

LCIDN30 Permit Barney Castle  
LCID Landfill



## North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management  
Solid Waste Section

Michael F. Easley, Governor  
William G. Ross Jr., Secretary

July 12, 2007

Ms. Michelle B. Callahan  
1435 Main Church Road  
Mocksville, NC 27028

Re: Closure Letter, Barneycastle Land-Clearing and Inert Debris Landfill, Angel Road,  
Mocksville, Davie County, North Carolina  
Property described in Deed recorded in Book 718, Page 721, Davie County Registry

Dear Ms. Callahan:

This closure letter acknowledges that the referenced facility has been closed, based upon information provided and a site inspection conducted by Solid Waste Section personnel, in accordance with the conditions of 15A NCAC 13B, Rules .0510 and .0566. These rules specify the closure requirements and the post-closure site maintenance responsibilities of the facility owner/operator. Section .0510 (d) also states that when a disposal site/facility has been closed, the permit is terminated and any future disposal operations will require a new permit. Any activities not approved by the Solid Waste Section or not associated with maintenance or monitoring of the closed site/facility may be viewed as operation of the facility.

### **POST-CLOSURE MAINTENANCE CONDITIONS:**

The required post-closure maintenance for this facility shall consist of whatever measures, procedures, and activities required to maintain this facility in compliance with those closure conditions specified within this letter. More specific closure conditions, in addition to Section .0510, for this facility include:

Closure, in accordance with the "Operational Requirements for Landfills" Rule .0566, unless otherwise specified in the permit for this facility is as follows:

- (a) The final cover thickness of one foot (1') of suitable, compacted earth for this facility, shall be maintained;
- (b) Permanent erosion control measures shall be maintained;
- (c) Drainage control measures shall be implemented, as part of site maintenance, necessary to prevent the impoundment of surface water over disposal areas at the facility;
- (d) Vegetation consisting of native grasses or combination of grasses to promote a year round vegetative cover shall be maintained.

**Closure Letter**

**Barneycastle LCID Landfill**

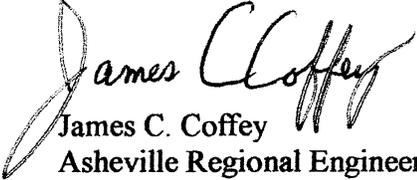
**July 12, 2007**

**Page 2**

If applicable, all disposal sites, either operating or closed are subject to the explosive gas requirements of Rule .0566 (13) (a)&(b), and the ground water requirements of Rule .0566 (15).

Should you have any questions or need information concerning the content of this letter, please contact me at 828-296-4703 or Jason Watkins at 36-771-5092.

Sincerely,

A handwritten signature in cursive script that reads "James Coffey". The signature is written in black ink and is positioned above the printed name and title.

James C. Coffey  
Asheville Regional Engineer  
Solid Waste Section

cc: Jason Watkins

North Carolina  
Department of Environment and Natural Resources

**Michael F. Easley, Governor**  
**William G. Ross Jr., Secretary**



Division of Waste Management  
Solid Waste Section

Date: June 29, 2007

To: Jim Coffey/ Larry Frost  
From: Jason Watkins

RE: Barneycastle LCID Closure

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Jim/Larry:

Could you please issue a final closure letter on this?

Enclosed is the deed and plat for Barneycastle LCID in Davie County. I have also enclosed my site notes (excluding a few recent brief phone conversations) and a letter to Ms. Callahan, as well as a copy of the original notification.

She inherited the site and has worked diligently to ensure that it was closed properly. Her father had stopped operating it before he died. They dug test pits and moved some material that was inside of the required buffers.

Everything appears to be in order to issue a closure letter.

*I kept one copy of maps in WSRs.*

DEED TRANSFER CHECKED

DATE 6-25-2007 BY MNR  
TAX ADMINISTRATOR

FILED FOR REGISTRATION  
JUNE 25, 2007 10:12 AM

DATE TIME  
AND RECORDED IN BOOK 718 PAGE 721

M. BRENT SHOAF, REGISTER OF DEEDS

DAVIE COUNTY, NC

BY Hanna C. Whitaker  
DEPUTY

**NO TAXABLE CONSIDERATION STATED**

**WARRANTY DEED**

MAIL TO: Michelle Callahan, 1435 Main Church Road, Mocksville, NC 27028

PREPARED BY: Grady L. McClamrock, Jr., 161 South Main Street, Mocksville, NC 27028

STATE OF NORTH CAROLINA, Davie County

THIS DEED, Made this 11 day of June, 2007, by and between **MICHELLE B. CALLAHAN, and husband MICHAEL W. CALLAHAN** of North Carolina, hereinafter called Grantors, and **MICHELLE B. CALLAHAN** hereinafter called Grantee, whose mailing address is 1435 Main Church Road, Mocksville, North Carolina 27028.

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars and other good and valuable considerations to him in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has given, granted, bargained, sold and conveyed, and by these presents does give, grant, bargain, sell, convey and confirm unto the Grantee, his heirs and/or successors and assigns, premises in Mocksville Township, **Davie** County, North Carolina, described as follows:

BEING ALL OF THAT TRACT OR PACEL OF LAND LOCATED OF SR 1406 (ANGELL ROAD) AND EASEMENTS OF ACCESS THERETO (DESCRIBED IN DEED BOOK 134, PAGE 175 AND DEED BOOK 194, PAGE 701) AS SET FORTH IN THAT PLAT TITLED "RECOMBINATION SURVEY FOR MICHELLE SNIDER CALLAHAN" AS RECORDED IN PLAT BOOK 9, PAGE 132, REGISTER OF DEEDS OFFICE OF DAVIE COUNTY, NORTH CAROLINA.

THIS TRACT IS FURTHER IDENTIFIED AS PARCELS 52, 53 AND 54 OF DAVIE COUNTY TAX MAP F-4 DATED MARCH 28, 1976. FOR BACK TITLE SEE DEED BOOK 177, PAGE 370; DEED BOOK 189, PAGE 792 AND DEED BOOK 358, PAGE 691, DAVIE COUNTY REGISTRY.

MICHELLE B. CALLAHAN IS THE SAME PERSON AS MICHELLE SNIDER CALLAHAN.

**NOTE: A PORTION OF THE ABOVE DESCRIBED TRACT HAS BEEN USED AS A LAND CLEARING AND INERT DEBRIS LANDFILL. SEE DEED BOOK 306, PAGE 112, DAVIE COUNTY REGISTRY.**

TO HAVE AND TO HOLD such respective interests in the above described premises, with all the appurtenances thereunto belonging, or in any wise appertaining, unto the Grantee, his heirs and/or successors and assigns forever.

And the Grantor covenants that he is seized of said premises in fee, and has the right to convey the same in fee simple; that said premises are free from encumbrance (with the exception above stated, if any); and that he will warrant and defend the said title to the same against the lawful claims of all persons whomsoever.

When reference is made to the Grantor or Grantee, the singular shall include the plural and the masculine shall include the feminine or the neuter.

IN WITNESS WHEREOF, The Grantor has hereunto set his hand and seal, the day and year first above written.

*Michelle B Callahan* (SEAL)  
MICHELLE B. CALLAHAN

*Michael W Callahan* (SEAL)  
MICHAEL W. CALLAHAN

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**NORTH CAROLINA**

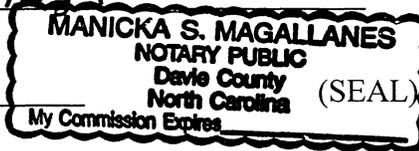
**COUNTY OF DAVIE**

I, MANICKA S. MAGALLANES, a Notary Public of the County of Davie, State of North Carolina, do hereby certify that **MICHELLE B. CALLAHAN, and husband MICHAEL W. CALLAHAN** personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 19 day of June, 2007.

*Manicka S. Magallanes*  
Notary Public

My Commission expires: 08/13/2008



RECEIVED  
N.C. Dept. of ENR  
JUN 28 2007  
Winston-Salem  
Regional Office

June 26, 2007

Jason M. Watkins  
Environmental Senior Specialist  
585 Waughtown Street  
Winston-Salem, NC 27107-2241

Re: Barneycastle LCID closure  
Davie County, North Carolina

Dear Mr. Watkins:

I have enclosed two recorded copies of the deeds along with two recorded copies of the plats as instructed per our previous discussion. I am now requesting an official closure on the stated LCID landfill.

I would like to thank you for your assistance and cooperation on this matter. Your patience and support is greatly appreciated.

Should you have any questions, please contact me at (336) 492-2960.

Sincerely,

  
Michelle B. Callahan

## Inspection/Communication Notes

Project: Barneycastle LCID Landfill      County: Davie

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- The following is a summary of the recent activities related to this project in an effort to obtain final closure and recordation of the site.

**10-2-06:** I received message from Mackey McDaniel about Barneycastle LCID -Davie County. I conducted file search for information, then discussed the site with James Bealle. James noted he had limited experience with the site, Wendy Simmons had been working with Mr. Barneycastle. I left message with Wendy and returned call to Mr. McDaniel, leaving a message.

**10-3-06:** I received return call from Wendy Simmons about Barneycastle LCID. She noted that as best she could remember that the site was operating properly, with only minor violation that was fixed. She noted that it wasn't closed while she was covering the area. This matches information in the file.

**10-4-06:** I received message from Mackey McDaniel (via Brent). Upon returning the call, Mr. McDaniel noted that Mr. Barneycastle passed away and his family is selling the property. I told Mr. McDaniel the deed book/page info for LCID site. I noted to him that final plat had never been filed on LCID. He said he would contact Mr. Barneycastle's lawyer and see if he knew anything about it. I told Mr. McDaniel I would be on vacation next week but we could set up an on-site meeting for week of Oct 16-20.

**10-17-06:** Call from Mackey McDaniel to set up meeting for Thursday to go over Barneycastle LCID closure.

**10-19-06:** Meeting with Mackey McDaniel at Barneycastle LCID. Site is inactive, covered, and has very good stand of grass in place. The property is being sold as Mr. Barneycastle's estate is being divided. He wanted to make sure that before the buyers closed on the property all the loose ends related to the LCID were tied up. I told him if must be surveyed with waste area documented and recorded before closure was final. He noted he knew several surveyors and he would start the process.

**10-20-06:** I received a call from Beth Brown with Grey Engineering. Mr. McDaniel had contacted her about doing the survey work for Barneycastle LCID. She wanted to know what all needed to be completed so she could price the job to Mr. McDaniel. I noted that final location of the disposal area must be documented and that all boundaries must be shown to determine buffer compliance.

**10-23-06:** Follow-up discussion with Mackey McDaniel about Barneycastle LCID. Mr. McDaniel said he was still working on getting a survey completed. He will send copies as soon as its recorded.

**12-01-06:** Call from Beth Brown with Grey Engineering to setup meeting with John Grey to discuss maps for Barneycastle LCID.

**12-05-06:** Meeting at Grey Engineering in regards to Barneycastle LCID. I went to site with Grey Engineering staff and met Mackey McDaniel on site to discuss digging/boring to determine exact edge of waste. The 100ft boundary for waste placement was marked as were several additional locations where test pits could be dug to determine if buffer area was clean of waste material.

**12-11-06:** Follow-up discussions with Wendy Simmons and James Bealle about Barneycastle LCID and what they remember of the site in relation to buffers and possible closure. Both noted that at one time there was an issue related to waste in the buffer but it had been resolved.

**12-20-06:** I visited the site to view the test bores. LCID material was present within the 100 ft property line buffer. I called Mackey McDaniel to tell him additional digging and removal of waste must occur.

**12-22-06:** I received a call from Michelle Callahan, daughter and heir of Barneycastle LCID. She wanted clarification on what had to be done on the site to achieve full compliance. She noted what could be unexpected, high cost to clean up the site. I explained concerns and problems related to the site and set up meeting at site with her for January 4, 2007.

**1-4-07:** Meeting with Michelle Callahan, Mackey McDaniel, and Brian McDaniel, grading contractor at Barneycastle LCID. We discussed the history of the site, with Ms Callahan noting that she knew her dad did work on the property but she was never aware of the extent of work or the requirements of the activity. To the best of her knowledge, Mr. Barneycastle had stopped working on the property in 2002 when the cost became too much for him to handle. She seemed very willing to get the issues resolved even though she had no real involvement in the activity, only obtaining the property through his estate. Her concerns are long term liability issues related to the sell of the property. We went over test pits and talked about possible solutions to getting the material moved. Brian was to work up cost estimate of removal of materials. Brian is to dig deeper holes to better determine extent of material.

**1-9-07:** Met with Michelle Callahan at Barneycastle LCID to look at new pits. Material appears to vary across the site in a range of 2 ft deep to +/- 10 ft. Ms Callahan to send me copy of estimate from contractor when available.

**1-11-07:** I received cost estimates for relocation of material in the buffer area as well as cost to reseed all areas.

**1-16-07:** Discussion with Michelle Callahan regarding the estimates from contractor and what she felt like she could accomplish towards clean up. The estimates were pretty high but are based on the unknown factors in the exact amount of material to be removed.

**1-23-07:** Meeting with Michelle Callahan and Brian McDaniel to initiate cleanup of material outside the 100 ft buffer at Barneycastle LCID. Once material is moved into the appropriate location, the site can be closed permanently, recorded, and sold.

cc:

Filed by: Jason Watkins

**1-29-07 Liability discussions with Michelle Callahan about Barneycastle LCID. Stated that the potential buyer of the property had concerns on what I had asked Ms. Callahan to do on the site and what closing the site meant to him in terms of long term liability. I noted to Ms. Callahan to have the gentleman to call me and I would discuss it with him so that I could hear know his concerns first hand.**

**2-1-07: I received a call from Mack Byrum. Mr. Byrum is planning to buy the property that contains the Barneycastle LCID and wanted to discuss issues related to the site. I gave him a full overview of what had happened up until this point and where Ms. Callahan was heading in terms of moving the material to meet closure requirements.**

**2-19-07: I received a call from Michelle Callahan requesting re-inspection of Barneycastle LCID noting that all the clean up had occurred.**

**2-22-07: I conducted a re-inspection of Barneycastle LCID. All of the material appeared to be moved out of buffer into LCID area. All areas were re-graded and well covered with soil. It didn't appear any replanting of grass had occurred at that time.**

**2-23-07: Follow-up discussion with Michelle Callahan about Barneycastle LCID. Told Ms. Callahan that site looked acceptable but needed to get grass planted and submit bills/receipts for work down for verification. Told her that I would then issue letter stating site was properly closed and will then allow final plat/recoding of landfill.**

**3-5-07: Discussion with Mack Bynum about Barneycastle LCID closure. Mr. Bynum wanted further information of the status of the site and the potential use of the property.**

**3-6-07: Discussion with John Grey, Grey Engineering about final survey of Barneycastle LCID. Mr. Grey noted that the cost of the project was becoming an issue with him as he had taken on the project to help out. He noted that he would have to go back and determine if he could move forward on the project or if he would be recommending Ms. Callahan obtain another surveyor to complete the work.**

**3-9-07: I sent letter to Michelle Callahan - Barneycastle LCID noting that I had received all information needed and that she could continue seeking closure and recordation.**

**3-26-07: I received a call from Robert Stone with Stone surveying stating he was now going to be doing the final survey work on the site. Onsite meeting set up for 3-29-07.**

**3-29-07: Meeting with Robert Stone, Michelle Callahan, Mackey McDaniel, and Mack Bynum. I explained to Mr. Stone the history of the site and what still needed to be accomplished to close it out. Mr. Stone has worked on closures before so he had a plan as to what he needed to layout to get his surveys done. Both Ms. Callahan and Mr. Bynum expressed further concerns about liability in the future. I stated that she had done everything possible to ensure that the landfill portion of the property was properly handled and closed and that was all she could do. I explained that the law only requires disclosure and by recording it properly she has done that, and in the same manner, if Mr. Bynum purchases the property and sells it, it should be disclosed in the future as well. I noted that as long as he didn't try to re-open and operate an LCID landfill there in the future, this one would be considered properly closed.**

cc:

Filed by: Jason Watkins

**North Carolina**  
**Department of Environment and Natural Resources**

Michael F. Easley, Governor  
William G. Ross, Secretary  
Dexter R. Matthews, Director



WINSTON-SALEM REGIONAL OFFICE  
**DIVISION OF WASTE MANAGEMENT**  
**SOLID WASTE SECTION**  
March 9, 2007

Michelle Callahan  
1435 Main Church Road  
Mocksville, NC 27028

RE: Barneycastle LCID closure  
Davie County, North Carolina

Dear Mrs. Callahan:

I have reviewed the documents you submitted summarizing the excavation and grading work done by McDaniel Grading at Barneycastle LCID landfill in Davie County. Based on our meetings and discussions, site inspections, and the submitted documents, it appears you have taken the appropriate steps to ensure that this site is in compliance with the requirements for closure.

First and foremost, I want to thank you for being proactive in this matter, especially since it was something that was out of your control due to your inheritance of the property. As you move forward with getting the property re-seeded, also move forward with getting your final surveys and recordation of the area completed on the property deed. Once completed, submit a copy of the deed to my office.

I will need to conduct at least one additional site inspection to ensure that proper groundcover has been established. I am aware that you are in the process of selling this property. Please make your buyer aware of the need for a future inspection to eliminate any confusion.

Should you have any questions, please contact me at (336) 771-5092.

Sincerely,

Jason M. Watkins  
Environmental Senior Specialist

Cc: Deb Aja, Western Region Supervisor  
Mark Poindexter, Field Ops Supervisor  
Mackey McDaniel, Century 21 Realty

NORTH CAROLINA DEPARTMENT OF  
ENVIRONMENT AND NATURAL RESOURCES  
DIVISION OF WASTE MANAGEMENT

July 15, 1999



JAMES B. HUNT JR.  
GOVERNOR

WAYNE MCDEVITT  
SECRETARY

WILLIAM L. MEYER  
DIRECTOR

William S. Barneycastle  
1421 Main Church Road  
Mocksville, North Carolina 27028

**Ref:** Land Clearing & Inert Debris Notification  
Barneycastle LCID, Angel Road, Mocksville, Davie County, North Carolina.  
Described in the deed Recorded in Book: 306, Page(s): 112

Mr. Barneycastle:

The Solid Waste Section has received your Land Clearing and Inert Debris landfill notification dated 21 June 1999. Disposal activities must remain under 2 acres to operate under the provisions of this notification. An individual permit is not required for these disposal activities and the following applies:

- (a). The owner of the land where the landfill is located must notify the Division on a prescribed form, duly signed, notarized, and recorded as per Sub-item (2)(b) of this Rule. The operator of the landfill, if different from the land owner, shall also sign the notification form.
- (b). The owner must file the prescribed notification form for recordation in the Register of Deeds' Office. The Register of Deeds shall index the notification in the grantor index under the name of the owner of the land in the county or counties in which the land is located. A copy of the recorded notification, affixed with the Register's seal and the date, book, and page number of recording shall be sent to the Division of Waste Management.

**If this property is sold, leased, conveyed or transferred, the deed or other instrument of transfer shall contain in the description section, in no smaller type than used in the body of the deed or instrument, a statement that the property has been used as a Land Clearing and Inert Debris landfill.**

Amendments or revisions to the Solid Waste Management Rules or violation of groundwater standards may necessitate modification of the construction and operation of this facility or closure of this facility. If information in the notification is found to be inaccurate or false, then compliance action by the Solid Waste Section and/or the local government with jurisdiction may result in closure of this facility.

Mr. Barneycastle

Page 2

July 15, 1999

If you have any questions or if we can provide any other assistance, please do not hesitate to contact the Regional Waste Management Specialist for your area, Mr. Danny Hockett, at (336) 771-4608 ext. 208 or the Environmental Technician, Jeff Boyd, at ext. 213.

Thank you,



Timothy A. Jewett  
Western Area Engineer  
Solid Waste Section

copy: Jim Coffey  
Julian Foscue  
Danny Hockett  
Jeff Boyd  
Kris Callahan: Raleigh Central File LCID Notifications - Davie County