



North Carolina Department of Environment and Natural Resources

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Division of Waste Management
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Asheville Regional Office
Division of Waste Management
Solid Waste Section

June 16, 2010

Steven King – Solid Waste Manager
Haywood County White Oak MSW Landfill
278 Recycle Road
Clyde, NC 28734

Re: **Alternative Cover Material (ACM) Demonstration Authorization Letter
Haywood County White Oak MSW Landfill
Permit No.44-07**

Dear Mr. King,

This Authorization Letter conditionally approves the *Mulch/Soil Mix* ACM Demonstration request submitted to the Section, dated June 4, 2010. The demonstration period was originally approved for November 6, 2008 and was followed by an extension period which expired July 9, 2009. The Demonstration Project was not completed during this time frame for various reasons. Based on the June 4, 2010 request, the current demonstration period will expire on **October 15, 2010** to allow for sufficient time to complete the Demonstration Project.

As stated in the original authorization of the 3:1 mulch/soil *ACM* demonstration period, the following three additional conditions apply:

- In addition to the log sheet, photographs should be take to document the effectiveness of the 3:1 Soil/Mulch ACM throughout the demonstration project;
- Routine maintenance shall be done on all equipment that will be used to prepare, apply, and maintain the 3:1 Soil/Mulch ACM; and
- Staff shall be trained as needed to properly apply and maintain the 3:1 Soil/Mulch ACM.

The ACM must comply with 15NCAC .1626(2)(b) which requires the Operator to demonstrate that the ACM will control disease vectors, fires, odor, blowing litter, and scavenging without presenting a threat to human health and the environment. **The ACM shall not be used more than five consecutive days without placing soil over the previously filled areas and shall cover all of the exposed waste each time it is used.**

The demonstration period does not allow for or give exemption to the requirements for Daily Cover (soil). If the use of the product is not sufficient for daily cover, it should not be used. It is the operators' responsibility to ensure an adequate cover is being provided. The continued use of the product should not continue if it does not appear to be adequately covering the waste.

A **minimum of a 90-day demonstration period** must be completed prior to completion of the Demonstration Report. After the demonstration period for the conditionally approved Soil/Mulch ACM, the facility operator, **within 30-days**, may then either:

- (1) Provide a certified Demonstration Report demonstrating the feasibility to request approval for the use of the ACM on a full-time basis, or
- (2) Cease use of the ACM, properly dispose of any remaining ACM, and provide a Closure Letter detailing the findings of the use of the material during the approval period and what actions were taken to dispose of the material.

The certified Demonstration Project report must be signed by the operator and certified by a professional engineer licensed in North Carolina. The report would include documentation addressing the performance and effectiveness of the material, the number of times the ACM was used, the quantities of the ACM, and other supportive information, including photographs.

Following satisfactory demonstration of the ACM and application (that includes the Certified Demonstration Report and the revised Facility Operations Plan) the Solid Waste Section may issue a modified permit for the facility that includes the ACM operation. In the case of the Haywood County White Oak MSWLF, the permit language had previously been modified to conditionally approve the use of the soil/mulch ACM pending successful demonstration and application to the Section.

Please note that the continuation of the use of this ACM is performance based. Should the application of the ACM become impracticable or contribute to conditions hazardous to public health, safety or the environment, the operator is responsible for immediately terminating the ACM use and applying compacted earthen material cover in accordance with the Solid Waste Rules. Impracticable conditions are conditions that make the placement of ACM difficult due to adverse climate such as rain, wind, or frozen precipitation, or other conditions that adversely affects the ability of the ACM to meet the Performance Standards. The operator must maintain a ready stockpile of earthen material cover material and the equipment necessary to apply the earthen material cover to respond to an adverse situation. Therefore, approval of the continued use of the ACM may be revoked at any point in time by the Division.

If you have any questions, please call me at (828) 296-4700 at the Asheville Regional Office.

Sincerely,



Andrea Keller
Environmental Senior Specialist
Solid Waste Section

ec: Dave Pasko, McGill Associates
Allen Gaither, NCDENR, Environmental Engineer
Deb Aja, NCDENR, Western District Supervisor