



National Solid Wastes Management Association  
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January 28, 2011

Ms. Ellen Lorschieder  
Planning and Programs Branch Head  
North Carolina Dept. of Environment & Natural Resources  
Division of Waste Management – Solid Waste Section  
1646 Mail Service Center  
Raleigh, NC 27699-1646

**Re: Objection to Proposed Rule Changes  
15A NCAC 13B .1604 and .1626**

.1604 General Requirements for MSWLF Facilities

Dear Ms. Lorschieder:

I am writing on behalf of the North Carolina Chapter of the National Solid Wastes Management Association (NSWMA). NSWMA is an association of privately-owned solid waste management companies that provide solid waste collection, recycling, disposal, and engineering services throughout the United States, including the State of North Carolina. Our member companies employ 110,000 employees, and operate 50,000+ solid waste vehicles nationally. Our members also manage approximately 55% of the disposal capacity in the United States. The North Carolina Chapter is comprised of our members who operate within North Carolina.

We are writing to provide comments in reference to proposed rule changes to 15A NCAC 13B .1604 and .1626 which are intended to change leachate management requirements. The North Carolina Chapter of NSWMA believes these changes to be unnecessary for protection of the environment, and will only result in additional enforcement actions that serve no legitimate environmental protection function.

The chapter firmly believes that the current rules provide a reasonable approach to assure that any leachate release is addressed in an environmentally sound manner. Our facilities are designed, constructed and are operated to be in compliance with these regulations which serve to adequately protect the environment. The proposed rules fail to consider the realities of

managing modern landfills, and the fact that the existing regulations provide an operating system that works.

The North Carolina Chapter of NSWMA is committed to working with the department to develop any reasonable rules and regulations that serve a legitimate environmental protection purpose. We respectfully request the department discontinue consideration of these proposed changes and instead work with stakeholders to identify necessary issues that we can address together to better protect North Carolina's environment.

Sincerely,

A handwritten signature in cursive script that reads "Phil Carter". The signature is written in black ink and is positioned above the printed name.

Phil Carter  
North Carolina  
NSWMA Legislative Committee Chair