



North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

August 24, 2010

Sent Via U.S. Mail and Via Email - jmitchell@alexandercountync.gov

Mr. Josh Mitchell
Alexander County Solid Waste
621 Liledoun Road
Box 12
Taylorsville, NC 28681

**Re: *Response to Notice of Violation and CAP Modification Request*
*Alexander County C&D Over MSW Landfill, Permit #02-01***

Dear Mr. Mitchell:

The Solid Waste Section has reviewed the *Response to Notice of Violation and CAP Modification Request* dated August 10, 2010 and an email dated August 19, 2010 both submitted by Municipal Engineering Services Company, P.A. for the Alexander County C&D Over MSW Landfill. The *Response to Notice of Violation and CAP Modification Request* was submitted in response to the Notice of Violation (NOV) issued to the Alexander County on August 3, 2010 for the following violations: 15A NCAC 13B .0545(4), 15A NCAC 13B .1636(d), 15A NCAC .1637(a)(2), 15A NCAC .1634(b), 15A NCAC 13B .1634(d)(2), 15A NCAC 13B .1637(a)(1), and 15A NCAC 2C .0107(a)(2)(J). A subsequent meeting between the County, Municipal Engineering Services Company, P.A., and the Solid Waste Section was also conducted on August 5, 2010.

The *Response to Notice of Violation and CAP Modification Request* provided individual responses to each violation. In addition, the *Response to Notice of Violation and CAP Modification Request* provided two requests to the Solid Waste Section regarding a modification to the County's approved *February 6, 2009 Corrective Action Plan*. The requests include the implementation of a new timeline/schedule that differs from the timeline/schedule within the County's approved *February 6, 2009 Corrective Action Plan*, and a modification to the bioremediation injection medium. The County would like to use an edible oil substrate (EOS) instead of a hydrogen release compound (HRC).

The email dated August 19, 2010 also provided additional information regarding the status of the corrective action at the facility and the ongoing corrections of the violations stated within the August 3, 2010 NOV. Based upon the email, the following items have occurred: (1) the sentinel groundwater monitoring wells have been installed on Alexander County owned property; (2) the County is currently waiting either for an access agreement or property acquisition to install the additional off-site sentinel groundwater monitoring wells; and (3) the EOS calculations have been revised and the UIC application has been completed.

As a result, the requests are approved as described. Please submit a Corrective Action Plan amendment within 30 days of receipt of this letter. The Corrective Action Plan amendment shall include an updated

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timeline/schedule and the specific details of any and all modifications to the County's approved *February 6, 2009 Corrective Action Plan*. The Solid Waste Section will review the Corrective Action Plan amendment, and approve or request additional information prior to its implementation. Within the Corrective Action Plan amendment, please include the boring logs for the newly installed sentinel groundwater monitoring wells. In addition, please continue to correct the violations within the August 3, 2010 NOV.

If you have any questions or concerns regarding this matter, please contact me either at (919) 508-8500 or by email at jaclynne.drummond@ncdenr.gov. Thank you for your continued cooperation with this matter.

Sincerely,



Jaclynne Drummond
Hydrogeologist
Environmental Compliance
Solid Waste Section

cc via electronic mail: Rick French, Alexander County Manager (rfrench@alexandercountync.gov)
Mark Poindexter, Field Operations Supervisor
Deb Aja, Western District Supervisor
C.T. Gerstell, Environmental Senior Specialist