



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Dexter R. Matthews

Director

Beverly Eaves Perdue  
Governor

Dee Freeman  
Secretary

October 29, 2009

Jerry Blanchard  
General Services Manager  
Harnett County General Services  
P. O. Box 940  
Lillington, North Carolina 27546-0940

Subject: Financial Assurance for Corrective Action at the Harnett County Dunn-Erwin Landfill  
Permit 43-02, Doc ID 8845

Dear Mr. Blanchard:

C.T. Clayton, Sr., P.E., Inc. communicated with the Solid Waste Section (SWS) on October 26, 2009, regarding financial assurance at the facility identified above. Financial assurance is reportedly "in the Finance Office hands", but unclear is why the financial assurance mechanism required by the SWS remains unsubmitted after more than a year. In that time requirements for financial assurance have changed, which compound issues of noncompliance with SWS requirements for corrective action(s). Financial assurance for corrective action is just one of several issues that have persisted. **Continued noncompliance with regulatory and statutory SWS requirements may result in enforcement action.**

Please note that financial assurance specified in Statute NCGS 130A-295.2(h), effective August 1, 2009 is *in addition to* financial assurance specified in Regulations 15A NCAC 13B .1628 (d) and 15A NCAC 13B .0547 (4) (c) required since July 1, 2008. Address correspondence for financial assurance to Ms. Shawn McKee and/or Mr. Donald Herndon in the SWS. The financial assurance mechanism showing cost of a final corrective action plan (CAP) should be sent to Ms. Shawn McKee as soon as possible. She can be contacted at 919-508-8512 or at [shawn.mckee@ncdenr.gov](mailto:shawn.mckee@ncdenr.gov). Documentation for financial assurance required by the statute should be sent to Mr. Donald Herndon within 30 days of the receipt of this letter. He can be contacted at 919-508-8502 or at [donald.herndon@ncdenr.gov](mailto:donald.herndon@ncdenr.gov).

For questions about the CAP, I can be contacted at 919-508-8401 or at [zinith.barbee@ncdenr.gov](mailto:zinith.barbee@ncdenr.gov).

Sincerely,

Zinith Barbee  
Project Manager  
Solid Waste Section

cc: Mark Poindexter      SWS Field Operations Supervisor  
Donald Herndon      SWS  
Shawn McKee      SWS  
C. Tyrus Clayton, Jr.      C. T. Clayton, Sr., P.E., Inc.  
Central File

## **Barbee, Zinith**

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**From:** Ryan Sadler [ryan@ctclayton.com]  
**Sent:** Monday, October 26, 2009 10:10 AM  
**To:** Barbee, Zinith  
**Cc:** 'C. Tyrus Clayton, Jr., PE'  
**Subject:** Financial Assurance Letter

Zinith,

I just wanted to give you an informal notice that we have not forgotten about the financial assurance for Harnett County involving the Dunn-Erwin Landfill CAP. The County's Solid Waste Director has been out of the office for the past few weeks (since our last correspondence). He suffered a death in the family immediately followed by finding out he has cancer. He has been taking treatments which have made him sick forcing him to miss work. The form is currently in the Finance Office hands and we are working to get it to you.

Regards,

Ryan Sadler  
Project Manager

**C. T. Clayton, Sr., PE, Inc.**

46 West Washington Street  
Coats, North Carolina 27521

910-897-7070 office  
910-897-6767 fax  
919-795-6299 mobile  
[ryan@ctclayton.com](mailto:ryan@ctclayton.com)

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