



North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

March 2, 2012

Sent Via Email – rcgilkerson@griffinbrothers.com

Mr. Ron Gilkerson
Griffin Brothers Companies
19109 W. Catawba Avenue
Suite 200
Cornelius, NC 28031-5611

Re: *Greenway Waste Solutions of Apex, LLC Financial Assurance*
Highway 55 C&D Landfill, Wake County
Solid Waste Permit #92-30
DIN 16242

Dear Mr. Gilkerson:

The Solid Waste Section has reviewed the *General Purpose Rider* for Financial Assurance dated February 10, 2012 and submitted via email on February 13, 2012, and additional information is required. The Performance Bond dated February 10, 2012 indicates that the potential corrective action costs will be \$2,000,000, but in order to complete our review, an itemization of how the estimated costs were determined is required.

In accordance with NCGS 130A 295.2 (h), the owner or operator of a sanitary landfill shall establish financial assurance sufficient to cover costs for potential assessment and corrective action at the landfill. This statute became effective on August 1, 2007, and required that each landfill establish financial assurance to cover potential assessment and corrective action in the minimum amount of \$3,000,000 when the permit is next subject to renewal after August 1, 2009.

As of June 23, 2011, the language of the statute has been amended such that the minimum amount is now \$2,000,000. However, the owner or operator of a sanitary landfill must submit a detailed cost estimates to the Solid Waste Section in order to be considered for an amount less than \$3,000,000. The detailed cost estimates shall be developed using information in this statute and relevant rules related to financial assurance, post closure and corrective action for the specific type of sanitary landfill.

As a result, please submit a potential assessment and corrective action detailed cost estimate to ensure that the minimum required amount of \$2,000,000 as specified in G.S. 130A-295.2(h) is sufficient and then the Solid Waste Section can complete the review process. The attached summary table provides a list of rule based items that should be included in the potential assessment and corrective action detailed cost estimate.

If you have any questions or concerns regarding this letter, please contact me at 919-707-8294 or by email at jaclynne.drummond@ncdenr.gov. Thank you for your anticipated cooperation with this matter.

Sincerely,



Jaclynne Drummond
Compliance Hydrogeologist
Solid Waste Section

cc sent via email: Mark Poindexter, Field Operations Supervisor
 Dennis Shackelford, Eastern District Supervisor
 Shawn McKee, Environmental Senior Specialist
 John Murray, Permitting Engineer

**Financial Assurance Cost Estimate Summary for Potential Assessment and Corrective Action
for Construction and Demolition (C&D) Landfills**

15A NCAC 13B .0545(a)	Installation of at least one well at the compliance boundary
15A NCAC 13B .0545(a and b)	Submit an assessment monitoring work plan for Division review
15A NCAC 13B .0545(a and b)	Appendix II background sampling of GW sampling network (4 events per sampling location)
15A NCAC 13B .0545(a and b)	Appendix II sampling of original well network and compliance boundary wells annually (First semi-annual monitoring event)
15A NCAC 13B .0545(a and b)	Appendix I and II detects sampling of original well network and compliance boundary wells annually (Second semi-annual monitoring event)
15A NCAC 13B .0545(a and b)	Installation of additional monitoring wells to characterize the nature and extent (N&E) of the contaminant plume
15A NCAC 13B .0545(b)	Appendix II background sampling of N&E well network (4 events per sampling location)
15A NCAC 13B .0545(b)	Appendix II sampling N&E well network annually (First semi-annual monitoring event)
15A NCAC 13B .0545(b)	Appendix I and II detects sampling of original well network and N&E well network annually (Second semi-annual monitoring event)
15A NCAC 13B .0545(c and d)	Assessment of Corrective Measures (Report, Public Notice, and Public Meeting)
15A NCAC 13B .0545(e)	Selection of Remedy
15A NCAC 13B .0545(e and h)	Corrective Action Plan submittal, approval, and implementation
15A NCAC 13B .0545(e and h)	Installation of additional monitoring wells to monitor effectiveness of selected remedy
15A NCAC 13B .0545(e and h)	Maintenance and repair of additional monitoring wells
15A NCAC 13B .0545(e and h)	Sampling and analysis of additional monitoring wells
15A NCAC 13B .0545(l, m, and n)	Corrective Action Remedy is complete

* Cost estimates should also include site specific permit conditions