



North Carolina Department of Environment and Natural Resources  
Division of Waste Management

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

August 4, 2011

TO: Interested Parties

RE: Notice of Issuance of Permit to Construct  
Upper Piedmont Regional Landfill  
Person County, North Carolina

**Notice of Issuance of Sanitary Landfill Permit**

You expressed an interest in the Application for Municipal Solid Waste Landfill Permit filed by Republic Services of North Carolina, LLC to conduct solid waste disposal activities located at State Highway 158, East of Roxboro, Person County, North Carolina. This is a notice to you that the North Carolina Department of Environment and Natural Resources Division of Waste Management issued Permit Number 73-04 on August 4, 2011.

A copy of the Final Permit, Fact Sheet, and Responses to Public Comments is available to interested parties. The information may be viewed on the internet at <http://portal.ncdenr.org/web/wm/sw>. The permit record may be viewed by appointment from 9 AM to 4 PM, Monday-Friday, at the Division of Waste Management, 401 Oberlin Road, Raleigh, NC. Requests for additional information or a copy of the above may be made to:

John Murray, P.E  
North Carolina Solid Waste Section  
Mooresville Regional office  
610 East Center Ave., Suite 301  
Mooresville, NC 28115

Phone Number: (704) 663-1699, ext. 2163  
Fax Number: (704) 663-6040  
Email: [john.murray@ncdenr.gov](mailto:john.murray@ncdenr.gov)

North Carolina law allows persons aggrieved by the issuance of a solid waste permit to contest the decision by filing a petition for a contested case in the Office of Administrative Hearings pursuant to North Carolina General Statute 150B-23 of the Administrative Procedure Act.

If you believe you are an aggrieved party as defined under the Administrative Procedure Act (the Act) you may file a petition for a contested case with the Office of Administrative Hearings within 30 (thirty) days of the date of this notice to you in accordance with North Carolina General Statute 130A-24.

If you file a contested case petition, it must be in writing and in the form prescribed by North Carolina General Statute 150B-23(a). See the excerpt at the end of this notice for further information. You must file the original petition and one copy with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina, 27699-6714.

You must also serve the Department of Environment and Natural Resources by mailing a copy of the petition to Mary Penny Thompson, General Counsel, Department of Environment and Natural Resources, 1601 Mail Service Center, Raleigh, North Carolina 27699-1601.

Any questions about filing a petition should be directed to the Clerk of the Office of Administrative Hearings, telephone number: (919) 733-2691. You may also view the North Carolina Office of Administrative Hearings documents on their web site at [www.ncoah.com](http://www.ncoah.com).

Thank you,

Department of Environment and Natural Resources  
Division of Waste Management / Solid Waste Section

**Excerpt from N.C. General Statute 150B Administrative Procedure Act**

§150B 23. Commencement; assignment of administrative law judge; hearing required; notice; intervention.

(a) A contested case shall be commenced by filing a petition with the Office of Administrative Hearings and, except as provided in Article 3A of this Chapter, shall be conducted by that Office. The party who files the petition shall serve a copy of the petition on all other parties and, if the dispute concerns a license, the person who holds the license. A party who files a petition shall file a certificate of service together with the petition. A petition shall be signed by a party or a representative of the party and, if filed by a party other than an agency, shall state facts tending to establish that the agency named as the respondent has deprived the petitioner of property, has ordered the petitioner to pay a fine or civil penalty, or has otherwise substantially prejudiced the petitioner's rights and that the agency:

- (1) Exceeded its authority or jurisdiction;
- (2) Acted erroneously;
- (3) Failed to use proper procedure;
- (4) Acted arbitrarily or capriciously; or
- (5) Failed to act as required by law or rule.

The parties in a contested case shall be given an opportunity for a hearing without undue delay. Any person aggrieved may commence a contested case hereunder.