



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

November 18, 2008

Mr. Buddy Norris
Avery County Solid Waste - Director
PO Box 640
Newland, North Carolina 28657

Subject: Notice of Incomplete Demonstration for Site Suitability and Technical Review Letter,
Hydrogeologic Investigation Report, Revised Site Study, C&DLF Expansion
Avery County, Permit #06-03. Doc ID No: 6258

Dear Mr. Norris:

The Division of Waste Management, Solid Waste Section (Section) completed the technical review of the document, *Revised Site Study, Avery County Landfill, Ingalls, North Carolina*, April 2008, prepared on your behalf by Richardson, Smith, Gardner and Associates. At this time, with the information provided in the Revised Site Study, the Section cannot make a determination on the suitability for landfill construction of most of the proposed expansion site.

The Hydrogeologic Investigation Report, dated April 2008, included in Appendix C, failed to adequately assess geologic and hydrogeologic characteristics of the proposed site pursuant to 15A NCAC13B .0538(a). Foremost, there is an insufficient number of borings within and around the proposed expansion area North of existing Phases 1 and 2 on the Eastern portion of the property and within and around the proposed expansion area on the Western portion of the property. Although part of Rule .0538(a)(3) specifies a minimum ratio of borings to acreage, another part specifies that the number and depths of borings will "depend on the hydrogeologic characteristics of the site." The Rule further stipulates that the numbers, locations, and depths of borings should be sufficient to provide adequate understanding of subsurface conditions and the groundwater flow regime of the uppermost aquifer. Avery County's mountainous terrain requires more data than what suffices in hilly and coastal terrain. No determination on site suitability can be made without sufficient numbers, locations, and depths of borings to characterize geologic and hydrogeologic conditions of the entire site proposed for expansion.

Groundwater conditions in and around existing Phases 1 and 2 had been acceptably characterized in a prior study. Proposed Phase 3 depicted on Drawing P1, Sheet 6 and Drawing X2, Sheet 5 in Appendix H is within these areas. Therefore, since all other required documents for the Site Study have been submitted, after approval of the Nationwide Permit application a Permit to Construct application for Phase 3 can proceed.

If you should have any questions regarding this matter, please contact me at (919) 508-8401.

Sincerely,

Zinith Barbee
Hydrogeologist

Cc: Stacey Smith – RSG Engineers
Allen Gaither – SWS/ARO
Bill Wagner – SWS/ARO