



North Carolina Department of Environment and Natural Resources

Division of Waste Management

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October 22, 2009

Mr. David Jones
Public Works Director
Post Office Box 543
Snow Hill, North Carolina 28580

Subject: Draft Text for Final Corrective Action Plan and Financial Assurance Requirements
Greene County Landfill
Construction and Demolition Landfill atop MSW, Permit 40-02
Doc ID 7991

Dear Mr. Jones:

The Solid Waste Section (SWS) reviewed the draft text (draft report) of the second revised Corrective Action Plan (CAP) for the Greene County Landfill. Municipal Engineering Services Company, P.A. (MESCO) submitted the draft report with its response letter, dated July 21, 2009 (Doc ID 8747), to the SWS's third technical review (Doc ID 7536), dated June 18, 2009. This draft report replaces the draft report dated May 13, 2009 in which Monitored Natural Attenuation (MNA) is selected as the "sole remedy" for contamination described in the Assessment of Corrective Measures (ACM), dated August 30, 2007 (Doc ID 8776). Cost of the final CAP remains to be fully addressed. Cost for corrective action is also integral to regulatory and statutory requirements for financial assurance, both of which are referenced below.

Three revisions in the cost for corrective action are necessary. First, current cost for four (4) groundwater monitoring wells should be increased to reflect the six (6) wells utilized. Second, understood is that post closure operation includes an existing *Explosive Gas Control Plan* (EGCP). However, because the EGCP is incorporated into the CAP as a "source control measure" for groundwater contamination and listed in the ACM as "remediation technology" for corrective action, its cost should be reported in the CAP. Third, either estimate cost for the first five (5) consecutive calendar years MNA is typically used before enacting contingency plans, or show the additional cost of each of the remedies paired with MNA. Unclear in the CAP is how long MNA will be the "sole remedy". MNA is paired with phytoremediation after two (2) years; after three (3) years, Enhanced Bioremediation (EB). Show costs for remedies paired with MNA and the duration of their application. Costs for all corrective action at the landfill should be summarized in the final CAP.

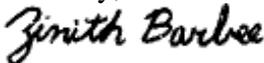
When the revised cost for corrective action is included in a final CAP, both a hard copy and electronic copy of the final CAP should be submitted. Cost of the final CAP should be recorded in the financial assurance mechanism. **A final CAP is required for compliance with Regulations 15A NCAC 13B .1637 and 15A NCAC 13B .0547 (4)(c).**

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To date the SWS does not have a financial assurance mechanism that includes cost for corrective action. The SWS received a letter from the chief financial officer of Greene County, dated March 27, 2009, showing financial assurance for closure and post-closure but not for corrective action. Financial assurance for corrective action is specified in Regulation 15A NCAC 13B .1628 (d). Also note that in Regulation 15A NCAC 13B .1628 (d)(1)(A) is the specification that the cost estimate be adjusted for inflation. A revised financial assurance mechanism reflecting cost of the final CAP should be sent to Ms. Shawn McKee in the SWS. She can be contacted at 919-508-8512 or at shawn.mckee@ncdenr.gov.

Please note an additional requirement for financial assurance. Greene County Landfill must establish financial assurance in the amount of three million dollars (\$3,000,000) to “cover potential assessment and corrective action at the facility”. This financial assurance is specified in Statute NCGS 130A-295.2(h), effective August 1, 2009, and is in addition to financial assurance specified in Regulation 15A NCAC 13B .1628 (d). The amount may be appropriately increased by the Division of Waste Management. Within the next year, Greene County Landfill will be required to re-evaluate its corrective action plan(s) for compliance with the statute. Within 30 days of receiving this letter, a document for this financial assurance should be sent to Mr. Donald Herndon in the SWS. He can be contacted at 919-508-8502 or at donald.herndon@ncdenr.gov.

If you have questions regarding the final CAP, please contact me at 919-508-8401 or zinith.barbee@ncdenr.gov.

Sincerely,

Zinith Barbee
Project Manager
Solid Waste Section

cc: Mark Poindexter	Field Operations Supervisor
Ed Mussler	Solid Waste Section
Ming Chao-Tai	SWS
Donald Herndon	SWS
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Central File	