



NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES

Dexter R. Matthews, Director

Division of Waste Management

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

January 26, 2007

Michael Hall, P.G., O'Brien & Gere
2610 Wycliff Road, Suite 104
Raleigh, North Carolina 27607

Re: Review of proposed construction plan
Closed Avoca Landfill (Permit No. 08-02)
Bertie County, North Carolina
Doc ID No. RCO872

Dear Mr. Hall:

This letter is in response to your August 24, 2006 submittal requesting a transfer in ownership and authorization to construct a golf course maintenance facility on top of the Avoca landfill formerly owned by RJ Reynolds Tobacco Company (RJR). In order to proceed with the transfer of ownership and grant approval for construction, the following items must be adequately addressed.

1. In order to maintain joint and several liability, the permit will be reissued to both RJR (operator) and Rial Corporation (owner). Please specify a representative for RJR (contact name, address, and telephone number). If Mr. William Stillwagon, Esq. will serve as representative of Rial Corporation, please provide his contact information as well.
2. In order to adequately identify land use restrictions, please specify the acreage of the entire parcel along with the acreage of landfill.
3. In accordance with NCAC 15A 13B .204 (e), please submit a deed that has been properly recorded. When any sanitary landfill is transferred in any manner, the deed must contain in the description section in no smaller type than that used in the body of the deed a statement that the property has been used as a disposal site for solid waste, and the deed must contain a reference by book and page to the recordation of the permit. If this parcel is subdivided, all subdivisions must also carry the same recordation of the permit.
4. Please submit the results of the geotechnical analysis and landfill gas survey. Note that the geotechnical analysis, construction plans, landfill gas survey, and any other submittals (as appropriate) should bear a professional engineer's seal.

5. Please be advised that upon re-issuance of the permit, conditions may specify that the groundwater monitoring network be modified in order to adequately determine if there are manganese concentrations in excess of the 2L standard beyond the compliance boundary. If requested, the proposed groundwater monitoring network should depict the location of the potential manganese plume and should include a strategy for remediation.

Failure to establish an adequate system for collecting and maintaining the required information may result in future compliance problems. If you have any questions regarding this letter or wish to discuss the matter further, please contact me at (919) 508-8510 or via email at Toni.Wyche.Jones@ncmail.net.

Sincerely,

Toni Wyche Jones, EI
Solid Waste Section

cc: William Stillwagon, Esq., President of Rial Corporation
Dexter Matthews, Division of Waste Management Director
Paul Crissman, Solid Waste Section Chief
Ed Mussler, P.E., Solid Waste Section Permitting Branch Supervisor
Mark Poindexter, Solid Waste Section Compliance Branch Supervisor
Ervin Lane, Solid Waste Section Compliance Branch Hydrogeologist
Chuck Boyette, Solid Waste Section Waste Management Specialist