



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

February 2, 2009

Mr. Tim Rogers
Solid Waste Director
Solid Waste Department
460 B S Landfill Road
Dudley, North Carolina 28333-5321

Subject: Corrective Action Plan
Wayne County Landfill
Construction and Demolition Landfill Permit 96-01
Doc ID 6652

Dear Mr. Rogers:

The Solid Waste Section (SWS) has not received a revised Corrective Action Plan (CAP). A CAP is required pursuant to 15A NCAC 13B .0547(4)(c), effective July 1, 2008. On November 7, 2008, SWS staff—Jaclynne Drummond, Brian Wootton, and I—met Sean Patrick of Municipal Engineering Services Company, P. A. (MESCO) to discuss issues common to CAP's submitted by MESCO. We agreed that SWS comments to one CAP uniformly applied to other MESCO CAP's. On December 16, 2008, the SWS notified you that the revised CAP had not been received (Doc ID 6469).

MESCO contacted the SWS on January 9, 2009 and explained its need for more time. Since then the SWS approved the selected groundwater remediation technologies—proposed monitored natural attenuation (MNA) paired with the existing gas extraction system. However, required in the revised CAP is more information about the gas extraction system, increased financial assurance for both technologies, complete list of MNA performance parameters, and addressing aforementioned issues.

The SWS has set February 27, 2009 as a final deadline, following which enforcement action may begin. Pursuant to North Carolina General Statute 130A-22, an administrative penalty up to \$15,000 per day may be assessed for each violation of Regulations 15A NCAC 13B .1636-.1637 and 0.0547.

Submitted with the CAP should be the application, "North Carolina Solid Waste Groundwater Corrective Action Permit Modification Application". The application is accessible through the SWS website: <http://www.wastenotnc.org/swhome/EnvMonitoring/SWCorrectiveMeasuresGuidance.pdf>.

If you have questions, I can be reached at 919-508-8401 and at zinth.barbee@ncmail.net.

Sincerely,

Zinith Barbee
Hydrogeologist
Solid Waste Section

Tim Robbins
Wayne County Landfill
Page 2 of 2
Doc ID 6652

cc: Ed Mussler Solid Waste Section
Mark Poindexter Field Operations Supervisor
Dennis Shackelford Eastern Regional Supervisor
Brad Bailey Waste Management Specialist
Sean Patrick Municipal Engineering Services Co., P.A.
Central File