604PRLFSF551

DocumentID	PRLF071
SITENAME	PENDER
DocumentType	Correspondence (C)
RptSegment	1
DocDate	4/5/2010
DocRcvd	4/5/2010
Box	SF551
AccessLevel	Public
Division	Waste Management
Section	Superfund
Program	IHS (IHS)
DocCat	Facility

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

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

April 5, 2010

Mr. Rick Benton
Pender County Manager
PO Box 5
Burgaw, NC 28425-0005

Subject: Pre-Regulatory Landfill Sites in Pender County

Dear Ms. Benton:

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 the attached map.

ID Number	Site Name	Site Address
NONCD0000489	Atkinson Dump	Slocum Trail (SR 1100)
NONCD0000490	Burgaw Dump	Piney Woods Rd. (SR 1216)
NONCD0000491	Kirkland's Dump	Perkins Rd.

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,

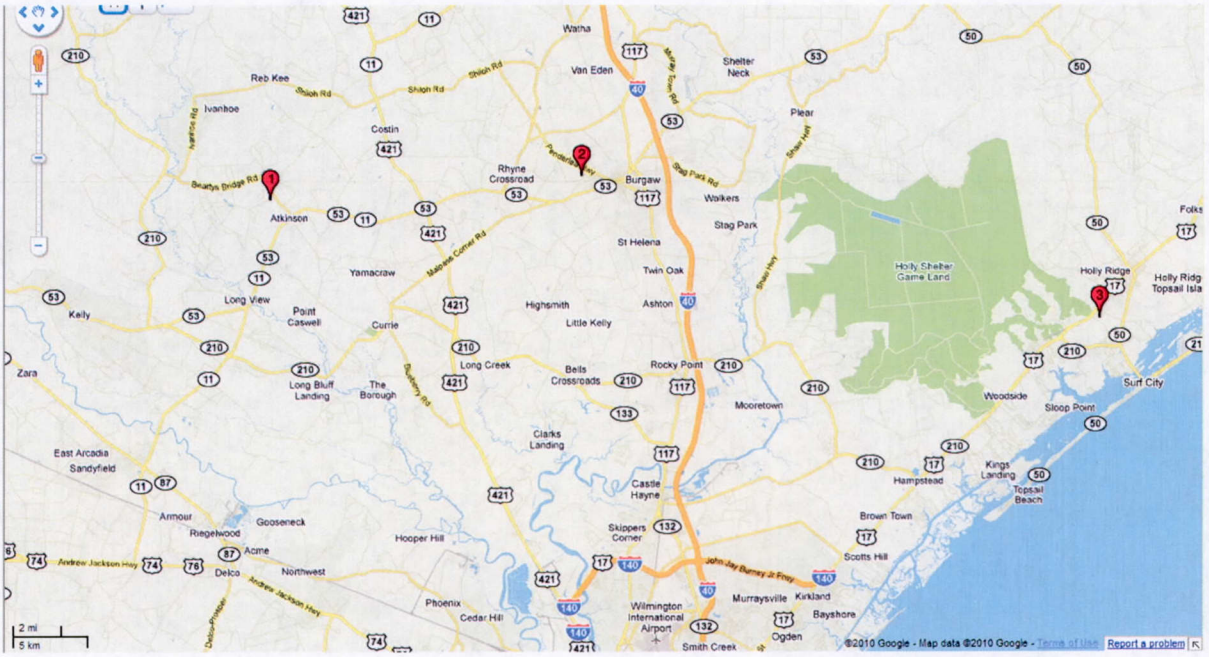
Pat Backus

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

cc: Ms Melissa Teachey
Environmental Health Supervisor
Pender County County

Pender County

Pre-Regulatory Landfill Sites



	Site ID	Site Name	State Plane (NAD 83)		Decimal Coordinates	
			X	Y	Latitude	Longitude
1	NONCD0000489	Atkinson Dump	684285	87880	34.53944	-78.186372
2	NONCD0000490	Burgaw Dump	705197	89727	34.55432	-77.958354
3	NONCD0000491	Kirkland's Dump	740099	80485	34.46711	-77.579535

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 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

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone 919-508-8400 \ FAX 919-715-3605 \ Internet http://wastenotnc.org
An Equal Opportunity / Affirmative Action Employer – Printed on Dual Purpose Recycled Paper

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>:

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's 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 your area 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 statewide 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

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone 919-508-8400 \ FAX 919-715-3605 \ Internet http://wastenotnc.org
An Equal Opportunity / Affirmative Action Employer – Printed on Dual Purpose Recycled Paper

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 (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.