



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

SOLID WASTE SECTION

December 16, 2008

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

Subject: Technical Review Letter
Transition Application, Avery County C&DLF
Avery County, Permit #06-03, Document ID No. 6317

Mr. Norris:

The Division of Waste Management, Solid Waste Section (Section) has completed the technical review of the document titled *Transition Application, Avery County Landfill, (Solid Waste Permit No. 06-03), Ingalls, North Carolina*. This application was submitted on your behalf by Richardson, Smith, Gardner and Associates and was received by the Section on June 27, 2008. It has been determined that additional information is required for completing the technical review. Please provide the information requested below:

Closure Plan

1. Section 1.3, Final Cover System, provides the maximum slope of the final cap will be three horizontal to one vertical, or, 33 percent. Rule 15A NCAC 13B.0543(c)(2)(A) states the post-settlement surface slopes must be a minimum of five percent and a maximum of 25 percent. Please revise these numbers or provide documentation demonstrating the proposed maximum slopes meet the criteria outlined in 15A NCAC 13B.0543(c)(3)(C).
2. Please submit a complete Construction Quality Assurance Plan in accordance with the requirements of 15A NCAC 13B.0541.
3. Rule 15A NCAC 13B.0543(c)(4) requires an owner or operator to notify the Division that a notice of the intent to close the unit has been placed in the operating record prior to beginning closure of each C&DLF unit. Please revise the plan to include this information.

The Section has determined Closure and Post-closure Cost Estimates have been prepared in accordance with 15A NCAC 13B.0546(c)(1) and (c)(3), respectively, and are acceptable. However, to fully comply with the Financial Responsibility requirement you must contact Mr. Donald Herndon in the Field Operations Branch, (919) 508-8502, for approval of the mechanism for demonstrating Financial Assurance.

Page 2 of 2
Mr. Buddy Norris
December 16, 2008
Permit #06-03

As a reminder, the most recent Permit to Operate for this facility expired on October 25, 2001. In addition, the facility is at maximum capacity for existing Phases 1 and 2 and is no longer accepting waste. Prior to continuing operations at the landfill you must submit a Permit to Construct application for a new phase, prepared in accordance with 15A NCAC 13B.0547(3), for approval by the Section. Also, regardless of adequacy of the PTC application, no permit will be issued prior to complete fulfillment of the requirements of the existing Compliance Order (Document ID No. 5856).

If you should have any questions regarding this matter please contact me at (828) 296-4703, or by email at allen.gaither@ncmail.net .

Sincerely,

A handwritten signature in black ink, appearing to read 'Allen Gaither', with a stylized flourish at the end.

Allen Gaither
Environmental Engineer

Cc: Stacey Smith – RSG & Associates
Ed Mussler – SWS/CO
Bill Wagner – SWS/ARO