

PFAS Discharges: Environmental Justice Community Action Network and Roseboro, North Carolina Landfill Enter into Proposed Judicial Consent Decree



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The Southern Environmental Law Center (“SELC”) on behalf of the Environmental Justice Community Action Network filed a Proposed Judicial Consent Decree (“CD”) in the United States District Court for the Eastern District of North Carolina addressing the Sampson County Landfill (“Landfill”) in Roseboro, North Carolina.

The owner/parent/affiliated companies of the Landfill include:

- Sampson County Disposal, LLC.
- Waste Industries U.S.A., LLC.
- Waste Industries, LLC.
- Black Creek Renewable Energy, LLC.
- GFL Environmental, Inc.

(Collectively, “GFL”).

The Landfill is described as including municipal solid waste and construction and demolition waste units.

GFL is cited in the CD as contending that a Fayetteville, North Carolina facility was a customer of the Landfill that did not disclose that its waste contained significant amounts of PFAS until such information became public in 2018. The Landfill was stated to have voluntarily ceased accepting such waste at that point.

SELC is stated to have filed a Complaint against GFL in the United States District Court for the Eastern District of North Carolina in 2024 alleging that its treatment, storage, disposal of PFAS-laden solid waste contaminated surface water, groundwater, and residential drinking water wells. Further, such waste management practices are alleged to have presented an imminent and substantial endangerment to human health and the environment in violation of Section 7002 of RCRA. In addition, it contends that GFL’s discharge of PFAS from certain outfalls and through other conveyances and groundwater transported into a swamp violated Section 301 of the Clean Water Act and discharge of PFAS through stormwater outfalls violated the facility’s Certificate of Coverage under North Carolina’s Stormwater General Permit for Landfills.

GFL is stated to deny all allegations and alleged violations made in both the Resource Conservation Recovery Act Notice of Intent to Sue and Clean Water Act Notice of Intent to Sue, along with the previously referenced filed Complaint and admits no liability, fault, or wrongdoing of any kind arising out of SELC's allegation. Also, it is stated to believe the alleged environmental matters at issue should be addressed in a cooperative manner with the North Carolina Department of Environmental Quality and other stakeholders rather than through the litigation process.

The CD components impose the following requirements on the Landfill:

- Requires the reduction of discharges into the swamp to 4 parts per trillion (i.e., the lowest level that the U.S. Environmental Protection Agency has determined laboratories can consistently qualify).
- Decline all new waste contracts for PFAS cleanup/waste streams from military bases and fire-fighting foams until these standards are met.
- Use methane-sensing drones to identify emission hot spots and retain an independent consultant to develop a continuous air pollution monitoring system around the perimeter of the Landfill.
- Establish a community fund to be managed by and for residents of the Snow Hill Community.
- Hold regular meetings with community members and establish a complaint response and escalation mechanism.

A copy of the Proposed Consent Decree can be downloaded [here](#).