



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Dexter R. Matthews

Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

September 29, 2009

Jerry Blanchard
General Services Manager
Harnett County General Services
P. O. Box 940
Lillington, North Carolina 27546-0940

Subject: Revised Corrective Action Plan
Harnett County Dunn-Erwin Landfill
Construction and Demolition Landfill, Permit 43-02
Doc ID 8673

Dear Mr. Blanchard:

The Solid Waste Section (SWS) has not received a revised Corrective Action Plan (CAP). **The CAP is required pursuant to 15A NCAC 13B .0547(4)(c), effective July 1, 2008.** On June 3, 2009 the SWS—Mark Poindexter and I—again met with C.T. Clayton, Sr., P.E., Inc. (CTC) to communicate urgency in submitting the revised CAP because of repeated delays. Prior to that meeting, Mark Poindexter and I met with the Harnett County Dunn-Erwin Landfill and CTC on November 26, 2008 to convey urgency in complying with Regulation 15A NCAC 13B .0547(4)(c) and to explain other regulatory requirements, possible enforcement action, and foremost environmental issues associated with the CAP. CTC submitted a CAP on February 19, 2009. The CAP required substantial revision. CTC did not propose corrective measures that would perform as presented in the CAP. Moreover, groundwater contamination had not been properly characterized, nor had measures been proposed to control its migration. The SWS specified numerous revisions in its technical review letter, dated June 11, 2009 (Doc ID 6841). On July 9, 2009 the SWS notified the Harnett County Dunn-Erwin Landfill that the revised CAP had not been received (Doc ID 7939). On July 26, 2009 CTC submitted “follow-up” to that notice but not to the technical review. **Please submit a revised CAP by October 7, 2009.**

Prior to its technical review, the SWS iterated issues regarding a CAP. In a letter dated March 30, 2007, the SWS notified the Harnett County Dunn-Erwin Landfill and Mr. Neil Emory, Harnett County Manager, of SWS Rule changes for landfills and implementation date for Regulation 15A NCAC 13B .0547(4)(c). CTC responded to the notification by letter dated June 13, 2007 (Doc 2507). The SWS met CTC on August 30, 2007 to discuss corrective action objectives. In a letter dated October 25, 2007 (Doc 3290), the SWS outlined regulatory procedures leading to submission of a CAP. CTC received additional communication from the SWS—telephone contact in July 2008 following an administrative review of the permit; email inquiry of CAP status dated October 2, 2008 (Doc ID 6490); letter dated December 22, 2008 (Doc ID 6485) regarding corrective action requirements; meeting at the landfill on January 15,

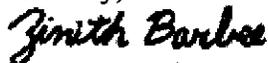
2009; and letter dated February 2, 2009 (Doc ID 6653) regarding possible enforcement action. The SWS communicated issues pertaining to a CAP for the facility on several occasions.

The SWS repeatedly discussed groundwater contamination migrating into surfacewaters. In its technical review, SWS recommended installation of groundwater monitoring wells to monitor the plume migrating north, utilization of existing groundwater monitoring wells to monitor the plume migrating west into wetlands, and addition of a surfacewater monitoring station downgradient of the plumes. In the Environmental Monitoring Report (EMR) for April 2009 (Doc ID 8596), CTC included acetate in the list of contaminants exceeding state groundwater standards. Also stated in the report is that "findings" in the EMR will be incorporated into a "corrective action program for the groundwater contamination plume downgradient of the existing landfill".

Financial assurance for the revised CAP also remains an issue. The SWS requested a list of itemized costs for the amount shown in the financial assurance mechanism dated February 10, 2009. The amount is more than double costs presented in the final Assessment of Corrective Measures (ACM) report received December 3, 2008 (Doc ID 6472). Some, not all, of what the SWS requested in its technical review: (1) show all the activity covered by financial assurance; (2) show that financial assurance is sufficient for what increased the cost; and (3) adjust the estimated cost for inflation. The SWS has not received this information.

If you have questions, I can be contacted at 919-508-8401 or at zinith.barbee@ncdenr.gov

Sincerely,



Zinith Barbee
Project Manager
Solid Waste Section

cc: Mark Poindexter	Field Operations Supervisor
Ed Mussler	Solid Waste Section
Shawn McKee	SWS
C. Tyrus Clayton, Jr.	C. T. Clayton, Sr., P.E., Inc.
Central File	