

November 3, 2016

NCDEQ – Division of Waste Management
Solid Waste Section
1646 Mail Service Center
Raleigh, North Carolina 27699-1646
Attention: Ms. Ellen Lorscheider – Solid Waste Section Chief

ERM NC, Inc.

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Via Email

Reference: Groundwater Corrective Action Plan – Implementation Update
Swift Creek CCB Structural Fill, Battleboro, Nash County
CCB0057

On behalf of ReUse Technology Inc. (ReUse)¹, ERM NC, Inc. (ERM) is submitting this letter at your request to update the schedule for implementation of the approved Swift Creek Coal Combustion By-Product (CCB) Structural Fill Corrective Action Plan project in Battleboro, North Carolina. This letter is issued pursuant to a conference call on October 26, 2016 with Jaclynne Drummond (NCDEQ), Elizabeth Werner (NCDEQ), Tom Wilson (ERM) and David Wasiela (ERM) requested by NCDEQ. Based on our conference call, we are confirming the following information:

- Implementation of the approved Corrective Action Plan is scheduled to begin in 2016 following a delay mandated by a previously scheduled NCDOT bridge replacement project on US Highway 301. Following contracting and preliminary planning activities, a project schedule for the Corrective Action Plan implementation will be developed and provided to NCDEQ.
- Due to the recent historic flooding events in the area, groundwater level elevations will be evaluated prior to commencing on site activities to verify that corrective action measures may be executed without excessive pumping and water management requirements.
- Based on the approved Corrective Action Plan, results of the Hydrologic Evaluation of Landfill Performance (HELP) modeling results and existing site & subsurface conditions (prepared by others), the raising of the CCB fill foundation floor above the seasonal high water table, the re-grading of a condensed CCB fill footprint and installation of a geosynthetic liner (cap) system will provide source control measures that should be effective to mitigate the migration of contaminants from the beneficial fill and allow natural processes to gradually remediate groundwater quality to acceptable conditions and provide long term protection for the surrounding environment.
- The geosynthetic liner (cap) system proposed is an industry accepted standard for closure of municipal solid waste facilities and has proven to be effective at other similar sites in North Carolina for groundwater and surface water corrective measures.

¹ We note that ReUse is not the owner of the Swift Creek site. The owner of the Swift Creek site is Full Circle Solutions, Inc. (Full Circle). As NCDEQ has previously issued notices and orders pertaining to the Swift Creek site to both Full Circle and ReUse, ReUse has engaged ERM to implement the Corrective Action Plan, notwithstanding ReUse's position that Full Circle agreed in writing to assume all liabilities pertaining to the site when ReUse sold the site to Full Circle in 2003.

- The Corrective Action Plan, dated February 2015, will be implemented as approved by NCDEQ in its March 12, 2015 correspondence. Before implementing the Corrective Action Plan, ERM will seek access to the subject property from its current owner, Full Circle, which as noted herein is not participating in the remediation process.
- Former upgradient monitoring wells MW-5S and MW-5D were abandoned by NCDOT in order for the US Highway 301 bridge replacement project to occur in 2015-2016. These wells will be replaced for on-going monitoring as part of the Corrective Action Plan implementation.
- In accordance with the Corrective Action Plan, routine groundwater and surface water monitoring and reporting will continue at the Site following construction of the corrective action remedy to evaluate the effectiveness of the corrective measures. The routine monitoring will include background water quality monitoring and reporting for the replacement wells for MW-5S and MW-5D.
- The Swift Creek project is exempt from Federal EPA requirements 40 CFR 257 Subpart D – Standards for the Disposal of Coal Combustion Residuals based on § 257.50 (d) that states that the rule does not apply to CCR facilities that have ceased receiving CCR prior to October 19, 2015.

Please contact us if you have any questions or require additional information.

Sincerely,
ERM NC, Inc.



David W. Wasiela, P.E.
Project Engineer



Thomas M. Wilson, P.G.
Principal-in-Charge

cc: Jaclynne Drummond - NCDEQ
Elizabeth Werner - NCDEQ
David Franchina - K&L Gates LLP