



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

December 10, 2012

Sent Via Email – [jhdavis@haywoodnc.net](mailto:jhdavis@haywoodnc.net)

Ms. Julie H. Davis  
Chief Financial Officer  
Haywood County  
215 N. Main Street  
Waynesville, NC 28786-3834

Re: Haywood County Municipal Solid Waste Landfill, Permit #44-07  
Financial Assurance for Potential Assessment and Corrective Action

Dear Ms. Davis:

The Solid Waste Section has reviewed the financial test document dated November 9, 2012 and received November 20, 2012. Based upon a review of this document, additional information 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 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 ([http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter\\_130A/Article\\_9.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_130A/Article_9.html)). However, the owner or operator of a sanitary landfill should submit a detailed cost estimate breakdown to the Solid Waste Section 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 breakdown to ensure that the amount of \$2,637,820 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 within the potential assessment and corrective action detailed cost estimate.

If you have any questions or concerns regarding this letter, I can be reached at 919-707-8288 or by email at [Ervin.lane@ncdenr.gov](mailto:Ervin.lane@ncdenr.gov). Thank you for your anticipated cooperation with this manner.

Sincerely,

Ervin Lane  
Compliance Hydrogeologist  
Solid Waste Section

Cc sent via email:

Mark Poindexter, Field Operations Branch Head  
Jason Watkins, Western District Supervisor  
Andrea Keller, Environmental Senior Specialist  
Sara Rice, Environmental Senior Specialist