NCDENR

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

April 9, 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Jim Philyaw
Finance Officer
PO Box 776
Bayboro, NC 28515

Re: NOTICE OF VIOLATION
Local Government Financial Assurance Test
Pamlico County (CRSWMA) Landfill, Permits #25-04 and 25-09

Dear Mr. Philyaw:

You are hereby informed that the Pamlico County (CRSWMA) Landfill, Permits #25-04 and 25-09, is in violation of the North Carolina Solid Waste Management Rules codified as Title 15A Subchapter 13B of the North Carolina Administrative Code (NCAC), specifically:

> 15A NCAC 13B .1628(e)(1)(F) requires all owners or operators of municipal solid waste landfill (MSWLF) units, who are using the Local Government Financial Test to satisfy the financial assurance requirement, to submit a letter signed by the local government's chief financial officer (CFO) and worded as specified in Part (e)(2)(G) of this Rule. This letter must be submitted to the Division annually within 120 days after the close of each fiscal year.

The annual update was officially due on November 1, 2007. Pamlico County is required to comply with 15A NCAC 13B .1628(b) by taking the following actions:

1. Within 14 days of receipt of this notice, submit an updated Local Government Financial Test letter using estimates based on current dollars for Pamlico County's fiscal year ending June 30, 2007, or submit documentation of another acceptable mechanism as provided in 15A NCAC 13B .1628(e);

2. Take any and all steps necessary to ensure that Pamlico County will meet the liability requirements of the Local Government Commission using closure and post-closure cost estimates based on current dollars for the fiscal year ending June 30, 2007.

Please be advised that pursuant to 130A-22(a) and 15A N.C.A.C. 13B .0701 - .0707, an administrative penalty of up to $15,000.00 per day may be assessed for violation of the Solid Waste Management Laws or Regulations.

Thank you for your attention to this matter. If you have any questions, please call me at (919)508-8496.

Sincerely,

Amy Kadrie

Amy Kadrie
Compliance Officer
Solid Waste Section

cc: Mark Poindexter, Field Operations Branch Head
Dennis Shackelford, Eastern District Supervisor
Ray Williams, Environmental Senior Specialist