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June 22, 2011

Edward F. Mussler, III, P.E.
Branch Head
Solid Waste Section – NC DENR
1646 Mail Service Center
Raleigh, NC 27699

**Re: Request for Operating Permit Renewal
Fogleman LCID Landfill – NC Solid Waste Permit No. 32F**

Dear Mr. Mussler:

On behalf of the Fogleman & Fogleman Soils, Inc. (Fogleman), Richardson Smith Gardner & Associates (RSG) is pleased to request a review for the renewal of a five-year, operating permit for the referenced facility. We are providing this communication with understanding that such notification will initiate the review process as well as the issuance of the permit renewal fees for the Fogleman LCID Landfill.

Subsequent to this notification, Fogleman will submit a formal permit renewal application inclusive of updates related to the facility's site plan, operations plan, and the addition of a recycling and recovery plan in general accordance with 15A NCAC 13B .0560 - .0566 for your review on or before the permit's expiration of December 19, 2011.

RSG appreciates your acceptance of this notification. Should you have any questions or concerns, please do not hesitate to contact our office at 919-828-0577.

Sincerely,
Richardson Smith Gardner & Associates

A handwritten signature in blue ink, appearing to read "Lindsay Quant".

Lindsay Quant, E.I.
Staff Engineer, ext. 138
lindsay@rsgengineers.com

A handwritten signature in blue ink, appearing to read "Stacey A. Smith".

Stacey A. Smith, P.E.
Project Manager, ext. 127
stacey@rsgengineers.com

Attachment: Fogleman & Fogleman Soils, Inc. Landfill Facility Permit No. 32-F

cc: Linda Fogleman
File

H:\Projects\Fogleman Landfill (Durham County)\Correspondence\Request for Renewal 20110622.doc

ATTACHMENT

ATTACHMENT 1
Approved Documents

PART I: PERMITTING HISTORY

Issuance	Date
32-F Fogleman Demolition Landfill	March 16, 1992

PART II: MUNICIPAL SOLID WASTE LANDFILL CONDITIONS
(NOT APPLICABLE)

PART III: CONSTRUCTION AND DEMOLITION LANDFILL CONDITIONS
(NOT APPLICABLE)

PART IV: LAND CLEARING AND INERT DEBRIS LANDFILL CONDITIONS

1. Land Clearing and Inert Debris Landfill Permit Application and Drawings entitled *Report and Operations Manual: Fogleman and Fogleman Soils, Inc. LCID Landfill (Permit #32-F)*. October 2006.

PART V: YARD WASTE CONDITIONS
(NOT APPLICABLE)

PART VI: MISCELLANEOUS TREATMENT AND PROCESSING FACILITIES CONDITIONS
(NOT APPLICABLE)

- End of Section -

ATTACHMENT 2

Conditions of Permit to Operate

Part 1: General Facility Conditions:

1. This Permit to Operate is for the operation of the Fogelman & Fogelman Soils, Inc. LCID Landfill consistent with the approved plans and drawings, Attachment 1, Part IV, Document 1, and shall be in effect for a period not to exceed five years from the date of issuance of this permit, December 19, 2006 in accordance with 15A NCAC 13B .0201(e). Any revision of the approved plans must be submitted to the North Carolina Solid Waste Section for review and approval prior to implementation or construction of any changes.
2. Amendments or revisions to the NC Solid Waste Management Rules or any violation of groundwater standards may necessitate modification of the approved plans or closure of the facility.
3. When this property is sold, leased, conveyed, or transferred, the deed or other instrument of transfer shall contain in the deed description section in no smaller type than that used in the body of the deed or instrument a statement that the property has been used as a land clearing and inert debris landfill.
4. This facility is permitted to receive land clearing waste, yard trash, untreated and unpainted wood, and inert debris defined as rock, brick, concrete, concrete block, and uncontaminated soil. Waste acceptance requirements may be affected by future revisions and amendments to the NC General Statutes, or to the NC Solid Waste Management Rules.
5. Waste shall be placed a minimum of four (4) feet above the seasonal high water table.
6. This facility shall conform to the operational requirements of the NC Solid Waste Management Rules, 15A NCAC 13B .0566, and to the operational plan required by 15A NCAC 13B .0565(4) identified as Attachment 1, Part IV, Document 1.
7. This permit is not transferable.
8. The Permittee shall be responsible for the following:
 - a. Prior to the operation of new disposal areas, a site inspection confirming facility construction in accordance with the approved facility plans and a pre-operative meeting conducted by a representative of the Solid Waste Section must occur.
 - b. A sign shall be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566 (16).
 - c. Survey stakes shall be installed to delineate the approved boundary of the waste disposal at all times of facility operation.

9. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.
10. Earth disturbing activities shall be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4) along with any other state, federal or local requirements.
11. Unless otherwise approved in writing by all appropriate agencies, open burning of land clearing waste is prohibited.

- End of Section -