



FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:											
Lined MSWLF		LCID		YW		Transfer		Compost		SLAS	COUNTY: HAYWOOD PERMIT NO.: 44-01 FILE TYPE: COMPLIANCE
Closed MSWLF		HHW		White goods		Incineration		T&P		FIRM	
CDFL		Tire T&P / Collection		Tire Monofill		Industrial Landfill	X	DEMO		SDTF	

Date of Audit: 08/21/09 and 09/29/09 **Date of Last Audit:** 07/01/09

FACILITY NAME AND ADDRESS:
 Champion International Industrial Landfill
 State Road 1613
 Canton, NC 28716

GPS COORDINATES: N: 35.553174 E: -82.827012

FACILITY CONTACT NAME AND PHONE NUMBER:
 Tom C. Richardson
 (901) 763-7607

FACILITY CONTACT ADDRESS:
 Tom Richardson
 International Paper Corporation
 6400 Poplar Avenue
 Memphis, TN 38197

AUDIT PARTICIPANTS:
 Andrea Keller – NCDENR Solid Waste Section
 Deb Aja – NCDENR SWS District Supervisor
 Mark Poindexter – NCDENR SWS Branch Head
 Paul Crissman – NCDENR SWS Section Chief
 Joel Lenk – Altamont Environmental
 Anna Saylor – Altamont Environmental

STATUS OF PERMIT:
 Closed (10/25/99)

PURPOSE OF AUDIT:
 Partial

NOTICE OF VIOLATION(S):

15A NCAC 13B .0510(c) requires that “when a solid waste disposal site has been closed in accordance with the requirements of the Division, future necessary maintenance and water quality monitoring shall be the responsibility of the owner and the operator and **shall be specified in the closure letter.**”

The October 25, 1999 Closure Letter states in the POST CLOSURE CONDITIONS:

Item #5, Proposed Uses: *The owner and/or operator shall submit a proposal for the Section’s review and approval addressing post closure uses of the facility. Proposed post closure uses shall not violate any post closure conditions found*

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in this letter. In particular, plans for post closure uses shall avoid possibilities for the entrapment of methane gas. Routine landfill monitoring within structures and at the facility boundary may not be sufficient to detect potentially dangerous situations

International Paper (owner) failed to obtain final approval from the Section for the post closure uses at the facility regarding the Town of Canton's (lessee) construction of an athletic facility at Landfill 5B, and in that International Paper failed to submit a permit modification request to the Section for final approval.

International Paper is violation of 15A NCAC 13B .0510(c) for failing to perform the necessary maintenance at a solid waste disposal site that has been closed in accordance with the requirements of the Division, as specified in the closure letter, in accordance with the requirements of Rule .0510(c) of this Section.

In order to achieve compliance, with 15A NCAC 13B .0510(c), within 60-days of receipt of this letter, International Paper must, as the permit-holder and site owner, submit a permit modification request to the Section. This submittal must include, in addition to an update on all post-closure activities at the site, a permanent methane monitoring plan. This methane monitoring plan should satisfy all conditions of Rule 15A NCAC 13B .0503(2)(a)(i) and (ii) and specifically address the landfill gas monitoring issues related to on site structures located within the facility boundary. Please contact Allen Gaither - Permitting Engineer, at 828-296-4703 for further assistance in the development of the monitoring plan and for all permit modification questions.

You are hereby advised that, pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 per day may be assessed for each violation of the Solid Waste Statute or Regulations. For the violation(s) noted here, you may be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

STATUS OF PAST NOTED VIOLATIONS:

None

AREAS OF CONCERN AND COMMENTS:

1. During the 07/01/09 site audit, the Closure Letter (dated October 25, 1999) was reviewed for Post-Closure Conditions. The audit report generated from this site inspection (dated 07/07/09) requested a records review by all parties to determine whether post-closure conditions regarding landfill gas (LFG) monitoring had been met and whether final section approval for post-closure activities had been granted. Records received and reviewed (partial list):
 - a. Altamont Environmental (Altamont), on behalf of International Paper, submitted a field screening report conducted by The Fletcher Group (04/24/00), and the Bennell-Lammons Engineering, Inc. (BLE) *Report of Soil Gas Sampling* (07/19/02), via email on 07/09/09.
 - b. McGill & Associates (McGill) submitted: a letter response regarding *International Paper Landfill No. 5B* history. This letter outlines a timeline of communication with the Section regarding the post closure activities.
 - c. Altamont Environmental submitted a Landfill Gas Investigation Report (09/23/09) following multiple communications regarding previous landfill gas field events (starting immediately following the 7/01/09 audit), screening of on site structures and property boundaries, and approval from the Solid Waste Section permitting branch for all assessment activities.
 - d. International Paper (formerly Champion International Corporation) submitted a letter to the Section, dated November 10, 1999) stating *Champion intends to maintain the facility in compliance with the post closure conditions specified in your letter of October 25, 1999.*
2. During the 08/21/09 site visit, additional photos were collected from Landfill No. 5B (lower area which includes existing baseball fields and structures).

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08/21/09 Concession Stand/Public Restrooms



Arrows indicate enclosed and partially enclosed structures: concession stand/announcing booth/restroom building, barn, and sheds.

3. Based on document review, on-site discussion, and phone conversations, it was confirmed that historically, no methane monitoring was conducted at this facility following official closure in 1999. Two methane monitoring assessment activities were conducted by environmental contractors, prior to construction of the Town of Canton ball fields/park. No monitoring of structures occurred on site following construction of the concession stand/public restrooms (approximately 2005), and no monitoring of the facility property boundary occurred between the closure date and the previous audit date (a period of approximately ten years).

15A NCAC 13B .0510(c) requires that “when a solid waste disposal site has been closed in accordance with the requirements of the Division, future necessary maintenance and water quality monitoring shall be the responsibility of the owner and the operator and shall be specified in the closure letter.”

The October 25, 1999 Closure Letter states in the POST CLOSURE CONDITIONS:

Item #1, Management of Landfill Gas: *the owner and/or operator shall take the measures necessary to ensure that the closed site shall continue to meet the design standards for landfill gas found in Rule .0503(2)(a).*

Rule .0503(2)(a) states: *The concentration of explosive gases generated by the site shall not exceed:*
(i) twenty-five percent of the limit for the gases in site structures (excluding gas control or recovery system components); and

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(ii) the lower explosive limit for the gases at the property boundary

International Paper (owner) failed to monitor the concentration of explosive gas generated by the site, within site structures, and at the property boundary of the site, and were therefore unable to ensure compliance with 15A NCAC 13B .0503(2)(a)(i) and (ii).

4. Immediately following the audit of 07/01/09, Altamont, on behalf of International Paper, conducted LFG ambient testing and structure testing at the 5C and 5B landfill locations. Additionally, all documents requested in the previous audit were submitted (by Altamont and McGill) to the Section for review, including documents involving the lease agreement with Town of Canton, communication with the Section, and communication with McGill (the Town's contracted engineering firm for the construction of the park).
5. Initial assessment activities indicated LFG present at the site. Landfill gas did not exceed the 25% lower explosive limit (LEL) standard for methane at the on-site structures during these assessment activities. As part of the ongoing activities at landfill 5C (involving a possible permit modification for post-closure activities), LFG monitoring probes were installed on both 5B and 5C landfills. A Landfill Gas Results report was submitted by Altamont on September 23, 2009 to the Section. This report outlined where the LFG probes were located (11 permanent, 4 temporary) and the results of the methane monitoring activities.

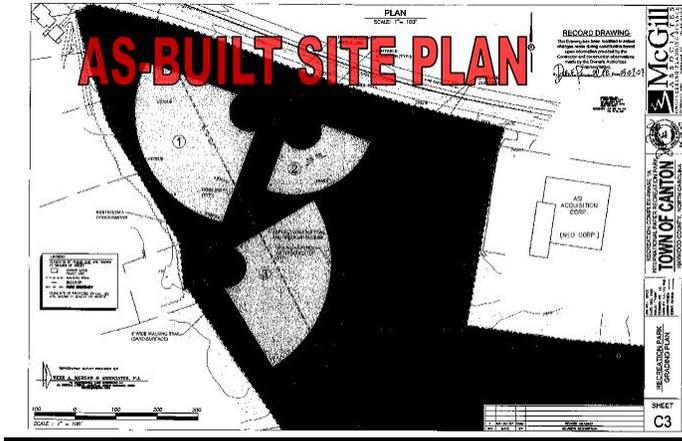
According to the report, "all landfill gas probes, with the exception of the two wells that were not installed in landfill waste, had detections of methane that exceed the lower LEL for methane of five percent by volume." Following these results, International Paper and Altamont Environmental notified the Section and agreed to submit a Landfill Gas Mitigation Plan to the Section within 60 days. However, based on the premise that the LFG probes installed in-waste do not accurately assess LFG migration and do not represent boundary conditions at the site, the SWS Permitting Branch approved additional assessment activities at the site in order to delineate methane presence at LFG probes located in-waste versus outside the waste limits at the property boundary.

6. An on-site visit was conducted on 09/23/09 as part of a scheduled Section staff meeting. Present from NCDENR Solid Waste Section: P. Crissman, M. Poindexter, D. Aja, and A. Keller, along with other Section employees from the Western District. Both landfill 5C and 5B were observed and the LFG monitoring probe network installed by Altamont Environmental was discussed with J. Lenk and A. Saylor.
7. Several current site activities were discussed in the previous audit and investigated in the course of the document review period. The use of the 5C and 5B landfills for hayfields/mowing activities is considered acceptable, but should be added as a site activity during the next permit modification.
8. The use of the 5B Landfill for the Town of Canton athletic facility should have been previously captured in a permit modification. Additionally, the Preliminary Site Plan for the proposed athletic facility (which had been reviewed by the Section) does not match the final as-built for the facility.



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It is unclear as to whether this final as-build design (which located the concession stand/restroom structure on top of waste) was ever submitted to the Section. However, records indicate that continued correspondence between McGill and the Section (Permitting Engineer Tim Jewett) occurred regarding the construction activities as late in the project as March 3, 2004. Regardless of the perceived status of this post-closure project by the involved parties, a written approval from the Section and/or a permit modification was required for final approval.

All current and future plans for both 5B and 5C will require a permit modification for permit #44-01. Please contact Allen Gaither - Permitting Engineer, at 828-296-4703 for further assistance with the permit modification.

Please contact me if you have any questions or concerns regarding this audit report.

Phone: (828) 296-4700

Andrea Keller
 Environmental Senior Specialist
Regional Representative

Mailed on: <u>10/16/09</u>	Hand delivery	US Mail	Certified No. <u>[7006 2150 0005 2458 9495]</u>
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- ec: Mark Poindexter, Field Operations Branch Supervisor
- Deb Aja, Western District Supervisor
- Donald Herndon, Compliance Officer
- Joel Lenk, Altamont Environmental Inc.
- A.B. Matthews, Town of Canton Manager