iCAN
Innovative Construction Waste Solutions

1049 S. Eastern Blvd., Fayetteville, NC 28306
(877) GET iCAN (877) FAX iCAN

February 6, 2013

Edward F. Mussler, III, P.E.
NCDENR
Division of Waste Management
1646 Mail Service Center
Raleigh, NC 27699-1646

RE: Notice of Application for Permit Renewal
Permit No. 2611T-TRANSFER

Dear Mr. Mussler,

This is provided as notice that Cape Fear SiteWorks Inc would like to renew the permit for operation of our construction waste transfer facility at 1049 S. Eastern Blvd; Fayetteville NC. Attached is a 'red-lined' copy of our permit with proposed changes or revisions marked. An outline indicating these changes was submitted to Mr. Michael Scott via email on January 11, 2013.

I respectfully request the department's expeditious review, modifications and approval of the application. I will make myself available to staff to answer any questions or can provide additional documentation or assistance as necessary.

Sincerely,

William M Hester,
President

***Innovative Construction Waste Solutions***
1049 S Eastern Blvd, Fayetteville, NC 28306
www.getican.com
P (910) 486-4226
F (910) 485-7713

January 11, 2013

Mr. Michael Scott,
Solid Waste Chief
NCDENR
Via: (michael.scott@ncdenr.gov)

Re: Outline for Permit Renewal
Permit # 2611-T
Expiration Date Feb 14, 2013

Dear Mr. Scott,

Thanks for taking the time to discuss with me the possible renewal of our construction waste transfer facility permit and the other issues with our operations. As you suggested I have listed below a very brief outline of the possible changes to renewed permit for our facility. Sorry for it's brevity and maybe shortage of detail, but I wanted to get this to you before the end of the week

I. Corrective Clarification Changes
   a. Robeson County can take any county's C&D waste
   b. # 9 Change to read 'mixed' waste may be stored for 24 hours
   c. # 13 Change to facility must only accept 'waste' that originates…
   d. #16 b. Remove 'leak-proof'. No one is using leak proof containers at C&D facilities
   e. #33 Should read 'Fayetteville' Regional Office

II. Operational Changes
   a. Increase tonnage from 100 tons per day to 150-200 tons per day
   b. Change receiving territory to 'all of NC'
   c. Change disposal landfill to 'any permitted to received C&D waste in NC', excluding any that through their permitting or local ordinance would prevent them from receiving our waste.
   d. Change the quarterly reporting requirement to annually like all the other C&D facilities are required to do.
   e. Allow for mechanical sorting, separation, screening as necessary to separate the waste.
   f. All construction or demolition waste acceptable except hazardous, liquids or asbestos.
   g. All source separated materials OK.

III. Site Changes
   a. Ability to increase size of tip pad or add pavement as necessary to keep recyclables cleaner.

b. Ability with simple notice to add improvements to increase recovery efficiency such as installing a permanent sorting station or material screen.
c. Ability to install a 'well' adjacent to the tip pad to lower the waste load-out container/trailer to facilitate a more efficient loading.

This does not specifically address any of the ancillary operations as we discussed but assume they would remain a part of 'recovered materials'? Please look this over quickly and offer any suggestions that you may have for my review.

Sincerely,

William M Hester

NCDENR

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

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

# MUNICIPAL SOLID WASTE FACILITY
# PERMIT NO. 2611-T

**~~River City Recycling~~**
**Cape Fear Site Works ~~and~~** (SEE NOTE #1)
**~~William H. Hester~~**, INC.

are hereby issued a

## Permit to Construct and Operate

A Construction and Demolition Waste Transfer Station

located at 1049 South Eastern Boulevard, Fayetteville, Cumberland 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 facility is located and described by the legal description found in the approved application.

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

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# ATTACHMENT 1

## Part A Permitting History

| Permit Type | Date Issued |
|---|---|
| Permit to Construct and Operate | February 14, 2008 |

## Part B List of Documents for the Approved Facility Plan

1. Application for Permit to Construct and Operations Plan for River City Transfer Station at River City Recycling, submitted by William M. Hester July 6, 2005, revised March 20, 2006 and October 31, 2006, (Doc Id No. 901) including Appendix D Site Plan October 13, 2006.

# ATTACHMENT 2
# CONDITIONS OF PERMIT

**General Conditions**

1. This permit shall expire DRAFT. Pursuant to 15A NCAC 13B .0201(e), no later than DRAFT, the permittee must submit an application for amendment or modification to the permit for review to the North Carolina Department of Environment and Natural Resources (Department), Division of Waste Management (Division), Solid Waste Section (Section). The application must be prepared in accordance with 15A NCAC 13B .0401, as applicable.

2. The person(s) to whom this permit is issued ("permittee") are the owner(s) and operator(s) of the solid waste management facility.

3. This condition is not applicable for this permit.

4. This condition is not applicable for this permit.

5. By receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.

6. Operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of the 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 permit application for the facility including those identified in Attachment 1, "List of Documents for Approved Plan," and 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 and through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules.

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

# ATTACHMENT 3
# PERMIT TO CONSTRUCT

1. This combined permit is for the construction and operation of the River City Transfer Station in accordance with the approved Operation Plan and Drawings as described in Attachment 1.

2. This Permit to Construct shall be in effect for 18 (eighteen) months from the date of issuance.

3. Should the facility not be constructed within the 18- (eighteen-) month timeframe, the permittee must submit a request for reissuance of the Permit to Construct.

***Pre-Operation***

4. Authorization to operate the facility shall not be in effect until the permittee demonstrates to the Section that the facility has been constructed in accordance with the approved documents shown in Attachment 1.

5. In addition to the other conditions contained in this permit and the NC Solid Waste Rules, the following requirements must be met prior to the issuance of a Permit to Operate:

   a. Site preparation must be in accordance with the approved site plan and the conditions specified herein, and construction must be certified to be constructed in accordance with the approved plans.

   b. The permittee must arrange with a representative of the Section for a site inspection with the permittee when facility construction is complete in accordance with this permit. The permittee must demonstrate during the site inspection that the facility was constructed in accordance with this permit and approved documents.

6. This Permit to Operate does not take effect until the conditions of this permit are satisfied and Financial Assurance as required by state rules and statutes is be established with proof submitted to the Division in accordance with NCGS 130A-295.2.(f). The financial assurance must be continuously maintained for the duration of the facility in accordance with the applicable rules and statutes.

   a. The amount of financial assurance required for this facility is ~~$15,000~~ based on the following information:

      ~~i) Maximum amount of material on site at any time: 100 tons.~~

      ii) Estimated third party costs for removal, disposal, closure and post-closure: $150 per ton.

      λ max daily tonnage defined in Attachment 4 #3 of this permit.

7. Prior to operation, the permittee must acquire and maintain all other permits, licenses and authorizations necessary to properly operate the facility. All other permits, licenses and authorizations must be maintained current during the term of this Permit to Operate and subsequent Permits to Operate.

POST OPERATION
8. (SEE NOTE #2)

# ATTACHMENT 4
# PERMIT TO OPERATE

1. The approved Operation Plan for this facility is listed in Attachment 1 "List of Documents for Approved Plan."

2. The facility must function as a transfer station for non-hazardous Construction and Demolition waste as defined in NC GS 130A-290 (a)(4) and consistent with the zoning designation for the property. Other than the ~~manual~~ removal of recoverable materials from the approved waste stream, other uses of the facility including functioning as a Treatment and Processing Facility are not permitted under this permit. (SEE NOTE #3)

3. The facility is approved to accept a maximum of ~~100~~ 200 tons per day of C&D wastes, and to store less than ~~100~~ 200 tons at any given time. (SEE NOTE #4)

4. The Service Area for waste received at the Transfer Station is ~~Cumberland, Harnett, Hoke, Lee, Moore, Robeson and Sampson Counties~~. all of N.C.

5. C&D wastes may only be disposed in a permitted landfill facility in accordance with the approved Service Area for that facility. C&D wastes will be disposed as follows:

   a. Facilities specifically identified for receiving C&D wastes from the transfer station are: Cumberland County Landfill, Robeson County Landfill, and the Waste Industry Sampson County MSW and C&D Landfills.

   b. The permittee must not knowingly dispose or cause the disposal of solid waste materials that are prohibited from disposal by ordinance of a unit of government having jurisdiction over the waste generator. This condition applies to greater than de minimis quantities.

   c. C&D wastes that are mixed with C&D wastes originating from different counties may only be disposed in ~~the permitted Waste Industries Sampson County Landfill~~ facilities, permitted to receive waste from all of NC or those facilities?

   d. Only wastes as approved and originating from Cumberland County will be disposed in the Cumberland County Landfill in accordance with the approved landfill service area.

   e. ~~Only~~ wastes as approved ~~and~~ originating from ~~Robeson will~~ Cumberland can be disposed in the Robeson County Landfill in accordance with the approved landfill service area.

   f. All approved wastes originating from the Service Area are eligible for disposal in the Waste Industries Sampson County Landfill facilities.

   g & h. (see NOTE #5)

6. The storage capacity for the facility is limited to the areas shown in the approved drawings and as described in the approved Operation Plan as listed in Attachment 1.

***Operating Conditions***

7. Operation of the facility must conform to the operating procedures described in the approved plan and in accordance with the conditions contained in this permit.

   a. This facility must be maintained and operated in accordance with the North Carolina Solid Waste Management rules.

   b. Material processing operations shall only occur in compliance with any applicable local ordinance or special use permit.

   c. Amendments or revisions to the Solid Waste Management Rules or violations of standards may necessitate the modification of the construction and operation plans of this facility.

   d. The operating and permit conditions are subject to revision or revocation at any time the operations either threaten or have the potential to threaten to adversely affect the environment or public health and safety.

8. A trained and knowledgeable operator must be on-site during operating hours to assure that operations are in accordance with this permit and the approved Operating Plan.

   a. All operating personnel must receive training and supervision necessary to properly operate the facility including the approved waste screening procedures.

9. The facility must not cause nuisance conditions.

   a. Unless causing a nuisance, mixed waste may be stored on-site for a maximum of 24 hours except that waste may be stored for a maximum of:

      i) 48 hours during a week-end, and

      ii) 72 hours during a holiday.

   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 emanating from materials on the reclamation pad.

      i) Fugitive dust emissions are prohibited.

      ii) Windblown materials must be collected by the end of the day and no windblown material is allowed to leave the facility boundary.

10. Except in circumstances involving the immediate protection of human life, health or the environment, changes in operations or facility construction are not authorized unless submitted in writing to and approved by the Division.

***Waste Acceptance***

11. As listed in the approved Operating Plan, this facility is permitted to receive and process only the following waste types:

    a. Construction and Demolition Debris as defined in NCGS 130A-290, ~~and~~ e. other materials consisting of ~~unpainted and untreated~~ wood, plywood, particle board, hardboard, gypsum board, siding, flooring, shingles, concrete, unpainted brick, ductwork, piping, carpet, shingle and plastic insulation wrapping, cardboard, and other ~~debris originating from a~~ construction ~~or demolition site~~. related materials or components.

    b. Land-clearing debris defined in NCGS 130A-290, ~~as solid waste generated solely from land-clearing activities such as stumps, root balls and trees.~~

    c. Asphalt is defined in accordance with NCGS 130-294(m).

    d. Yard trash as defined in NCGS 130A-290, m~~ay be accepted for processing along with land-clearing debris.~~

12. Waste materials that must not be accepted include municipal solid wastes (MSW) including wastes received from domestic, commercial or institutional sources that does not meet the ~~definition for Construction or Demolition wastes~~ requirements above; hazardous wastes; or liquid wastes.

13. The facility must only accept ~~approved materials~~ waste that originate s from within approved geographic service areas for the receiving disposal facility.

14. The permittee must actively employ a training and screening program at the facility for detecting and preventing unauthorized wastes including asbestos containing material or material suspected to contain asbestos 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 any 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, MSW, or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of those wastes.

15. For the processing of Demolition Wastes, an asbestos screening plan must be submitted to the Division of Epidemiology of the Department of Health and Human Services for approval and the approved plan forwarded to the Section for inclusion in the operations plan for the facility. Otherwise, asbestos containing material or material suspected to contain asbestos must not be accepted.

16. Except for wood, concrete and aggregate, recyclable materials must be placed in containers by the end of the working day.

    a. Recyclable materials placed in containers must be removed from the site once the container is full.

    b. Non-recyclable materials must be securely placed in ~~leak proof~~ Rolloff containers, open top trailers or trucks by the end of the operating day and removed from the site once the container is full.

17. Adequate on-site storage capacity including appropriately sized containers must be on-site when waste is accepted.

18. Barrels and drums must not be accepted unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein.

***Access and Safety***

19. The facility must be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the Solid Waste Section to prevent unauthorized entry.

20. An attendant must be on duty at the facility at all times while it is open for public use to ensure compliance with operational requirements.

21. Interior roadways must be of all-weather construction and maintained in good condition.

22. Signs must be posted at the facility that provide the following information:

    a. No MSW, hazardous waste or liquid waste can be received at the facility;

    b. Information on dumping procedures, the hours of operation, the permit number, and other pertinent information must be posted at the entrance to the facility; and

    c. 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.

23. Open burning of solid waste is prohibited.

24. Fires and other incidents that do not conform with the normal operating conditions authorized by this permit must be reported to the Regional Waste Management Specialist

within 24 (twenty-four) hours of the occurrence with a written notification to be submitted within 15 (fifteen) calendar days of the occurrence.

25. The permittee is not required to report minor and isolated incidents that do not cause nuisance nor threaten human health, safety or the environment. However, should an incident be questionable, the permittee must contact the Regional Waste Management Specialist for concurrence or guidance.

26. 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.

27. This facility is not permitted to accept asbestos waste. However, in the event that asbestos waste is discovered, the waste must be managed in accordance with 40 CFR 61.

***Erosion and Sedimentation Control***

28. The permittee is responsible for maintaining the site in compliance with all state and federal erosion control and sedimentation rules. The permittee must provide adequate sedimentation and erosion control measures to prevent silt from leaving the site of the C&D unit.

***Drainage Control and Water Protection Requirements***

29. Surface water must be diverted away from the operational area.

30. Run-on and run-off control measures must be installed and, if necessary, storm water permits must be acquired and maintained current. Run-off from the facility must be collected and properly disposed.

***Reporting Requirements***

31. The permittee must maintain a record of the amount of solid waste received at the facility as well as the disposition and delivery of all recovered material to end-users, processors, or recyclers must be compiled on a monthly basis.

32. Scales must be used to weigh the amount of materials received, recovered and disposed.

33. Tabulated monthly summary tonnages of waste received; material recycled, recovered or reclaimed; material stockpiled; and waste disposed, including the disposal facility, must be submitted to the Regional Waste Management Specialist in the ~~Winston-Salem~~ Fayetteville Regional Office for review on a ~~quarterly~~ Annual (SEE NOTE #6) basis at the following address:

Solid Waste Section
Fayetteville Regional Office
225 Green Street, Suite 714

Fayetteville, NC 28301
Main (910) 433-3349
Fax (910) 433-1791
Attn: Drew Hammonds, DWM

34. On or before 01 August of each year, the permittee must submit a report to the Solid Waste Section and to all counties from which waste was accepted and in which waste was disposed on forms prescribed by the Section. The report must include the following information:

    a. The reporting period shall be for the previous year beginning 01 July and ending on 30 June;

    b. The tonnages of waste received; material recycled, recovered or reclaimed; material stockpiled; and waste disposed, including the disposal facility, compiled on a monthly basis; and

    c. Documentation that a copy of the report has been forwarded to all counties from which waste was accepted and in which waste was disposed.

35. The facility operating record must be maintained on-site unless otherwise approved in writing by the Section. The operating record must be made available upon request by representatives of the Section during facility operating hours.

*- End of Permit Conditions -*

## *Notes:*

### *#1 (Title Page – Ownership)*

Cape Fear SiteWorks Inc. is a NC Corporation founded in Dec 2002 and to be properly named should be titled as such. River City Recycling is a trading as name for Cape Fear SiteWorks Inc that has been officially discontinued in use. William M Hester in this amendment is relinquishing any of his individual ownership to Cape Fear SiteWorks Inc. of which he is a shareholder.

*[The purpose of this change is to eliminate non-valid names from the title page]*

### *#2 (Attachment 3 Permit to Construct)*

Post Operation [New section entry]

8. Facility with written notice to the division may construct minor changes to the facility including but not limited to increasing the working size of the concrete pad, traffic patterns, installation of bollards or other directional devices, truck pits or equipment pads, sidewalks, platforms or other minor physical improvements.

   *[The purpose of this change is to allow incidental changes to the working area of the facility; however no changes to the facility boundary or substantive changes are included]*

### *#3 (Attachment 4 Permit to Operate .2)*

With written notice to the division with a description of the equipment and use, certain equipment specific to the separation of recyclable materials from the waste flow may be used to segregate or separate materials. This does not include grinding, crushing or pulverizing type of equipment.

*[This change will allow the periodic use of screening or other equipment that can assist in the separation of the waste components. Physical changes will not occur to the materials, simply separation.]*

### *#4 (Attachment 4 Permit to Operate .3)*

The facility shall provide to the State financial assurance for the daily tonnage to be received. The current financial assurance provided is for a daily tonnage of 100 tons. The facility shall provide written notice to the division of the intent to increase the daily

tonnage amount (not to exceed the 200 ton maximum) along with the required additional financial assurance. Additional tonnage above that previously approved shall not be received until the division acknowledges receipt of the additional financial assurance.

*[The purpose of this change is to 'pre-approve' the facility for the possible acceptance of additional waste material if volumes increase. This is not anticipated to be a floating value going up or down but an incremental higher value based on actual need.]*

***#5 (Attachment 4 Permit to Operate .5)***

g. With written notice to the division listing the specific location and permit number of the disposal facility, waste may be disposed at any other facility not specifically stated herein and located in NC that is permitted to receive C&D waste from any generation source in NC or another facility not specifically listed above that is permitted to receive waste generated in Cumberland County except as noted in 5.b. above.

h. With written notice to the division listing the specific location and permit number of the disposal facility, waste may be disposed at any facility in South Carolina that is permitted to receive C&D.

*[The purpose of this change is to allow the disposal of C&D waste from the facility and any other facility in NC and SC that is permitted to receive C&D waste and is not specifically restricted by permit or local ordinance from receiving waste from Cumberland County.]*