



Waste Management  
ENVIRONMENTAL QUALITY

PAT MCCRORY  
*Governor*

DONALD R. VAN DER VAART  
*Secretary*

MICHAEL SCOTT  
*Acting Director*

April 11, 2016

Harold Anders & Joe Bracken  
219 Old CCC Camp Road  
Balsam Grove, NC 28708

Re: Request for Property Access  
937 Poplar Lane, Pisgah Forest, Transylvania County  
Davidson River Dump, ID # NONCD0000591

Dear Sirs:

The North Carolina General Assembly created a program to assess and remedy public health and environmental hazards posed by old landfills and dumps that existed before there were regulations preventing hazardous materials dumping. The Pre-Regulatory Landfill Unit in the Inactive Hazardous Sites Branch oversees this program. This letter is to make you aware of this program and to request your cooperation in relation to the State conducting sampling and mitigation of environmental contamination on your property.

Prior to the passage of this law that created the program, owners and operators of the landfill property and other responsible parties were obligated to fund any required assessment and cleanup work to address the public health and environmental hazards posed by these sites. Under the authorizing legislation, as long as owners fully cooperate with the State in its performance of this work and monies are available, the owner will not have to conduct the work at their expense. A state-wide disposal tax is used to pay for these expenses.

Cooperation with contaminant assessment and implementation of control and mitigation measures include, but is not limited to, granting access to the site, allowing installation of groundwater monitoring wells and landfill gas probes, allowing installation and maintenance of improvements to the landfill cap, allowing installation of security measures, agreeing to record and implement land-use restrictions, and providing access to any records regarding the landfill. If a property owner or responsible party fails to fully cooperate with the assessment of the site and implementation of control and mitigation measures, the State may seek cost recovery for any costs incurred to address the site.

During the assessment phase sampling and investigation is conducted to understand the nature and extent of the contamination and what cleanup work is needed to protect human health and/or the environment. I would like to arrange a meeting with you to provide general information about what to expect during the assessment phase, answer any questions you may have and to develop a schedule with you to access your property.

**Please sign the enclosed permission form and return it within 7 days to:**

Thomas Slusser  
Pre-Regulatory Landfill Unit  
DWM - Superfund Section  
1646 Mail Service Center  
Raleigh, NC 27699-1646

A pre-addressed and stamped envelope is enclosed for your convenience.

Please call me at (919) 707-8331 or email me at [thomas.slusser@ncdenr.gov](mailto:thomas.slusser@ncdenr.gov) with any questions you have regarding this request. If you can only call after hours, you can leave a message with your phone number and a time you can be reached. Your cooperation will be very much appreciated.

Best regards,

A handwritten signature in cursive script that reads "Thomas Slusser". The signature is written in dark ink and is positioned below the text "Best regards,".

Thomas Slusser, L.G.  
Pre-Regulatory Landfill Unit  
Division of Waste Management

Enclosure



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Davidson River Dump  
ID# NONCD0000591

Harold Anders and Joe Bracken  
937 Poplar Lane  
Pisgah Forest, Transylvania County

I/We own the above referenced property.

I/We hereby grant permission to the State and the State's representatives access to my/our property to conduct an environmental investigation to determine what public health and environmental hazards, if any, may exist and conduct cleanup actions of an imminent hazard resulting from past operations of a landfill that ceased operation prior to January 1, 1983

Signed \_\_\_\_\_

\_\_\_\_\_  
Name (Print)

Date \_\_\_\_\_

Return to: Thomas Slusser  
Pre-Regulatory Landfill Unit  
DWM - Superfund Section  
1646 Mail Service Center  
Raleigh, NC 27699-1646



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April 11, 2016

Harold Anders & Joe Bracken  
219 Old CCC Camp Road  
Balsam Grove, NC 28708

Re: Request for Property Access for Remedial Activities  
*937 Poplar Lane*  
*Davidson River Dump*  
*Pisgah Forest, Transylvania County, NC*  
*ID# NONCD0000591*

Dear *Sirs*:

Thank you for your cooperation in allowing the Pre-Regulatory Landfill Unit, Inactive Hazardous Sites Branch access to your property to perform assessment activities on the Davidson River Dump. Assessment activities have been completed and the next phase of work that is needed is remedial activities to protect human health and the environment. This letter is being sent to you to solicit your cooperation and permission to access your property to perform cleanup work.

As a qualified pre-1983 landfill, this site is eligible for risk based remedial activities, the State will conduct cleanup work to address public health and environmental hazards posed at this site. As long as monies are available and the owner fully cooperates with the State in its performance of this work, the owner will not have to conduct this work at their expense. These remedial activities may include, but are not limited installation of monitoring points, allowing installation and improvements to the landfill cap, security measures, agreeing to record, implement land-use restrictions and granting permission to access the site.

Please sign the enclosed permission form and return it by April 30, 2016:

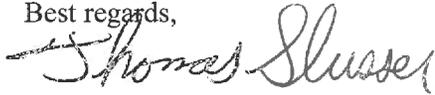
Thomas Slusser  
Pre-Regulatory Landfill Unit  
DWM –Superfund Section  
1646 Mail Service Center  
Raleigh, NC 27699-1646

A pre-addressed and stamped envelope is enclosed for your convenience.

If you would like, I can meet with you or have a conference call to provide general information about the conceptual remedial action plan, associated land use restrictions, and notice of an inactive hazardous substance or waste disposal site. I will also work with you to develop a schedule with you to access your property and what to expect during the remedial activities phase.

You may call me at (919) 707-8331 or email me at [thomas.slusser@ncdenr.gov](mailto:thomas.slusser@ncdenr.gov) with any questions regarding this request. If I am not in, you may leave a message anytime with your phone number and a time you can be reached. Your cooperation will be very much appreciated.

Best regards,

A handwritten signature in black ink that reads "Thomas Slusser". The signature is written in a cursive style with a prominent initial "T".

Thomas Slusser, L.G.  
Pre-Regulatory Landfill Unit  
Division of Waste Management

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Davidson River Dump  
ID# NONCD0000591

Harold Anders & Joe Bracken  
937 Poplar Lane  
Pisgah Forest, Transylvania County

I/We own the above referenced property.

I/We hereby grant permission to the State and the State's representatives access to my/our property to conduct remedial activities to protect public health and the environment from hazards that resulted from past operations of a landfill that ceased operation prior to January 1, 1983. I/We agree to concurrently record a Plat Notice and a Declaration of Perpetual Land Use Restrictions.

Signed \_\_\_\_\_

\_\_\_\_\_  
Name (Print)

Date \_\_\_\_\_

Return to: Thomas Slusser  
Pre-Regulatory Landfill Unit  
DWM – Superfund Section  
1646 Mail Service Center  
Raleigh, NC 27699-1646



PARCELS BASED ON TRANSYLVANIA CO. GIS ACCESSED MAY 2012.

SOME SITE FEATURES DIGITIZED FROM AERIAL PHOTOGRAPHY FROM NC ONEMAP DATED 2010.

TOPOGRAPHIC COUNTOURS OBTAINED FROM NC FLOOD MAPPING PROGRAM LIDAR DATA, APRIL 2007.



LEGEND	
	BURRIED ELECTRIC/PHONE
	OVERHEAD POWER
	POWER TRANSMISSION
	4' GROUND ELEVATION CONTOUR
	PARCEL BOUNDARY
	WASTE DISPOSAL AREA
	STRUCTURE/BUILDING
	ROAD/DRIVEWAY

SCALE: 1" = 100'	DATE: AUG. 2015
PROJECT NO: 1054-12-1025	DRAWN BY: JLV
DRAWING NUMBER:	CHECKED BY:

**S&ME**  
 WWW.SMEINC.COM  
 NC ENG. LICENSE #F-0176  
 3201 SPRING FOREST RD., RALEIGH, NC 27616

SITE MAP

DAVIDSON RIVER DUMP - TASK ORDER 591SUM  
 PISGAH FOREST, NORTH CAROLINA

FIGURE NO.  
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