

JOSH STEIN
Governor
D. REID WILSON
Secretary
MICHAEL SCOTT
Director



April 1, 2025

Property Owner Name(s)
Mailing Address
City, State Zip

Re: Request for Property Access, Approval of Erosion Control Plans, and Consent to Land-Use Restrictions
Property Address/PIN
City, County, NC
Landfill Name
Landfill ID #

Dear Property Owner:

The North Carolina General Assembly created a program to assess and remedy public health and environmental hazards posed by old landfills and dumps that existed before there were regulations preventing hazardous materials dumping. The Pre-Regulatory Landfill (PRLF) Unit in the Special Remediation Branch oversees this program. This letter is to make you aware of this program and to request your cooperation in relation to the State conducting sampling and risk-based mitigation of environmental contamination on your property.

Prior to the passage of North Carolina General Statute 130A-310.6(c) that created the PRLF Program, owners and operators of the landfill property and other responsible parties were obligated to fund any required assessment and abatement actions to address the public health and environmental hazards posed by these sites. Under the authorizing legislation, if owners fully cooperate with the State in its performance of this work and monies are available, the owner will not have to conduct the work at their expense. A state-wide disposal tax is used to pay for these expenses.

Owner cooperation with contaminant assessment and implementation of remedial action mitigation measures includes, but is not limited to, granting access to the property, allowing installation of groundwater monitoring wells and landfill gas probes, allowing installation and maintenance of improvements to the landfill cap, allowing installation of security measures, agreeing to allow recordation of and compliance with land-use restrictions, and providing access to any records regarding the landfill. Additionally, the contaminant assessment could include evaluation of potential vapor intrusion of hazardous and explosive landfill gases, installation of vapor mitigation systems, and drinking water well sampling. If a property owner or responsible party fails to fully cooperate with the assessment of the site and implementation of control and mitigation measures, the State may seek recovery for any costs incurred to address the site.



North Carolina Department of Environmental Quality | Division of Waste Management
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646
919.707.8200

Please note that NC DEQ staff are authorized to enter any property at reasonable times for the purpose of investigating a release of hazardous substances or the condition of any waters of the State, including groundwater, pursuant to sections 143-215.3(a)(2) and 143-215.79 of the North Carolina General Statutes. Preventing NC DEQ from accessing property in order to evaluate or address contamination can in some cases result in the property owner being held responsible for addressing the contamination. In many cases those costs can be quite substantial.

During the contaminant assessment, sampling is conducted to understand the nature and extent of contamination on the landfill property and surrounding properties. The contaminant assessment phase may include an environmental wetland study. If wetlands are present, the U.S. Army Corps of Engineers (USACE) would conduct a federal jurisdictional determination for the wetland. The USACE requires the property owner's signed consent for property access to conduct the determination. Once contaminant assessment activities have been completed, the next phase of work would include designing and implementing the appropriate risk-based control and mitigation measures to protect human health and/or the environment.

The PRLF Unit uses independent contractors to conduct the contaminant assessment and implement risk-based mitigation for pre-1983 landfills. The independent contractor for this landfill is S&ME, Inc. and the PRLF Unit is requesting access to your property located at Property address/pin to complete the activities outlined above. The Owner Permission for Property Access, Owner Approval of Erosion Control Plans (NCGS 113A-54.1), Property Owner Consent to Land-Use Restrictions, and U.S. Army Corps of Engineers Access Authorization forms are attached for your signature.

If you have any questions regarding the request for property access or general information about what to expect during the contaminant assessment, typical risk-based remedial action plans, or the associated land use restrictions and notice of environmental contamination please do not hesitate to contact the PRLF Unit's independent contractor for this project, S&ME, Inc. Contact with S&ME, Inc. at S&ME, Inc. email and S&ME, Inc. contact phone number. You may also contact the PRLF Unit Project Manager, Kevin Kelt, at kevin.kelt@deq.nc.gov or 919-707-8331.

Please sign the enclosed forms and return them within 10 days to:

S&ME, Inc. contact name
S&ME, Inc.
S&ME, Inc. address

A pre-addressed and stamped envelope is enclosed for your convenience, or you may submit the signed documents electronically at the following email: S&ME, Inc. contact email.

Thank you for your cooperation,

S&ME, Inc. contact name, Title
S&ME, Inc.

Enclosures: Owner Permission for Property Access
Owner Approval of Erosion Control Plans (NCGS 113A-54.1)
Property Owner Consent to Land-Use Restrictions
U.S. Army Corps of Engineers Access Authorization



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