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July 23, 2012

Mr. Daniel Taber  
Town Manager  
Town of Dumfries  
101 South Main Street  
Dumfries, Virginia 22026

Re: Potomac Landfill Expansion

Dear Dan:

As you know, this firm represents Potomac Landfill, Inc., in connection with aspects of its operations in the Town. Over the past several months, PLI has broached with the Town its expansion plans, within the limits of the authority to expand that it possesses as a consequence of the 1987 Stipulation and Order, and pursuant to Virginia law and regulations of the Department of Environmental Quality. As you also know, Ms. Sanders and I had a long and cordial meeting regarding these issues in early May of this year and I am sure that the Town was ably briefed. I know, too, that you have spoken directly with Mr. Leake.

PLI has essentially two options for continuation of its operations. It may expand outwards, or it may expand upwards. PLI believes that there are compelling reasons the Town should prefer upward expansion, not the least of which is that it promises successful closure of the operation in a decidedly shorter time, with concomitant additional benefits.

As I have discussed with Ms. Sanders, PLI does not believe that the current limitation is an operational restriction, but rather a requirement for ultimate closure. As we have reported, if the Town agrees to an expansion upwards, then the area presently used for landfill operations would be closed and would not be available for future development. Such an upward expansion would, however, mean that presently undisturbed area within the confines of the Stipulation and Order could be developed for alternative uses. While there are as yet no plans for development, and it could be a number of years before redevelopment occurs, such an upward expansion would create the ability to provide a desirable mixed use development on the undisturbed land. If the Landfill were required to expand laterally, this could not occur.

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With upward expansion, and as Mr. Leake has said, PLI would be able to, and would commit to, closure of the Landfill within a much shorter time. If outward expansion is the only course, then it is fair to say that the Landfill possesses many more years of active operations.

Thus, the specific points to be emphasized are that:

1. The height of the upward expansion would approximate that of the existing water tower (310 feet) and closure would be accomplished at the new height. It would not be closed at or near Lorton's 412 feet.

2. There would be no further lateral Landfill disturbance and operations, and the limits of landfilling would remain at the existing 39 acres in use, and not the 58 acres authorized in the Stipulation and Order.

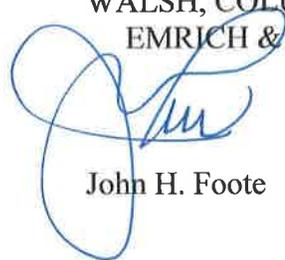
3. Final Landfill closure would occur fifteen years from the date of necessary approvals by the Town and DEQ.

4. As noted, the PLI property that would otherwise have been used for lateral Landfill expansion could be put to mutually agreeable development that, if the market so dictates, could commence before the fifteen years have expired.

PLI is motivated to reach agreement with the Town with regard to the points that have been raised with you and others, and we would respectfully request that detailed discussions with the Town be concluded no later than this coming November. PLI needs to know the direction that the Town wishes to go, so that it may make its business decisions accordingly.

Very truly yours,

WALSH, COLUCCI, LUBELEY,  
EMRICH & WALSH, P.C.



John H. Foote

JHF/jf

cc: Dennis Leake  
Burwin Reed