



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

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

December 20, 2012

Ms. Linda Fogleman and
Mr. Jay Fogleman
Fogleman & Fogleman Soils, Inc.
4005 Intermere Road
Durham, NC 27704

Re: Off-Site Soil Screening Procedure
Fogleman & Fogleman Landfill and Recycling Facility
Permit 32F, Durham County, DIN 17940

Dear Mr. and Ms. Fogleman:

Smith Gardner, Inc. has submitted a procedure for the screening of off-site soils delivered to your facility. The procedure was submitted in response to Mr. Ervin Lane's letter of December 6, 2012. The objective of the procedure is to prevent the acceptance and sale of contaminated soil.

It is the sections' understanding that this is not a standard procedure. It was proposed based on your experience. It appears as a quick, uncomplicated screening test. It should be noted that it is not a substitute for representative sampling and approved analytical methods nor does it assure that the soil is free from contamination.

The section offers the following comments for your consideration.

1. The procedure states that loads will be randomly selected for the screening. There is no mention of the number of samples or of how the gate attendant would know to which load to select to screen. Since you are not sampling every load, it is suggested that you consider how you may need to use this information in the future. You may want to consider a statistical approach for determining the number of loads to sample and the method of collecting samples.
2. The procedure states to break the seal and "manually determine" if foreign odors are present. By manually, we are assuming you mean sniff or smell. If your staff is not familiar with smelling chemicals we suggest training in the appropriate procedures.

3. The procedure does not indicate if the results will be recorded. It also does not indicate what action the facility will take based on the results. You may want to add these to your procedure.

The procedure has also been review by Mr. Lane. He concurs with the third comment.

Please consider the comments and notify us if you wish to make any changes.

Sincerely,

Patricia M. Backus, P.E.
Environmental Engineer
Solid Waste Section

cc: Madeline German, P.G., Smith Gardner, Inc.
Stacey A. Smith, P.E., Smith Gardner, Inc.
Ed Mussler, P.E., Permitting Branch Supervisor
Ervin Lane, Compliance Hydrogeologist
Jason Watkins, Western Branch Supervisor
John Patrone, Senior Environmental Specialist