

State of North Carolina
Department of Environment,
Health and Natural Resources
Division of Solid Waste Management

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
William L. Meyer, Director



November 15, 1995

Mr. Dan E. Brewer, P.E.
S&ME, Inc.
9751 Southern Pine Boulevard
Charlotte, NC 28273

Reference: October 5, 1995 "Beneficial Reuse Permit Application" from S&ME to Mrs. Jan McHargue of The Solid Waste Management Division of NC DEHNR Concerning the Fieldcrest Cannon Coal Ash Handling Facility in Kannapolis, NC.

Dear Mr. Brewer:

This is to confirm the conversation of November 14, 1995 between you, Jan Mchargue and I about the reference application and amended plans received in late October for substitution into the application. As discussed, we have reviewed the reference material and find that there are a few items which need to be addressed. Once these are satisfactorily completed, the **Notification** requirements of Section .1700 of the 15A NCAC 13B Solid Waste Management Rules for this project will be completed. At that time, the Solid Waste Section (SWS) will be in a position to write you a **Letter of Acknowledgement** and the structural fill activity can then begin. As stated in the rules, **Permits** are not issued by the SWS for coal combustion by-product structural fills, the SWS only issues Acknowledgement letters to confirm receipt of acceptable information.

I want to correct what I stated about a 30 day waiting period beginning again after the SWS receives the necessary additional information. We will make every effort to quickly review this additional material and inform you promptly of the status. This should not require more than a few days assuming all of the requested information is received.

The bulk of the needed additional information is specified in the .1700 Rules, Section .1703, **Notification For Structural Fill Facilities**. We need to have **current** TCLP data on the ashes from Kannapolis and Spencer and statements of certification by the generator that the samples are representative of each coal combustion by-product source to be used in the project. The data included in the reference application was on 1992 ash and is considered out-of-date. It is necessary that we be supplied with signed and dated statement(s) by the owner(s) of the land on which the structural fill is to be placed, acknowledging and consenting to the use of coal combustion by-products as structural fill and agreeing to record the fill in accordance with Rule .1707. Also, the information described in .1703(a)(6)(B), (C), (D) and (E) are needed for both

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the Kannapolis and Spencer ash generating sites.

Since the submitted plans did not show any sources of drinking water in close proximity to the fill site, or wetlands, perennial streams, other bodies of surface water, bedrock outcroppings, or 100- year floodplains, the statements given in your 4.1 **Buffer Requirements** (page 10 of the application) are accepted as being proof of compliance with the .1704 **Siting** rule.

There is one other minor point which I mentioned yesterday when we talked and that has to do with the N.C. 15A NCAC 2L Groundwater Standards shown in your Table 1 appearing between pages 5 and 6 in the reference application. I mention this only for clarification purposes. The correct values for the eight RCRA regulated metals are:

<u>Metal</u>	<u>N.C. 15A NCAC 2L Groundwater Standard</u>
Arsenic	0.05 mg/l
Barium	2.00 mg/l
Cadmium	0.005 mg/l
Chromium	0.05 mg/l
Lead	0.015 mg/l
Mercury	0.0011 mg/l
Selenium	0.05 mg/l
Silver	0.018 mg/l

These values are given in the October 19, 1993 revision to the N.C. 15A NCAC 2L standards.

Please telephone me at (919) 733-0692 ext.260 if you have any questions about any of these items.

Sincerely,



William R. Hocutt, Chemist
Solid Waste Section

cc: Jim Coffey
Jan McHargue

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