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**HUFF, POOLE & MAHONEY, P.C.**  
ATTORNEYS & COUNSELLORS

J. Bryan Plumlee, Esq.

Reply to:  
Virginia Beach

Direct Dial: 757/518-5615  
Email: [bplumlee@hpmlaw.com](mailto:bplumlee@hpmlaw.com)

February 28, 2007

**VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
7006 2760 0001 3854 1705**

Ed Mussler, Branch Head  
Permitting Branch  
Solid Waste Section – NCDENR  
401 Oberlin Road, Suite 150  
Raleigh, NC 27605

Re: FREEDOM OF INFORMATION ACT REQUEST  
Proposed Black Bear Landfill/Camden County  
Our File Number: 13696.000105



Dear Mr. Mussler:

This law firm represents the City of Chesapeake, Virginia. Pursuant to the Freedom of Information Act, we request a certified copy of any and all documents pertaining to the following:

1. Financial Qualifications submitted to DENR by Black Bear Disposal/Waste Industries demonstrating financial assurance, from September 15, 2006 to present.
2. All correspondence between Camden County Board of Commissioners and DENR, from October 10, 2005 to present.
3. Any documents pertaining to the site suitability application submitted by Black Bear Disposal/Waste Industries, from February 14, 2006 to present.
4. All hydrologic and hydrogeologic information submitted by Black Bear Disposal/Waste Industries for the site suitability permit, from January 13, 2006 to present.
5. All documents pertaining to the reporting of and response to the release of contaminants at the following sites: Cherokee County landfill - permit number 20-

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02, New Hanover County Landfill - permit number 65-05, Transylvania County Woodruff Landfill - permit number 88-07, Piedmont Landfill - permit number 34-06, Hanes Mill Road Landfill - permit number 34-02, Foothills - permit number 14-03, Catawba - permit number 18-03, Cumberland - permit number 26-01, Gaston - permit number 36-06, Iredell - permit number 49-03, Johnston - permit number 51-02, Macon - permit number 57-03, Madison - permit number 58-03, Camp Lejeune - permit number 67-03, Robeson - permit number 78-03, Sampson - permit number 82-01, City of Albemarle - permit number 84-01. These sites were referenced in Chief Crissman's letter of January 24, 2007, see attached.

6. All documents pertaining to the landfill fire of 1998 at the Dare County landfill.

We have employed the services of Tracy Little with Executive Staffing. We will have her contact you directly to schedule an appointment at which time she may come to your office to assist in making the copies of the file.

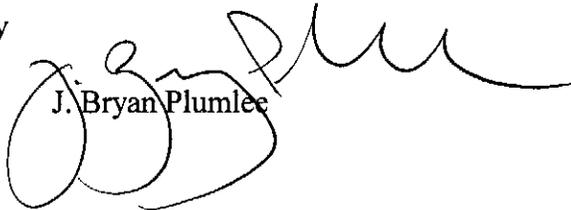
Please contact me at my direct dial number above with any questions.

With kind regards, I am

Very truly yours,

HUFF, POOLE & MAHONEY, P.C.

By

  
J. Bryan Plumlee

JBP/tg

Attachment

cc: Tracy Little (via e-mail transmission)



## 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 24, 2007

Mr. J. Bryan Plumlee, Esq.  
Huff, Poole & Mahoney, P.C. Attorneys and Councillors  
4705 Columbus Street  
Virginia Beach, VA 23462-6749

Dear Mr. Plumlee,

As I recall the conversation with the reporter of the article you reference, I said something to the effect that at that moment I could recall four or five facilities at which contamination associated with an operating landfill's appurtenances, but not the base liner, had occurred. We further discussed what I meant by appurtenances – which are activities such as leachate, gas, or storm water collection lines, leachate storage tanks or lagoons and other operations outside the base liner.

Those facilities were Cherokee County Landfill - permit number 20-02, New Hanover County Landfill - permit number 65-05, Transylvania County Woodruff Landfill - permit number 88-07, Piedmont Landfill – permit number 34-06, and Hanes Mill Road Landfill – permit number 34-02.

In response to your request staff members have reviewed files and the following landfills have had some contaminant detected. Some of these were determined to have been false positives, another was a case of a disgruntled employee spiking a well and others I simply could not recall or were not aware of when the reporter called.

Foothills – 14-03  
Catawba – 18-03  
Cumberland – 26-01  
Gaston – 36-06  
Iredell – 49-03  
Johnston – 51-02

Macon – 57-03  
Madison – 58-03  
Camp Lejeune – 67-03  
Robeson – 78-03  
Sampson – 82-01  
City of Albemarle – 84-01

If you wish to review the files on any of these please make a file appointment with Carmen Johnson at 919.508.8503.

Sincerely,

Paul Crissman  
Chief, Solid Waste Section