



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

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

Solid Waste Section

November 30, 2009

Mr. Andy Davis, Director
Wilson County Solid Waste Department
P.O. Box 1728
Wilson, North Carolina 27894-1728

Re: Permit Application of Wilson County Westside Construction and Demolition Debris Landfill (C&DLF), Phase 1 - Cells 1 through 3 Continued Operations (the Permit Application)
Wilson County, North Carolina
Permit No. 98-09, Document ID No. (Doc ID) 8959

Dear Mr. Davis:

The Division of Waste Management (DWM), Solid Waste Section has reviewed the 20 November 2009 letter and the revised permit modification application (Doc ID 8946), submitted by Richardson Smith Gardner & Associates (RSG) on behalf of Wilson County, to respond the DWM's comments (Doc ID 8713) dated October 2, 2009. Based on this review, the Solid Waste Section has no further comments on the permit modification application at this time. The Solid Waste Section hereby approves cost estimates for closure and pos-closure cares of Cells 1 through 3 at the Wilson County Westside C&DLF. The approved costs, in year 2009 dollar values, are \$572,304.00 for the closure of Phase 1 – Cells 1 through 3 (approximately 10.5 acres) and \$641,850.00 for the 30-year post-closure cares for Phase 1 landfill units. Pursuant to the North Carolina Administrative Code, 15A NCAC 13B .0547(2)(b), within 30 days upon receiving this letter, Wilson County must submit the DWM a financial assurance document in accordance with Rule .0546.

Please be aware that the current Permit to Operate for Phase 1 – Cells 1 through 3 expired on 17 September 2009. To comply with the five-year permit review requirement stated in Rule 15A NCAC 13B .0201(g), Wilson County must submit a permit amendment application and pay the statutorily required permit amendment fee of \$9,000.00 within thirty (30) days upon receiving this letter or propose a date acceptable to the DWM. The permit amendment application must be prepared in accordance with Rule 15A NCAC 13B .0535(b). The permit modification fee of \$1,500.00 that was previously paid for continued operation of Phase 1 – Cells 1 through 3 in accordance with rule .0547(2) and received by the Solid Wastes Section on November 18, 2008 can not be contributed as a portion of the requested permit amendment fee.

Wilson County, furthermore, must provide financial assurance sufficient to cover a minimum required amount of three million dollars (\$3,000,000.00) for potential assessment and corrective action at the facility in accordance with the NCGS 130A-295.2(h), effective August 1, 2009. This financial assurance requirement is in addition to the financial responsibility requirements for site closure, post-closure cares, and corrective actions. Wilson County must submit the requested financial assurance document immediately as it is required before the new permit to operate can be issued. Within the next 12 months, Wilson County will be required to evaluate the solid waste management facility to determine the estimated costs of potential assessment and corrective action based on the criteria established in the above-reference statute. Depending on this determination, the required financial assurance amount in the future may be higher than the minimum amount of three million dollars

If you have any questions regarding permitting processes, please contact me at (919) 508- 8507; and please Donald Herndon at (919) 508-8502 for any financial responsibility and assurance issues.

Sincerely,



Ming-Tai Chao, P.E.
Environmental Engineer II
Permitting Branch, Solid Waste Section

cc:

Pieter K. Scheer, P.E., RSG
Ed Mussler, Permitting Branch Supervisor
Dennis Shackelford, DWM
Donald Herndon, DWM

Gary Ahlberg, P.E. Blackrock Engineers
Donna Wilson, DWM
Ben Barnes, DWM
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