGA Estimate
2.0	Remedial Response Activities				\$50,625.00	
2.1	Surveys and Layout	AC	1.5	\$250.00	\$375.00	RSGA Estimate
2.2	Mobilization, Demobilization, and Project Closeout	AC	1.5	\$500.00	\$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	700	\$30.00	\$21,000.00	Five (5) days of waste as specified by NCDENR. Shotwell C&D Landfill tipping fee.
2.6	Excess Recycling Disposal	CY	300	\$10.00	\$3,000.00	Assume cost of loading and transport.
2.6	Erosion & Sediment Control (grading, silt fence, maintenance, etc.)	AC	1.5	\$500.00	\$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 ---->					\$54,375	
10% Contingency ---->					\$5,438	
Total Estimate ---->					\$59,813 (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.