



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

July 30, 2015

CERTIFIED MAIL
Return Receipt Requested

John C Barnes Irrevocable Trust
302 Bend of the River Rd
Spring Hope, NC 27882

Property Addresses:
US-258 South, Colonial Rd
Tarboro, NC 27886

Re: Access Permission
Edgecombe County Landfill
2759 Colonial Rd, Tarboro, Edgecombe County, NC
ID#: NONCD0000653

Dear Sir:

The North Carolina Division of Waste Management (Division) is soliciting your permission to access your property in relation to the Division's assessment and mitigation of environmental contamination at the *landfill* for which you are listed as the property owner. The Division has made several attempts to contact you by both telephone and mail to request access to your property for this purpose, but has either not yet received a response or has been denied access.

As the property owner, you may refuse to allow the Division to access your property to perform the needed assessment and mitigation activities. However, note that North Carolina General Statute 130A-310.1(i) requires a person who owns or has control over an inactive hazardous substance or waste disposal site provide access to the site at reasonable times. If a person fails to grant access to the site, an administrative search and inspection warrant will be obtained as provided by G.S. 15-27.2 (1987, c. 574, s. 2; 1989, c. 286, s. 3; 1997-53, s.1.).

Also, 15A North Carolina Administrative Code 2L .0106(b) states that any person conducting or controlling an activity which results in the discharge of a waste, hazardous substance or oil to the groundwater, or in proximity thereto, shall take immediate action to terminate and control the discharge, mitigate any hazards resulting from exposure to the pollutants, and notify the Division of the discharge. You should be aware that a refusal to allow access may also result in a determination that you are a responsible party and are controlling an activity which results in the discharge of a waste.

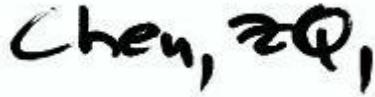
This is the Division's final request to solicit your cooperation and seek permission to access your property. You will not incur expenses for work conducted on your property associated with assessment and contaminant mitigation activities in exchange for your full cooperation.

Please note that, pursuant to G.S. 130A-310.6(d), if the owners and/or responsible parties do not fully cooperate, the Division may seek cost recovery for all costs incurred by the Division to address the site.

If you agree to grant the Division and its contractor (*contractor name*) permission to access your above referenced property and perform assessment and implementation of control and mitigation measures for the *landfill*, please sign and return the permission form to the Division by *date*. If permission is denied, a warrant will be obtained.

If you have any questions regarding this letter please call me at (919) 707-8200.

Sincerely,

A handwritten signature in black ink that reads "Chen, ZQ,".

Zi-Qiang Chen, PhD, Environmental Engineer II
NC Division of Waste Management

Enclosures

Cc Mr. John Green, North Carolina Department of Justice

PROPERTY ACCESS & SAMPLING PERMISSION

I am the owner of the property located at US-258 South, Colonial Rd, Tarboro, NC 27886. I grant the Division of Waste Management and/or its contractors permission to access my property and collect samples as indicated below from my property.

Potable Well. Does your well have a treatment (filter) system installed? (Yes/No) _____

Soil

Groundwater

Other (Include Description: SO4, NO3, ammonia, 1,4-Dioxane etc)

Analyses: VOCs SVOCs Metals Pesticides Other

(Print Name)

(Telephone Number)

(Signature)

(Date)

Please return this signed form in the enclosed stamped envelope to:

Ziqiang Chen, PhD, Environmental Engineer II
Division of Waste Management
Inactive Hazardous Sites Branch
1646 Mail Service Center
Raleigh, North Carolina 27699

Edgecombe County Landfill
Edgecombe County
IHSB ID Number: NONCD0000653