



ROY COOPER  
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MICHAEL S. REGAN  
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*Director*

July 13, 2018

**MEMORANDUM**

**To:** Solid Waste Directors and Landfill Owners/Operators

**From:** Ed Mussler, Section Chief  
North Carolina Division of Waste Management, Solid Waste Section

**Re:** Annual Detection Monitoring at Construction and Demolition Landfills

The purpose of this memorandum is to inform Construction and Demolition Landfill (CDLF) owners and operators of Session Law 2018-65, House Bill 573 approved on June 25, 2018 which allows for annual groundwater monitoring frequency at CDLF facilities permitted under 15A NCAC 13B .0544 rules. An excerpt of the bill is provided below and the entire bill can be viewed at the below link.

<https://www.ncleg.net/Sessions/2017/Bills/House/PDF/H573v5.pdf>

*“SECTION 5.(c) Implementation. – Notwithstanding sub-subdivision (b)(1)(D) of the Monitoring Plans and Requirements for C&DLF Facilities Rule, the Commission shall not require semiannual monitoring frequency for required groundwater sampling but shall only require such sampling on an annual basis”*

For the purpose of clarification, the Solid Waste Section (SWS) presents the following assertions.

- The above applies to active and closed “stand alone” CDLF facilities and CDLF units at Municipal Solid Waste Facilities where monitoring can be done separately; and excludes CDLF over MSWLF facilities.
- Annual sampling frequency is only allowed for those CDLF facilities in detection monitoring. The sampling frequency at CDLF facilities conducting assessment or corrective action activities shall be on at least a semi-annual basis or according to the CDLF facility’s approved Assessment or Corrective Action Work Plan. CDLF facilities with

documented groundwater protection standard exceedances that have not initiated assessment or corrective action should also conduct semi-annual groundwater monitoring.

- Annual basis shall be perceived as a calendar year meaning January 1<sup>st</sup> to December 31<sup>st</sup>. CDLF owners and operators should communicate with their respective assigned SWS hydrogeologist to determine the appropriate season for sampling (i.e. spring or fall).
- Due to possible changes in prescribed site-specific sampling seasons and/or the potential for assessment activities, the SWS recommends CDLF owners and operators to continue to budget for semiannual groundwater sampling each fiscal year.
- Water Quality Monitoring Plans (WQMP) at active CDLF facilities do not need to be amended at this time. Appropriate amendments to the WQMP can be completed during the next permit modification or permit renewal process at each active CDLF facility. For closed CDLF facilities owners and operators should communicate with their respective assigned SWS hydrogeologist to determine the appropriate WQMP modifications, if warranted.

If you have any questions, please contact your Solid Waste Section hydrogeologist assigned to your facility using the below link.

[https://files.nc.gov/ncdeq/Waste%20Management/DWM/SW/EnvMonitoring\\_StaffContactInformation.pdf](https://files.nc.gov/ncdeq/Waste%20Management/DWM/SW/EnvMonitoring_StaffContactInformation.pdf)

Thank you for your cooperation in this matter.