

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: June 5, 2017

SUBJECT: **Grant Access to NC Department of Environmental Quality (DEQ)
Stoney Mountain Solid Waste Facility**

PRESENTER: Marcus Jones, P. E.

ATTACHMENTS: Yes

1. DEQ Letter Requesting Access for Remedial Activities
2. Presentation

SUMMARY OF REQUEST:

DEQ has requested permission to access the Stoney Mountain Solid Waste Facility to perform cleanup work to the Pre-Regulatory Landfill. The details surrounding the request can be found on the attached letter and presentation.

BOARD ACTION REQUESTED:

Authorize the County Engineer to sign the letter giving DEQ permission to access and perform cleanup work to the Pre-Regulatory Landfill at the Stoney Mountain Solid Waste Facility.

Suggested Motion:

I move that the Board authorize the County Engineer to sign the letter giving DEQ permission to access and perform cleanup work to the Pre-Regulatory Landfill at the Stoney Mountain Solid Waste Facility.



ROY COOPER
Governor

MICHAEL REGAN
Secretary

MICHAEL E. SCOTT
Director

May 18, 2017

Mr. Marcus Jones
Henderson County Director of Engineering
1 Historic Square, Suite 5
Hendersonville, NC 28792

Re: Request for Property Access for Remedial Activities
Henderson Co. Landfill
Hendersonville, Henderson County, NC
ID #NCD980557961

Dear Mr. Jones:

Thank you for your cooperation in allowing the Pre-Regulatory Landfill Unit, Inactive Hazardous Site Branch access to your property to perform assessment activities on the *Henderson Co. Landfill*. Assessment activities have been completed and the next phase of work that is needed is remedial activities to protect human health and the environment. This letter is being sent to you to solicit your cooperation and permission to access your property to perform cleanup work.

As a qualified pre-1983 landfill, this site is eligible for risk based remedial activities, the State will conduct cleanup work to address public health and environmental hazards posed at this site. As long as monies are available and the owner fully cooperates with the State in its performance of this work, the owner will not have to conduct this work at their expense. These remedial activities may include, but are not limited installation of monitoring points, allowing installation and improvements to the landfill cap, security measures, agreeing to record, implement land-use restrictions and granting permission to access the site.

Please sign the enclosed permission form and return it by **May 26, 2017**:

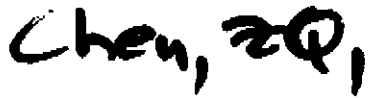
Ziqiang Chen, PhD, Environmental Engineer II
Pre-Regulatory Landfill Unit
Department of Environmental Quality
1646 Mail Service Center
Raleigh, NC 27699-1646

A pre-addressed and stamped envelope is enclosed for your convenience.

I would like to arrange a meeting with you to provide general information about the conceptual remedial action plan, associated land use restrictions, and notice of an inactive hazardous substance or waste disposal site. I will also work with you to develop a schedule with you to access your property and what to expect during the remedial activities phase.

You may call me at (919) 707-8347 with any questions regarding this request. If I am not in, you may leave a message anytime with your phone number and a time you can be reached. Your cooperation will be very much appreciated.

Sincerely,

Handwritten signature in black ink that reads "Chen, ZQ,".

Ziqiang Chen, PhD, Environmental Engineer II
Division of Waste Management, NCDEQ

Enclosure

Division of Waste Management
North Carolina Department of Environmental Quality
Raleigh, NC 27699-1646

Henderson Co. Landfill
ID #NCD980557961

Henderson County
PINs 9650806865 & 9650920038
City, County

I represent the above referenced corporation and am authorized by the corporation to make decisions about the property.

I hereby grant permission to the State and the State's representatives access to the property to conduct remedial activities to protect public health and the environment from hazards that resulted from past operations of a landfill that ceased operation prior to January 1, 1983. I agree to concurrently record a Plat Notice and a Declaration of Perpetual Land Use Restrictions.

Name of Corporation (Print)

Signature of Authorized Representative

Name (Print)

Title (Print)

Date _____

Return to:

Ziqiang Chen, PhD, Environmental Engineer II
Pre-Regulatory Landfill Unit
Department of Environmental Quality
1646 Mail Service Center
Raleigh, NC 27699-1646

Pre-Regulatory Landfill

DEQ Request to Access & Perform Cleanup Work

June 5, 2017

Henderson County Engineering



Pre-Regulatory Landfill

Presentation Overview

1. History of Pre-Regulatory Landfill (PRL)
2. Location Map of PRL
3. Request from Department of Environmental Quality (DEQ) Waste Management
4. Budget Impact & Recommended Motion

Pre-Regulatory Landfill

History of PRL

1. Before 1983: adjacent property owners filled low areas on their property with waste, see map on following slide
2. 1983: Sub Title D Landfill Regulations began in North Carolina
3. 2008: North Carolina passes Solid Waste Management Act which levies \$2 per ton tax on all NC waste. A portion of the tax revenue funds the Pre-Regulatory Landfill program to inventory, assess, and clean up PRL's.
4. October 2008, County purchased 698 Stoney Mountain Road to increase buffer area. The parcel contains a PRL. The Convenience Center road passes over the PRL.
5. March 2012: DEQ receives permission to access property from County Engineer to investigate the PRL.
6. May 2017: DEQ requests access to “perform cleanup work,” see attached letter.

Pre-Regulatory Landfill



Location Map

Solid Waste Property Line – 

Pre-Regulatory Landfill (PRL) - 

Pre-Regulatory Landfill

Exert from DEQ Letter

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Henderson County Engineering



Pre-Regulatory Landfill

Budget Impact and Recommended Motion:

- Budget Impact: none (State Funded)
- Recommended Motion:

I move that the Board authorize the County Engineer to sign the letter giving DEQ permission to access and perform cleanup work to the Pre-Regulatory Landfill at the Stoney Mountain Solid Waste Facility.

Pre-Regulatory Landfill

Questions...Thank you.

Henderson County Engineering

