



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

SOLID WASTE SECTION

March 8, 2012

Mr. Phil Hill  
Boggs Paving, Inc.  
Post Office Box 1609  
Monroe, North Carolina 28111

Subject: Permit Denial  
Boggs Paving Asphalt Shingle Recycling Facility, Town of Matthews  
Mecklenburg County, DIN 16262

Dear Mr. Hill:

On November 22, 2010 the Division of Waste Management (Division) received your application for a new Permit to Operate, entitled;

*Boggs Paving, Inc. Green, Asphalt Shingle Processing Application.* Prepared by Boggs Paving, Inc. November 2010. DIN 12600.

Three (3) letters and an invoice were then issued to Boggs Paving, Inc. by the Division requesting additional information and payment:

1. *Permit to Operate (PTO) – Completeness Determination and Technical Review*, Boggs Paving Asphalt Shingle Recycling Facility, Matthews, Mecklenburg County, DIN 12625. Prepared by Larry Frost. January 2011.
2. *Financial Assurance Cost Estimate – Approval*, Boggs Paving Asphalt Shingle Recycling Facility, Matthews, Mecklenburg County, DIN 12746. Prepared by Larry Frost. January 2011.
3. *Request for Information*, Boggs Paving Asphalt Shingle Recycling Facility, Matthews, Mecklenburg County, DIN 15855. Prepared by Larry Frost. January 2012.
4. Invoice Number SW010-00126 in the amount of \$1,750.00.

The Division has received verbal communication from you regarding the process, no written responses and has not received remittance of the required permitting fee.

Therefore, in accordance with North Carolina General Statute 130A-295.8(e) Boggs Paving, Inc.'s Permit Application dated November 22, 2010 (DIN 12600) has been denied by the North Carolina Department of Natural Resources, Division of Waste Management. The reasons for permit denial are specifically, Boggs Paving Inc.'s failure to act on the requirements of the North Carolina General Statutes 130A and North Carolina Administrative Code 15A for permit application within one (1) year of application, including;

1. Failure to submit the proper documentation required by North Carolina Administrative Code 13B .0301(2) regarding an approval letter from the unit of local government having zoning authority over the area where the facility was to be located;



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2. Failure to submit revised Operational plans for approval for the facility required by North Carolina Administrative Code 15A.0302(1); and
3. Failure to remit the required permit fee for application as prescribed by the North Carolina General Statute 130A-295.8(c) for a new permit application.

Finally, in accordance with North Carolina General Statute 130A-294 (a)(4) Boggs Paving, Inc. must submit a complete application for a New Permit in accordance with North Carolina General Statute 130A and North Carolina Administrative Code 15A NCAC 13B in order for the Division to consider a Solid Waste Permit for this site.

Should you have any questions regarding this matter you may Mr. Larry Frost at (828) 296-4704 or [larry.frost@ncdenr.gov](mailto:larry.frost@ncdenr.gov).

Sincerely,

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

cc: Joe Hack – Mecklenburg County  
Larry Frost – SWS