



North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

July 9, 2010

Sent Via U.S. Mail and Via Email - hcfisher@co.burke.nc.us

Mr. Carson Fisher
Burke County General Services
P.O. Box 1486
Morganton, NC 28680

**Re: WARNING NOTICE
Environmental Monitoring Reporting Deficiencies
Kirksey Drive Landfill, Permit #12-01
East Burke Landfill, Permit #12-02
John's River Waste Management Facility, Permit #12-03**

Dear Mr. Fisher:

The Solid Waste Section has completed a review of the *Second Semiannual Groundwater Monitoring Report of 2009 Kirksey Drive Landfill* (Doc ID 11051), the *Second Semiannual Groundwater Monitoring Report of 2009 East Burke Landfill* dated April 2010 (Doc ID 10841) and the *Second Semiannual Groundwater Monitoring Report of 2009 John's River Waste Management Facility* dated March 2010 (Doc ID 10839) all submitted by Joyce Engineering, Inc. on behalf of Burke County. Based upon this review, the Solid Waste Section has found deficiencies in your environmental monitoring reporting that has failed to meet the following requirements: reporting all constituent concentrations at or below the designated Solid Waste Section Limits (SWSLs) and submitting the EDD with all analytical data including the MNA parameters.

On October 27, 2006 the North Carolina Solid Waste Section issued a memorandum titled *New Guidelines for Electronic Submittal of Environmental Monitoring Data*. Two additional memoranda were also issued by the North Carolina Solid Waste Section regarding environmental monitoring, the February 23, 2007 memorandum titled *Addendum to October 27, 2006, North Carolina Solid Waste Section Memorandum Regarding New Guidelines for Electronic Submittal of Environmental Data* and the October 17, 2007 memorandum titled *Environmental Monitoring Data for North Carolina Solid Waste Management Facilities*. All three memoranda have been available on our webpage for over three years (http://www.wastenotnc.org/swhome/enviro_monitoring.asp). The EDD template is also located on our webpage at <http://portal.ncdenr.org/web/wm/sw/envmonitoring>. The EDD template standardizes the environmental reporting process, eliminates the need for laboratories to submit paper copies of analytical results to the Solid Waste Section, reduces the labor intensive data entry by Solid Waste Section, improves efficiency, and ensures consistency of stored data.

In addition, the February 23, 2007 memorandum titled *Addendum to October 27, 2006, North Carolina Solid Waste Section Memorandum Regarding New Guidelines for Electronic Submittal of Environmental Data*, stated, "Analytical data from laboratories that cannot meet the new reporting limits will not be accepted," and "Failure to comply with the requirements described in the October 27, 2006, memorandum

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and this addendum to the October 27, 2006, memorandum will constitute a violation of 15A NCAC 13B .0601, .0602, or .1632(b), and submittal of unacceptable data may lead to enforcement action.”

As a result, it is the County’s responsibility to ensure that all environmental monitoring results are reported as required by the Solid Waste Section. For all future water quality sampling events, please submit all laboratory analytical data in a format consistent with the EDD template established by the Solid Waste Section and report all constituent concentrations at or below the SWSLs. Failure to comply may lead to enforcement action.

If you have any questions or concerns regarding this letter, please contact me at 919-508-8500 or at jaclynne.drummond@ncdenr.gov. Thank you for your anticipated cooperation with this matter.

Sincerely,



Jaclynne Drummond
Hydrogeologist
Environmental Compliance
Solid Waste Section

cc via electronic mail: Van Burbach, Joyce Engineering, Inc. (vburbach@joyceengineering.com)
Kevin Godwin, Pace Analytical (kevin.godwin@pacelabs.com)
Mark Poindexter, Field Operations Supervisor
Deb Aja, Western District Supervisor
Bill Wagner, Environmental Senior Specialist
Solid Waste Section Central Files