



North Carolina Department of Environment and Natural Resources  
Division of Waste Management

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

**VIA ELECTRONIC MAIL**

January 3, 2013

Mr. Bart Keller, Division Manager  
BFI-Charlotte Motor Speedway Landfill  
5105 Morehead Road  
Concord, North Carolina 28027

Re: **Alternative Cover Material Demonstration Authorization Letter  
BFI-Charlotte Motor Speedway Landfill V, Permit Number 13-04  
Proposed ACM: Posi-Shell**

Dear Mr. Keller:

This letter is in response to your request for approval to demonstrate the capability of an Alternative Cover Material (ACM) at the referenced landfill. This Authorization Letter conditionally approves the Demonstration Project as described in your original letter dated November 8, 2012 and subsequent follow-up electronic correspondence received on December 6, 2012 and January 2, 2013, for a period of 180 days. This period of time provides the operator with 180 days to perform the Demonstration Project, and 60 days to compile and submit the certified Demonstration Report to the Solid Waste Section for review. The demonstration period will expire on **June 30, 2013**.

The ACM must comply with 15NCAC .1626(2)(b) which requires the Operator to demonstrate that the ACM will control disease vectors, fires, odor, blowing litter and scavenging without presenting a threat to human health and the environment. The ACM shall not be used more than five consecutive days without placing soil over the previously filled areas and shall cover all of the exposed waste each time it is used.

The demonstration period does not allow for or give exemption to the requirements for Daily Cover. If the use of the product is not sufficient for daily cover, it should not be used. It is the operator's responsibility to ensure an adequate cover is being provided. The use of the ACM must be discontinued if it does not perform as well as soil in the areas of fire prevention, vector control, blowing waste prevention, odors, and scavenging.

After 180 days of using the conditionally approved ACM, the facility operator may then either:

- (1) within 60 calendar days provide a certified Demonstration Report demonstrating the feasibility to request approval for the use of the ACM on a full-time basis, or

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(2) cease use of the ACM, properly dispose of any remaining ACM, and provide a Closure Letter detailing the findings of the use of the material during the approval period and what actions were taken to dispose of the material.

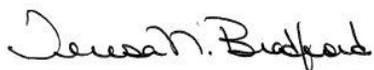
The certified Demonstration Project report must be signed by the operator and certified by a professional engineer licensed in North Carolina. The report shall include documentation addressing the performance and effectiveness of the material, the number of times the ACM was used, the quantities of the ACM, and other supportive information, including photographs.

Following satisfactory demonstration of the ACM and application, the Solid Waste Section may issue a Permit Modification for the facility that includes the ACM operation.

Please note that the continuation of the use of this ACM is performance based. Should the application of the ACM become impracticable or contribute to conditions hazardous to public health, safety or the environment, the operator is responsible for immediately terminating the ACM use and applying compacted earthen material cover in accordance with the Solid Waste Rules. Impracticable conditions are conditions that make the placement of ACM difficult due to adverse climate such as rain, wind, or frozen precipitation, or other conditions that adversely affects the ability of the ACM to meet the Performance Standards. The operator must maintain a ready stockpile of earthen material cover material and the equipment necessary to apply the earthen material cover to respond to an adverse situation. Therefore, approval of the continued use of the ACM may be revoked at any point in time by the Division.

Please notify me when the demonstration project begins. If you have any questions, please contact me at (704) 235-2160 or [teresa.bradford@ncdenr.gov](mailto:teresa.bradford@ncdenr.gov).

Sincerely,



Teresa N. Bradford  
Environmental Senior Specialist  
Solid Waste Section

cc: Jason Watkins, Western District Supervisor  
John Murray, Regional Permitting Engineer  
Mike Gurley, Environmental Manager-Republic Services