



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726
May 7, 2008

Grady Shields
Wyrick Robbins Yates & Ponton LLP
4101 Lake Boone Trail, Suite 300
Raleigh, North Carolina 27607-7506

Dear Mr. Shields:

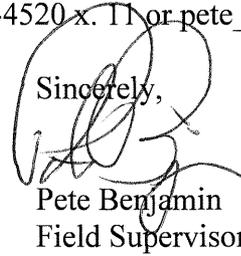
This letter and the enclosed CD are provided in reply to the March 25, 2008 electronic Freedom of Information Act request submitted to U.S. Fish and Wildlife Service's (Service) headquarters by Ms. Anna Kizer of Robbins Yates & Ponton LLP. The request was routed to our regional office in Atlanta, then to this office. Your firm requested any and all communications between the Service and the North Carolina Division of Waste Management (NCDWM) and/or any other agency or representative of North Carolina regarding "the inclusion of the 5-mile protective buffer around the eleven National Wildlife Refuges in North Carolina to prevent and mitigate potential impacts that may result from landfill siting, design and operation" and "the solid waste management study conducted by North Carolina which focused on the siting, design and operational requirements for landfills in environmentally sensitive areas, and the technical basis FWS provided to NCDWM and/or any other agency or representative of North Carolina for including a 5-mile protective buffer around the National Wildlife Refuges."

The attached list is an inventory of the contents of the enclosed CD. All documents, paper and electronic, responsive to your inquiry have been provided. There were no documents identified as exempt from release.

In addition to the correspondence you requested, our files have technical material that was referenced in correspondence (e.g., the sensitive areas identification procedures referenced in the 12/05/06 email from Sara Ward of the Service to Paul Crissman of NCDWM, and the rules on solid and hazardous waste siting requirements in other States referenced in the 01/26/07 email from Sara Ward to Paul Crissman). Our files also have publications and reports that we did not reference in correspondence but which we used in our synthesis. We have included the references that actually accompanied correspondence with NCDWM and other State agencies; we did not include material that was only referenced in correspondence. State solid and hazardous waste regulations / siting requirements we reference were obtained from USEPA and or individual State solid waste program websites. While all of that material is readily available elsewhere, we will be glad to provide the reference materials in our files to you upon request.

If you have any questions about this response, please give me a call or e-mail. Our office is located right down the street from yours, so additional information (if any) you need can be quickly provided. I can be reached at 856-4520 x. 11 or pete_benjamin@fws.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Benjamin", is written over the word "Sincerely,". The signature is stylized and somewhat cursive.

Pete Benjamin
Field Supervisor

Attachments

Inventory of files on CD in response to the March 25, 2008 electronic Freedom of Information Act request submitted to U.S. Fish and Wildlife Service by Ms. Anna Kizer of Robbins Yates & Ponton LLP

1 20061205_email_Ward to Chrissman_Landfill Permitting.pdf
2 20061205_email_Ward to Crissman_Landfill Permitting.pdf
3 20070126_email_Ward to Crissman_Landfill Permitting.pdf
4 20070129_email_Crissman to Ward_Landfill Permitting.pdf
5 20070412_email_Ward to McGinnis_Future Meetings On SB 11492.pdf
6 20070503_email_Ward to Givens_SWIWG Meeting Notice.pdf
7 20070503_letter_Benjamin to Givens_SWMA.pdf
8 20070503_letter_Benjamin to Givens_SWMA_Ref1.pdf
9 20070503_letter_Benjamin to Givens_SWMA_Ref2.pdf
10 20070503_letter_Benjamin to Givens_SWMA_Ref3.pdf
11 20070511_email_Benjamin to Givens_SWIWG Request for Input.pdf
12 20070529_email_Givens to group_SWIWG meeting
13 20070619_email_Ward to McGinnis_SWIWG Meetings Notification.pdf
14 20070620_email_Ward to Matheson_SWIWG Meetings Notification.pdf
15 20070702_email_Ward to Givens_SWIWG Meeting.pdf
16 20070713_email_Ward to Givens_Buffer Provision for Refuges.pdf
17 20070725_email_Givens to group_SWIWG meeting
18 20080123_email_Davis to Augspurgen_file review.pdf
19 20080130_email_Augspurgen to Davis_Buffer Lawsuit 1of2.pdf
20 20080130_email_Augspurgen to Davis_Buffer Lawsuit 1of2_attachment 1.pdf
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