



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

July 17, 2014

Mr. Brad Chappell, Plant Manager
Curtis Bay Energy
3200 Hawkins Point Road
Baltimore, Maryland 21226

Subject: Transport of APHIS Regulated Waste – Acknowledgement
Curtis Bay Energy, DIN 21419

Dear Mr. Chappell,

On July 6, 2014 the North Carolina Division of Management, Solid Waste Section (Section) received your letter entitled;

Notification of Hauling Regulated Garbage Interstate. Prepared by Curtis Bay Energy (CBE). July 2014. DIN 21418.

And email, with follow up information, entitled;

Notification of APHIS Regulated Garbage Interstate Hauling. Prepared for CBE. Prepared by Earth Environmental Solutions. July 2014. DIN 21418.

CBE has requested a written response to the notification with regards to seeking approval to transport APHIS waste through the State of North Carolina (State) per the instructions codified at Title 7 CFR 330.401(e) and Title 9 Code CFR Part 94.5 (c)(4)(iv). CBE is assumed to be a cartage firm approved to transport regulated "APHIS" in approved areas as specified by a Compliance Agreement with Customs Border Protection (CBP) and USDA.

APHIS waste does meet the State's definition of solid waste however the activity as described does not constitute an activity requiring a permit, the State does not regulate the transportation of solid waste. The Section has determined that no State solid waste permits are currently required. Furthermore the Section acknowledges notification per the Federal requirements.

The documents related to this letter may be found on the Section's website at <http://portal.ncdenr.org/web/wm/sw>, see the link labeled Documents (Tracker). Should you have any questions regarding this matter contact me at (828) 296-4704 or larry.frost@ncdenr.gov.

Sincerely,

Larry Frost, Environmental Engineer
Permitting Branch, Solid Waste Section
Division of Waste Management, NCDENR

ec: Ed Mussler – SWS/RCO
Ellen Lorscheider – SWS/RCO