



Reba H. Warren  
Managing Counsel

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December 9, 2009

*Via Email and U.S. Mail*

Mr. Ervin Lane  
Hydrogeologist  
Environmental Compliance  
Solid Waste Section  
North Carolina Department of  
Environment and Natural Resources  
1646 Mail Service Center  
Raleigh, North Carolina 27699-1646

Re: Groundwater Monitoring Requirements  
Closed Avoca Landfill, Permit #08-02  
Bertie County, North Carolina

Dear Mr. Lane:

R.J. Reynolds Tobacco Company (Reynolds) received your letter regarding groundwater monitoring data at Avoca. As stated in your letter, R.J. Reynolds Tobacco Company transferred its ownership in Avoca landfill to Avoca, Inc. in 2003. We notified Avoca, Inc. about this letter and we learned that Avoca, Inc. sold 894.65 acres to ITAC 79, LLC, exchange accommodation titleholders for Rial Corporation on July 9, 2004. Reynolds no longer owns the property or conducts any activities on it.

When we contacted David Peele, Ph.D., President of Avoca, Inc., to inform him of the notice received from NCDENR and inquire about the status of required sampling, he agreed to have Avoca, Inc. assist with the sampling.

The attached letter describes the sampling work to be undertaken this week by Avoca, Inc., and is based on the parameters required by permit # 08-02. This appears to be a "subset" of sampling parameters set out in the e-mail sent to Steve Curl on November 25, 2009. We wish to determine that it is acceptable and complies with your request for sampling set out in the September 15, 2009 notice to Reynolds.

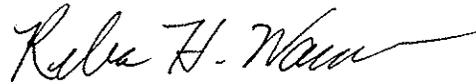
In addition, Reynolds respectfully requests an extension of time in order to ensure the sampling is complete and a report is prepared that is responsive to NCDENR's request. We

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request an additional 45 days from our initial response date, namely on or before January 30, 2010.

Please respond to this request at your earliest convenience. Your attention to this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Reba H. Warren", with a long, sweeping horizontal line extending to the right.

Reba H. Warren

Enclosure

cc: Steve Curl (without enclosure)  
David Peele, Ph.D. (without enclosure)



December 7, 2009

Reba H. Warren  
Managing Counsel  
401 North Main Street  
Winston-Salem, NC 27101

Subject: Groundwater Monitoring Requirements  
Closed Avoca Landfill, Permit #08-02, Bertie County, NC

Dear Ms. Warren,

This letter is to inform you of Avoca, Inc.'s role in providing monitoring data for the closed landfill permitted as # 08-02 located in Bertie County, North Carolina formerly owned by R.J. Reynolds and currently owned by RIAL Corporation.

Avoca, Inc. personnel will work with the current owners of the closed landfill, RIAL Corporation, to collect groundwater samples during the week of December 7, 2009. The samples will be hand delivered to the state certified lab Environment 1 in Greenville, NC immediately following the collection. There will be a total of 8 monitoring wells sampled. The samples will be analyzed for the following parameters as required by Permit #08-02: arsenic, barium, cadmium, chromium, manganese, lead, mercury, selenium, silver, and volatile organics.

Due to the required holding times for the sample analysis required by EPA methods EPA200.8 and 8260B, it will take approximately 2-3 weeks to have the samples analyzed and receive data from Environment 1. After receiving the sample data Avoca, Inc. will again assist RIAL Corporation in filling out and submitting the sample data to NCDWQ on the NCDENR approved GW-59 forms. Avoca, Inc. will also submit copies of all sample data as well as the GW-59 forms to R.J. Reynolds.

Avoca, Inc. appreciates your understanding of this matter and hopes to get the situation resolved in a timely manner.

Sincerely,

Dr. David M. Peele  
President