



North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor  
Dee Freeman, Secretary

June 10, 2011

Sent Via Email – YIY1@RJRT.com

Ms. Yi Yongsheng  
R.J. Reynolds Tobacco Company  
Environment, Health, and Safety  
401 North Main St.  
Winston-Salem, NC 27101

Re: Compliance Order issued by the Division of Waste Management on April 17, 2009  
R.J. Reynolds Rural Hall Ash Landfill  
Forsyth County, Solid Waste Permit Number 34-05

Dear Ms. Yi Yongsheng:

R.J. Reynolds Tobacco Company (Reynolds); ERM NC, PC; and the Solid Waste Section had a meeting on April 28, 2011 at the Raleigh Central Office to discuss the Phase II Assessment Activities at the Rural Hall Ash Landfill, Solid Waste Permit Number 34-05. During this meeting, the following people were in attendance: Ms. Yi Yongsheng, Mr. Max Hopkins, Mr. Alan Martin, Mr. David Wasiela, Mr. Jason Watkins, and Ms. Jaclynne Drummond.

Based upon discussions during this meeting, the implementation of the approved assessment plan to evaluate groundwater and surface water quality within the vicinity of the landfill is almost complete, except that Reynolds has not installed an off-site groundwater monitoring well located to the east/northeast of the landfill pursuant to the August 11, 2010 *Proposed Schedule for Phase II Assessment Activities* and the October 29, 2009 *Summary Report - Preliminary Site Assessment*. The property that is appropriate for the off-site groundwater monitoring well is owned by Ms. Margie Payne. Ms. Payne has denied Reynolds access to the property for the groundwater monitoring well installation. In lieu of installing and sampling an off-site groundwater monitoring well in this location, Reynolds has agreed to the following:

1. Reynolds will submit to the Solid Waste Section documentation of its attempts to obtain permission for the off-site groundwater monitoring well, including a written acknowledgment by Ms. Payne (or her representative) that she has refused to permit installation of a groundwater monitoring well on her property, or in the event Ms. Payne refuses to provide such acknowledgement, a statement by ERM NC, PC.
2. Reynolds will utilize non-invasive techniques, which may include contaminant transport modeling, to predict the potential for groundwater contamination to migrate off-site across the creek to the east/northeast of the landfill. Reynolds shall provide a report of the techniques, findings, and analyses to the Solid Waste Section.

When Reynolds has completed 1 and 2 above, the Solid Waste Section will write a letter to Reynolds stating that the assessment plan has been implemented, and that the \$9,000 penalty held in abeyance in the Compliance Order is deemed mitigated.

To provide additional information, Reynolds will resample the same potable water supply wells for the same constituents as in 2009. Reynolds will report these sampling results to the Solid Waste Section and the Forsyth County Health Department.

If you have any questions or concerns regarding this letter, please contact me at 919-508-8500 or by email at [jaclynne.drummond@ncdenr.gov](mailto:jaclynne.drummond@ncdenr.gov). Thank you for your continued cooperation with this matter.

Sincerely,



Jaclynne Drummond  
Compliance Hydrogeologist  
Solid Waste Section

cc sent via email: Max Hopkins, R.J. Reynolds  
Nancy Scott, Assistant NC Attorney General  
Lori Hinnant, Womble Carlyle Sandridge & Rice, PLLC  
Michael Scott, Solid Waste Section Chief  
Mark Poindexter, Field Operations Supervisor  
Jason Watkins, Central District Supervisor  
Linda Culpepper, DWM Deputy Director