



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Dexter R. Matthews

Director

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Governor

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Secretary

March 31, 2009

Mr. Tom Miller
Solid Waste Director
P. O. Box 3289
130 S. Queen Street
Kinston, North Carolina 28501

Subject: Corrective Action Plan
Lenoir County Sanitary Landfill
Construction and Demolition Landfill
Permit 54-03
Doc ID 6844

Dear Mr. Miller:

The Solid Waste Section (SWS) reviewed the Corrective Action Plan (CAP) for the Lenoir County Sanitary Landfill. Additional information is needed. Cobalt should be added as a constituent of concern (COC). The addition of cobalt had been requested in prior correspondence from the SWS: a letter dated December 11, 2008 and letter dated February 2, 2009 (Doc ID 6654). In addition, the cost estimate for the CAP should be revised. Specific revisions are listed below. The numbers correspond to the numbered sections in the CAP.

- 1.3 Include cobalt on the list of COC's.
- 1.4 Expand the table to include cobalt as a COC.
- 2.0 Add bulleted point for cobalt.
- 2.3 Clarify whether the existing gas system will be discontinued or continued as a "source control measure." Operation and maintenance costs for it are not listed in the estimate submitted for financial assurance.
- 5.1.1 Clarify what is meant by "various remedial mechanisms/processes that are occurring at the site." Unclear is which, if any, of the technologies referenced in the subsequent sentence are already in use or intended for a contingency plan.
- 6.1 Hydrogen Release Compound (HRC) had not been previously listed among alternative remediation technologies presented in the ACM. A cost of installing, operating, and maintaining this corrective action measure should be submitted for evaluation by the SWS, as had estimated costs for other remediation technologies listed in the ACM.
- 6.2 Include more data about the existing "passive horizontal gas venting system". On Table 15 in the ACM, an "active" system is described as "currently in operation" at

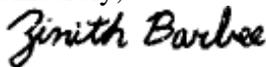
an annual operating cost of \$50,000 or “total turn key expense” of \$750,000. Whereas, in the CAP a “passive” system is mentioned whose design and installation cost is estimated at \$75,000 in the ACM. Also, because uncertainty about the system’s effectiveness is expressed in Section 2.3. unclear is whether utilization of the system will continue and what its value is as a “safeguard measure” or “source control measure”.

- 8.0 Submit more information about financial assurance. Pursuant to Regulation .1628 (d)(1) a “detailed” estimate should be submitted in lieu of a lump sum cost estimate.. Also, the cost estimate does not appear to reflect operation of the existing gas venting system mentioned in Section 2.3. Below is more information about financial assurance.

The SWS received a letter from the chief financial officer of Lenoir County, dated December 1, 2008 regarding the financial assurance mechanism. Costs for closure and post-closure had been submitted but not financial assurance for corrective action. Please note that in Regulation 15A NCAC 13B .1628 (d)(1)(A) is the specification that the cost estimate be adjusted for inflation. Finally, not reflected in the financial assurance mechanism is cost of the gas ventilation system utilized for corrective action, whose operation is presumed to continue during the post-closure period. A revised financial assurance mechanism including a cost estimate for the CAP should be sent to Mr. Donald Herndon in the SWS. He can be contacted at 919-508-8502 or at donald.hearndon@ncmail.net.

The revised CAP should be submitted within 30 days of the receipt of this letter. If you have questions, please contact me at 919-508-8401 or at zinith.barbee@ncmail.net.

Sincerely,



Zinith Barbee
Project Manager
Solid Waste Section

cc: Mark Poindexter Field Operations Branch Supervisor
Ed Mussler SWS Permitting Branch Supervisor
Sean Patrick Municipal Engineering Services Co., P.A.
Pat Backus SWS
Donald Herndon SWS
Central File