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Division	Waste Management
Section	Superfund
Program	IHS (IHS)
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NCDENR
North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

March 9, 2010

Mr. Charles Abernathy
McDowell County Manager
60 E. Court St
Marion, NC 28752

Subject: Pre-Regulatory Landfill Sites in McDowell County

Dear Mr. Abernathy:

The General Assembly of North Carolina enacted Senate Bill 1492 which created a program to assess the public health and environmental hazards at landfill and dump sites that operated prior to 1983 and to develop and implement remedial action plans at sites requiring remediation. The Pre-Regulatory Landfill Unit (Unit) was created in the Inactive Hazardous Sites Branch (IHSB) to oversee these activities. The purpose of this letter is to make you aware of the sites identified in your county and to provide general guidance of relevant state statutes.

Based on the information obtained by the Unit, the sites listed below tentatively qualify under Senate Bill 1492. The approximate locations are shown in attached map.

ID Number	Site Name
NONCD0000422	Little Switzerland Landfill
NONCD0000423	Linville Falls Refuse Disposal
NONCD0000424	Old Fort Refuse Disposal
NONCD0000425	Marion Refuse Disposal
NONCD0000795	Greenlee Potholes

Work at these sites may be performed using the Unit's resources or through local government actions. The Unit has prioritized the sites statewide based on their threat to public health and the environment and will perform assessments and implement remedial actions based on this priority. Local governments may opt to perform the work at any time under the guidance of the Unit. Reimbursement of local government costs may be available for assessments and remedial actions to abate an imminent hazard as funds are available. The conditions for reimbursement include approval of the assessment and remediation plan by the Unit and certified accounting of costs. A document, IHSB *Guidelines for Addressing Old Landfills & Dumps*, was developed to assist local governments and the Unit in this work. It is available on our web site, http://portal.ncdenr.org/web/wm/sf/ihs/ihsguide .

An additional purpose in notifying you of these sites is to provide information to assist in your responsibilities in the permitting of private drinking water wells. The General Assembly enacted

legislation which required local health departments to implement programs for the permitting, inspecting, and testing of private drinking water wells by July 1, 2008. State well construction standards in 15A NCAC 2C require a minimum horizontal separation of 500 feet between a water supply well and a landfill or disposal site. More precise location information for the sites in your county may be requested from the Unit.

If you are aware of additional sites, have additional information on the identified sites, or need further information, please contact me at (919) 508-8473.

Sincerely,

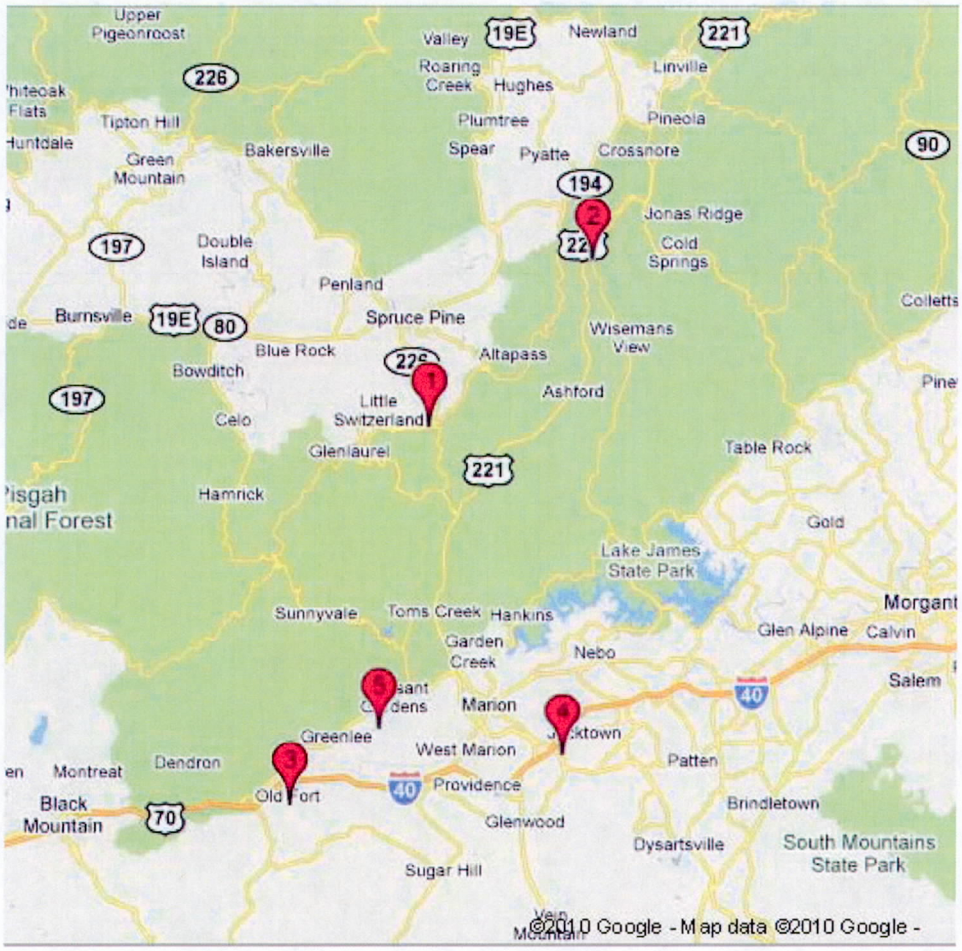
Pat Backus

Patricia M. Backus, P.E.
Pre-Regulatory Landfill Unit
Inactive Hazardous Sites Branch
Superfund Section

cc: Mr. Kevin Rogers
Environmental Health Program Coordinator
Rutherford Polk McDowell District Health Department

McDowell County

Pre-Regulatory Landfill Sites



	Site ID	Site Name	State Plane (NAD 83)		Decimal Coordinates	
			X	Y	Latitude	Longitude
1	NONCD0000422	Little Switzerland Landfill	333618	237293	35.85078	-82.055873
2	NONCD0000423	Linville Falls Refuse Disposal	344766	248001	35.95028	-81.936014
3	NONCD0000424	Old Fort Refuse Disposal	323730	212585	35.6254	-82.156591
4	NONCD0000425	Marion Refuse Disposal	341878	215155	35.65359	-81.957168
5	NONCD0000795	Greenlee Potholes	329789	217248	34.66913	-82.091334

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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

February 26, 2007

<SAL> <FIRST> <LAST>, County Manager
County of <MUNICIPALITY>
<ADDRESS>
<TOWN>, North Carolina <ZIP>

Subject: Assessment, Cleanup, and Redevelopment of Old Landfill Sites Within Your Jurisdiction

Dear <SAL> <LAST>:

Governor Easley released his proposed budget February 22, 2007. Included in the budget is a specific item I believe should be of interest to you from a fiscal, environmental and public health protection perspective.

There are approximately 700 old landfills statewide and <LANDFILL#> old landfills in your local area that closed before the State permitting system became effective. These landfills are listed on the Old Landfill Sites portion of the Inactive Hazardous Sites Inventory maintained by the Superfund Section, Division of Waste Management. Any person, including local governments, that arranged for disposal or disposed of waste in the landfills may be held liable for the cleanup of the site. I have attached a report that identifies the location of known old landfill sites in <COUNTY NAME> County that may have closed prior to 1983 and thus qualify for the program described in this letter.

The Division has surveyed old landfills in 47 counties. The results of the survey indicate reason for concern about potential public health and safety impacts of these sites if they are not addressed. Seventy percent of the sites surveyed had a school, church, residence, day care or drinking water source within 1000 feet. The Division has found 102 old landfills that have a drinking water well within 500 feet. Thirteen of the landfills surveyed have residences built over the old landfill. The cost of assessment and cleanup of these old landfill sites can be as high as several million dollars.

Governor Easley's budget establishes a partnership between the State and local governments to both clean up the old landfill sites and provide funding for redevelopment of the sites. Many are in prime locations for redevelopment opportunities. The Governor's budget proposes to pay for cleanup and redevelopment of these sites through a surcharge on disposal of solid waste. The funding mechanism is a fair one. It is based on the idea that those who use solid waste disposal facilities should share responsibility for cleanup of sites used for solid waste disposal in the past that may have been lawful at the time, but did not meet standards that we now know are necessary to protect public health and safety.

The proposed $2.00 per ton disposal surcharge would apply to residential, commercial, industrial, and construction and demolition debris type waste that is either disposed at a landfill or passes through a transfer station for disposal out-of-state. The State would use revenue from the surcharge to contract for cleanup of the old landfill sites and to provide grants to local government for redevelopment. The funds could also be used across the state to clean up other hazardous substance disposal sites that have no viable responsible party.

The only tool currently available to the State to ensure cleanup when it is needed is an enforcement action against those who owned, operated, or contributed to old landfills. The Governor's proposal would avoid placing an unreasonable

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burden on any one local government and allow us to use our resources for actual cleanup rather than legal action. When old landfill sites were in use, North Carolina citizens, businesses, and industries benefited from their existence as a place to dispose of waste. The surcharge on waste disposal is a way for citizens, businesses, and industries to form a partnership for cleanup and redevelopment of these old landfill sites.

There is great interest this session of the General Assembly in strengthening requirements for landfills permitted in North Carolina. I encourage you to take a close look at legislation that will be introduced, specifically this initiative and what it can bring to your jurisdiction.

If you have questions regarding the program for clean-up of old landfills, please contact Jack Butler, Chief of the Superfund Section, at jack.butler@ncmail.net or call (919)508-8450.

Sincerely,

Dexter R. Matthews, Director

cc: David Thompson, NCACC
Jack Butler, Chief – Superfund Section

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

February 27, 2007

<SAL> <FIRST> <LAST>
<TITLE>, <MUNICIPALITY>
<ADDRESS>
<TOWN>, North Carolina <ZIP>

Subject: Assessment, Cleanup, and Redevelopment of Old Landfill Sites Within Your Jurisdiction

Dear <SAL> <LAST>:

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If you have questions regarding the program for clean-up of old landfills, please contact Jack Butler, Chief of the Superfund Section at jack.butler@ncmail.net or (919) 508-8450.

Sincerely,

Dexter R. Matthews, Director

cc: Ellis Hankins, NCLM
Jack Butler, Chief – Superfund Section

The mailing list for these letters is filed in a folder in the first file cabinet drawer for the old landfill sites.

A statewide Old Landfill Inventory report is filed in a folder in the first file cabinet drawer for the old landfill sites.

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

February 1, 2005

Mr. Charles Abernathy
County Manager
60 East Court Street
Marion, North Carolina 28752

Re: Request for Information on old unlined landfills, McDowell County.

Dear Mr. Abernathy,

The Division of Waste Management, Superfund Section, Inactive Hazardous Sites Branch (Branch) is in the process of cataloging old landfills in the state. This letter is being sent to you to solicit your cooperation in providing information on old unlined landfills that are not subject to Division of Waste Management, Solid Waste Section post-closure regulations in your county. This process is a part of a statewide effort to accurately inventory old dumpsites to aid in safe reuse and to protect public health and the environment.

Once an old landfill site has been identified, the site location, site usage, and vicinity usage is researched. Potential hazards to the public and the environment are then evaluated by risk assessment. Sites then are reviewed based on risk and/or by safe redevelopment requests.

The Branch then works with owners and responsible parties on final solutions for containment of the waste and to ensure safe reuse of the old landfill sites. Safe reuse might involve engineering controls to prevent exposure to wastes, if necessary, and restrictive covenants limiting the property to certain uses and setting conditions for construction or other soil disturbing activities. Annual reporting that restrictive covenants remain in place will be a duty of the current owner.

Known old landfills/dump sites are maintained in a database. Attached is a listing of known sites located in your county. Available information that may include location and years of operation information for each site is also listed. Please review the list and verify or provide information that will more accurately characterize the site(s). If you have knowledge of sites not included on the list, please add the additional sites along with location information, directions, years of operation, and any additional notable information.

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Please return the list and any additional information within 90 days to:

Cheryl Marks
Inactive Hazardous Sites Branch
Superfund Section
NC Division of Waste Management
401 Oberlin Road - Suite 150
Raleigh, NC 27605-1350

Or you may email me with your response at Cheryl.Marks@ncmail.net or call with any questions concerning this request at (919) 733-2801, extension 283. Thank you for your cooperation.

Sincerely,

Cheryl Marks

Cheryl Marks, Hydrogeologist
Inactive Hazardous Site Branch
NC Superfund Section

Old Landfill Inventory - Location Information

Latitude/Longitude and other data in this report is highly subject to inaccuracies. State Plane coordinates replace latitude/longitude entries as data is collected. These coordinates may also be subject to error.

COUNTY: MCDOWELL

Site Name:	COLLINS & AIKMAN LF	In IHS Inventory?	No
ID Number:	NONCD0000426	Other Agency Lead	
Site Address:	SR 1235/ SR 1240	NFA or NFA-Restricted Use?	No
City:	OLD FORT	Unable to Locate	○
State Plane X:		Latitude:	35.628
State Plane Y:		Longitude:	-82.1445

Directions: SR 1235/ SR 1240 OFF I-40 NEAR TOWN

LDFL Size (Acres):	86	Present Within 1000 ft of Ldfl			
Property Size (Acres):		Church	No	Residence On Ldfl?	No
Date Open:		School	No	Potable Well Within 500 ft?	No
Date Closed:	1984	Day Care	No	Adjoins Perennial SW?	No
		Residential	No		

Notes: PERMIT # 56-02. CONFLICTING INFO ON CLOSURE DATES (MCELVEEN LIST INDICATES STILL OPERATING AS OF 6/92, BUT DOVER LIST INDICATED CLOSED IN 1984).

(End Site Record)

Site Name:	LINVILLE FALLS REFUSE DISPOSAL	**In IHS Inventory?**	No
ID Number:	NONCD0000423	**Other Agency Lead**	
Site Address:	SR 105	**NFA or NFA-Restricted Use?**	No
City:	LINVILLE FALLS	**Unable to Locate**	○
State Plane X:		**Latitude:**	35.9421
State Plane Y:		**Longitude:**	-81.9363

Directions: SR 105, 1 MI E OF POST OFFICE

LDFL Size (Acres):	1	**Present Within 1000 ft of Ldfl**			
Property Size (Acres):	1	**Church**	No	**Residence On Ldfl?**	No
Date Open:	1963	**School**	No	**Potable Well Within 500 ft?**	No
Date Closed:	1974	**Day Care**	No	**Adjoins Perennial SW?**	No
		Residential	No		

Notes:

(End Site Record)

Site Name:	LITTLE SWITZERLAND LANDFILL	In IHS Inventory?	No
ID Number:	NONCD0000422	Other Agency Lead	
Site Address:		NFA or NFA-Restricted Use?	No
City:	LITTLE SWITZERLA	Unable to Locate	○

State Plane X:		Latitude:	35.833
State Plane Y:		Longitude:	-82.0972

Directions: OFF HWY 226 A, 1 MI E

LDFL Size (Acres):	1	Present Within 1000 ft of Ldfl			
Property Size (Acres):	1	Church	No	Residence On Ldfl?	No
Date Open:	1965	School	No	Potable Well Within 500 ft?	No
Date Closed:	1974	Day Care	No	Adjoins Perennial SW?	No
		Residential	No		

Notes:

(End Site Record)

Site Name:	MARION REFUSE DISPOSAL	**In IHS Inventory?**	No
ID Number:	NONCD0000425	**Other Agency Lead**	
Site Address:	HWY 226	**NFA or NFA-Restricted Use?**	No
City:	MARION	**Unable to Locate**	○
State Plane X:		**Latitude:**	35.6496
State Plane Y:		**Longitude:**	-81.9485

Directions: HWY 226, 4 MI E

LDFL Size (Acres):	8	**Present Within 1000 ft of Ldfl**			
Property Size (Acres):	10	**Church**	No	**Residence On Ldfl?**	No
Date Open:	1954	**School**	No	**Potable Well Within 500 ft?**	No
Date Closed:		**Day Care**	No	**Adjoins Perennial SW?**	No
		Residential	No		

Notes:

(End Site Record)

Site Name:	OLD FORT REFUSE DISPOSAL	In IHS Inventory?	No
ID Number:	NONCD0000424	Other Agency Lead	
Site Address:	SR 1126	NFA or NFA-Restricted Use?	No
City:	OLD FORT	Unable to Locate	○
State Plane X:		Latitude:	35.5947
State Plane Y:		Longitude:	-82.1431

Directions: SR 1126, 3 MI E

LDFL Size (Acres):	2	Present Within 1000 ft of Ldfl			
Property Size (Acres):	5	Church	No	Residence On Ldfl?	No
Date Open:		School	No	Potable Well Within 500 ft?	No
Date Closed:	1972	Day Care	No	Adjoins Perennial SW?	No
		Residential	No		

Notes:

(End Site Record)

Number of Sites: 5

(End County Record)