



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

January 16, 2009

Mr. Mike Gladden
McDowell County Public Works Department
PO Box 550
Marion, North Carolina 28752

Subject: Approval Letter – Post-closure Use of Landfill
Closed McDowell County MSW Landfill
McDowell County, Permit #56-01, Document ID No. 6573

Mr. Gladden:

The Division of Waste Management, Solid Waste Section received a request letter (DIN6353) for the construction of a Qualifying Firing Range adjacent to the closed MSW landfill (Permit # 56-01) on December 8, 2008. Included with this request is an Operations Plan and Site Plan for the proposed Firing Range.

Restrictions for post-closure use of landfill facility property are listed in 15A NCAC 13B .1629(c) (3). Post-closure use must not disturb the integrity of the cap system, base liner system, or any other components of the containment system, or the function of the monitoring systems unless necessary to comply with the requirements of these systems.

The plan indicated the Firing Range will be constructed approximately 500 feet to the east of the closed MSW landfill unit. In addition, access to the Firing Range will be via the original road bed used when the landfill was in operation. The closure drawings for the landfill indicate the road bed width to be 100 feet providing an adequate buffer. Also, according to the closure drawings, there are no monitoring wells in close proximity to the proposed Firing Range. Therefore, it appears the Firing Range and the associated structures would not disturb the integrity of the cap system or other components of the containment system. Based on this information, the change in post-closure use would not violate the previously mentioned use restrictions.

The proposed plans do not appear to be in a buffer that is integral to the monitoring, assessment, or remediation of the existing landfill, or in a location that would compromise public health or safety. There appears to be adequate open space such that groundwater monitoring wells or other measures could be used for environmental monitoring, should conditions dictate such a response. It is, of course, incumbent upon the County and its consultants to provide adequate monitoring of explosive gases in structures at the landfill and to ensure safety of the public and workers during construction and operation.

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This letter serves as an approval of the conceptual plan as presented. Since the proposed Qualifying Firing Range is adjacent to a closed landfill no permit modification will be required and no permit modification fee assessed. The owner should notify the Section of any significant changes to the approved plans, and must provide the Section a copy of final as-built locations and design of the landfill property. In addition, the Operations Plan you submitted is now an approved document and must be followed with respect to operating the Firing Range. If at any time these procedures are changed a revised Operations Plan must be submitted to the Section for modification and a permit modification fee will be applicable.

If you should have any questions regarding this matter please contact me at (828) 296-4703, or by email at allen.gaither@ncmail.net.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allen Gaither', with a stylized flourish at the end.

Allen Gaither
Environmental Engineer

Cc: Ed Mussler – SWS/RCO
Bill Wagner – SWS/ARO