

14 June 2013

**Certified Mail Return Receipt Requested**  
**7008 3230 0002 2595 1928**

**JAG# 38-13**

Mr. Ervin Lane  
Compliance Hydrogeologist  
NC Department of Environment and Natural Resources  
Division of Waste Management – Solid Waste Section  
1646 Mail Service Center  
Raleigh, NC 27699-1646



RE: Financial Assurance Cost Estimates  
Blue Ridge Paper Products Industrial Landfill  
Haywood County, Permit # 44-06, Document ID 18359

Dear Mr. Lane,

Blue Ridge Paper Products Inc., d.b.a. Evergreen Packaging, is writing in response to your e-mail dated February 13, 2013, responding to Evergreen's February 1, 2013 letter seeking approval of updated cost estimates Evergreen obtained in order to maintain the financial assurance required by North Carolina law.

The estimates were prepared in accordance with existing law, regulation and guidance. Your response directed that the costs associated with compliance monitoring and maintenance of groundwater and landfill gas monitoring currently on site should not be included in the potential assessment and corrective action (PACA) estimate but should be included in the post closure care estimate. The company further understands that this directive is based on "Draft" guidance not yet adopted by the Division.

Moving these costs as directed will cause Evergreen Packaging to incur approximately \$50,000 in additional costs for financial assurance this year and possibly more in future years. Should it become necessary to do assessment and corrective action in connection with the landfill, it is reasonable to presume that the existing groundwater and landfill gas monitoring wells would be useful, and used in any assessment and corrective action. The financial assurance requirements are for the protection of the state and the public in the event the operator of a landfill does not take appropriate corrective action or fails to properly maintain and close a landfill. Evergreen Packaging and its predecessors have been operating in North Carolina for more than 100 years.

As our current letter of credit expires 1 August 2013, Evergreen respectfully requests your expeditious review and concurrence in this matter. We request that PACA cost estimates remain as previously submitted and not be included in the post closure care estimate. Should you have questions or require additional information, Evergreen representatives are available to discuss this matter at your convenience either via teleconference or in a meeting. I will gladly coordinate the meeting. You can reach me at (828) 646-2028 or by email at [jim.giauque@everpack.com](mailto:jim.giauque@everpack.com).

Kindest Regards,

James A. Giauque  
Waste Compliance & Landfill Supervisor

JAG\

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