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

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

August 24, 2012

Mr. Allen Currin
Currin Brothers LCID Landfill
PO Box 547
Fuquay Varina, NC 27526

Re: Site Visit – July 19, 2012
Currin Landfill #2
Permit 32I-LCID, Durham County, Document ID 17113

Dear Mr. Currin:

Thank you for the opportunity to tour your facility and discuss your operation.

The two issues that you asked me to investigate from a permitting perspective were the restrictions on side slope and the requirements to cover waste with soil. These issues are addressed in the Solid Waste Management Rules (15A North Carolina Administration Code 13B) (Rules) as follows:

15A NCAC 13B .0563 APPLICATION REQUIREMENTS FOR LAND CLEARING/INERT DEBRIS (LCID) LANDFILLS

Rule .0565(3) (j) Proposed excavation, grading, and final contours at a minimum of five foot intervals. Where necessary, a smaller interval shall be utilized to clarify proposed grading. Excavation, grading, and fill material side slopes shall not exceed three to one (3:1).

15A NCAC 13B .0566 OPERATIONAL REQ. FOR LAND CLEARING/INERT DEBRIS (LCID) LANDFILLS

Rule .0566 (4) Adequate soil cover shall be applied monthly, or when the active area reaches one acre in size, whichever occurs first.

Rule .0566 (5) 120 calendar days after completion of any phase of disposal operations, or upon revocation of a permit, the disposal area shall be covered with a minimum of one foot of suitable soil cover sloped to allow surface water runoff in a controlled manner. The Division may require further action in order to correct any condition which is or may become injurious to the public health, or a nuisance to the community.

Rule .0566 (7) Provisions for a ground cover sufficient to restrain erosion must be accomplished with 30 working days or 120 calendar days upon completion of any phase of landfill development.

Side Slopes

The Rules state that side slopes for excavation, grading, and fill material shall not exceed 3:1. Therefore, the permitting branch does not have the authority to approve slopes greater than 3:1.

Cover Requirements

Cover requirements differ based on the status of the landfill development. Adequate cover is required to be applied monthly or when the active area reaches one acre in size, whichever occurs first. One foot has been used in operation plans and permits as adequate cover based on the Solid Waste Section's experience with LCID landfills. However, since the Rules state "adequate" rather than a specific amount, I would assume that it could be more or less based on the site-specific conditions at the landfill. This would be a determination made by our field staff.

The Rules do state specific cover requirements when a phase of landfill development is completed. When a phase of operation of the landfill is completed, it must be covered with a foot of soil and ground cover established to reduce the chance of erosion. The permitting branch does not have the authority to approve a different amount. If the development of the landfill does not follow what was submitted in the application and approved in the permit, it makes it more difficult for our field staff to determine if the facility is in compliance. So modifications should be made at the five-year review if necessary.

I hope this helps you understand our limits on approval in permitting and what could be determined based on the actual operation and conditions as the landfill. If you have any questions, please contact me at (919) 707-8257, by email at pat.backus@ncdenr.gov or by mail at 1646 Mail Service Center, Raleigh, NC 27699-1646.

Sincerely,



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

cc: Glenn Currin, Currin Brothers LCID Landfill
Stacey Smith, P.E, Smith+ Gardner
Ed Mussler, P.E., Permitting Branch Head
Jason Watkins, Western District Supervisor
John Patrone, Senior Environmental Specialist
Brian Wootten, Hydrogeologist