



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

September 20, 2004

Mr. Jerry Johnson
Waste Industries USA, Inc.
3301 Benson Drive
Suite 601
Raleigh, NC 27609

RE: Black Bear Disposal LLC, Proposed Black Bear Disposal Facility, Camden County, NC,
Site Study Technical Review.

Dear Mr. Johnson.;

A permit application for the Black Bear Disposal Facility, a municipal solid waste landfill, proposed for location in Camden County, North Carolina has been submitted on behalf of Black Bear Disposal LLC, by the consultant Camp Dresser and McKee, Inc. (CDM), of Raleigh, NC. The hydrogeologic portion of the application has been submitted under separate cover and has been reviewed by the section hydrogeologist. This letter addresses some of the technical aspects of the subject application. There will be more review forthcoming at a later date of the engineering related portions of the Site Study. Please address the following:

1. In accordance with NCGS 130A-294(b1)(4) the applicant must request the unit of local government with jurisdiction of the facility to issue a determination as to whether the local government has in effect a franchise, zoning, subdivision or land-use planning ordinance applicable to the sanitary landfill. Provide the appropriate determination from Camden County. In addition, Rule 15A NCAC 13B .1618 (c)(5)(B) requires a letter from the unit of local government having zoning jurisdiction over the property as to whether the facility meets the zoning requirements or the property is not zoned. It is noted that a zoning permit has been provided in the application. Please provide a letter in addition to the zoning permit.
2. In accordance with Rule .1618 (c)(5)(C), provide a letter from the unit of local government responsible for the implementation of a comprehensive solid waste management plan setting forth a determination that the operation of the proposed municipal solid waste landfill is consistent with the approved solid waste management plan.
3. With respect to Rule .1618(c)(5)(A), please provide documentation that the requirements of the rule, subparagraphs (i)-(iii), have been met.

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
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4. Rule .1618 (c)(5)(A)(iv) requires action by the applicant. Please provide verification that the rule has been complied with.

These comments are intended to expedite the review of the referenced application, and in no way do they restrict the Section's right to request additional information during the technical review process. If you have any additional questions or need help, please feel free to call me at (919) 733-0692 Ext. 343. My email address is: Ed.Mussler@ncmail.net

Sincerely,



Edward F. Mussler III, PE
Environmental Engineer
Solid Waste Section

Cc: ✓ D. Jim Barber, Head, Permitting Branch
Chuck Boyette, DWM
Bobby Lutfy, DWM