



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Pat McCrory

Dexter R. Matthews

John E. Skvarla, III

Governor

Director

Secretary

March 14, 2014

Mr. Vance Moore
Garrett & Moore
1100 Crescent Green Drive
Suite 208
Cary, NC 27518

RE: March 7, 2014 Letter regarding Application for Ten-Year Permit to Operate, Scrap Tire Disposal Monofill Facility, Permit NO.4304-TireLF-1992, Phase III Cell 3A and 3B. DWM Document Number 20719. This Reply Document Number 20720.

Dear Mr. Moore,

The Solid Waste Section (Section) of the Division of Waste Management is in receipt of the above referenced document. On behalf of your client, Central Carolina Holdings LLC, you have requested a 10-year permit and referenced documents included in the current permit.

A 10-year permit to construct and operate is covered by rule 15A NCAC 13B .0206 (a), which reads “(a) An applicant for a sanitary landfill or transfer station permit subject to Section .0400, .0500 or .1600 of these Rules may apply for a permit for a design, construction and operation phase of five years or a design, construction and operation phase of ten years. A permit for a ten-year phase of construction and operation of a sanitary landfill shall meet the five-year phase requirements contained in Section .0500 and .1600, applied in two five-year increments. “

In an effort to assist you and your client, the Section has reviewed the documents referenced in the request for the 10-year permit to operate. This was done as a result of the recent permit modification of the permit, specifically the documentation of completion of Cell 3B and its subsequent permission to be used. The permit request has been determined to be incomplete in general accordance with NCGS 130A-295.8(e). This letter also serves as a technical review of the submittal. Addressing the following will allow timely processing of the request.

1646 Mail Service Center, Raleigh, North Carolina 27699-1646

Phone: 919-707-8200 Internet: <http://portal.ncdenr.org/web/wm/sw>

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The application referenced is a 2011 document. With the exceptions that are addressed herein, it is adequate for continued use. It is in your client's best interest, as well as the section's, that we work with a currently dated set of submittals. This avoids confusion and misunderstanding in the event there have been subtle changes in the ensuing years. Please address the following:

1. Please submit with a new title page, including current date and 10-year phase request.
2. Section 1.- edit to reference a 10-year permit.
3. Section 1.- last bullet, change review date and add the action of PTO for Cell 3B, part 2.
4. Section 1.4- address change in anticipated lifetime.
5. Section 1.10.3 states that as part of the landfill construction 1.96 acres of Section 404 wetlands will be filled in accordance with the approved wetland permit. For our records, please submit the 404 application and 404 permit.
6. Section 1.10.4.1 References a Table 1-2. The section is unable to locate this table in the report. Please provide a copy.
7. Section 1.10.5 Please adjust to indicate that the Section should be notified of any proposed burning and all local and state burn permits must also be obtained.
8. 1.11.1- Paragraph 2, Please remove this reference. Courts have ruled that this is not enforceable.
9. Table 1-1 please review and make any adjustments that may be needed. Specifically what is the Gross capacity, constructed capacity and remaining capacity of the requested action , Phase 3A and 3 B. Gross capacity is the volume from the top of subgrade through the top of final cover.
10. Drawing Number 4 of the record documents. Update this document as to date, request of action, approximate current and proposed final contours. In addition, either remove the subgrade of the next cell or indicate that it is not approved for construction and will be subject to a permit amendment or major modification.

The submittal of the above should constitute a complete application and will be processed in a timely manner. Under separate cover will be an invoice for the 10-year permit amendment fee. If you have any questions please contact me at 919-707-8281, or via email at ed.mussler@ncdenr.gov.

Sincerely,

Edward Mussler
Permitting Branch Supervisor
Solid Waste Section

Cc: Thomas Womble
Geof Little DWM
Elizabeth Werner DWM