



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

May 25, 2006

Mr. Jim Perry, President and CEO
Waste Industries USA, Inc.
3301 Benson Drive, Suite 601
Raleigh, NC 27609

Re: Compliance Review for the Proposed Black Bear Disposal, LLC / Waste Industries USA, Inc. Landfill, Camden County, North Carolina

Dear Mr. Perry,

This letter confirms that the Division of Waste Management is in receipt of the completed compliance history review forms submitted on behalf of Black Bear Disposal, LLC and Waste Industries USA, Inc. by Wyrick, Robbins, Yates, and Ponton, LLP. After reviewing the completed compliance history forms (dated March 28, 2006) you submitted, the North Carolina Division of Waste Management requests the following information:

1. Please describe the business of Waste Industries, LLC, a wholly owned subsidiary of Waste Industries, USA.
2. Please describe the business of Waste Industries Landco, LLC.
3. Provide a list of the Board of Directors and Officers of:

Red Rock Disposal, LLC
Duplin County Disposal, LLC
Sampson County Disposal, LLC
Old Kings Road Solid Waste, LLC (F1.)
Laurens County Landfill, LLC (SC)

4. With respect to each person listed in item #3, provide an answer to the following questions:
 - a. has the person been assessed a monetary penalty for the violation of a state or federal statute, regulation, or rule for the protection of the environment.
 - b. has the person been a defendant in any civil or criminal lawsuit in state or federal court for the violation of a state or federal statute, regulation, or rule for the protection of the environment.

- c. has the person been notified in writing that he/she has operated a solid waste management facility without the requisite permit.
5. Has the mitigation of the wetlands at the Sampson County Landfill been completed? If so, please provide written confirmation from the U.S. Army Corps of Engineers.
6. As a result of the violations for the facilities which you provided in the information dated March 28, 2006, has there been an assessment as to why the violation occurred and/or a planned strategy/course of action for preventing future violations? If so, please describe. Was it determined whether the violations were a consequence of corporate policies/decisions instituted by Waste Industries USA, Inc., or were the violations a consequence of local management decisions/policies? What has been done to address any such policies/decisions that may have led to the violations?

Additional follow-up information may be requested. Please be advised that under subsection N.C.G.S. § 130A-294(b3), the agency is not required to review the application until you have satisfied the agency that you have met the requirements of subsection (b2).

Sincerely,



Mark Poindexter
Field Operations Branch Head

cc: Paul Crissman, Solid Waste Section Chief
Ed Mussler, Permitting Branch Head
John Crowder, Eastern District Supervisor
Central File