



North Carolina Department of Environment and Natural Resources  
Division of Waste Management

Pat McCrory  
Governor

Dexter R. Matthews  
Director

John E. Skvarla, III  
Secretary

September 30, 2013

CERTIFIED MAIL 7010 3090 0001 4226 4995

RETURN RECEIPT REQUESTED

Mr. Ray Zamora Sr.  
Ray's Septic Service  
1142 Gould Rd.  
Jacksonville, NC 28540

SUBJECT:     **Notice of Violation**  
                  Ray's Septic Service  
                  SLAS-67-11  
                  SR 1221 in Onslow County

Dear Mr. Zamora:

On June 18, 2012, Mr. Chester R. Cobb with the State of North Carolina, Division of Waste Management Solid Waste Section received an application for permit renewal of SLAS-67-11. As a part of the permit renewal process, Mr. Cobb reviewed the submitted septage land application logs for SLAS-67-11 from 2009 through June 2013 for compliance with North Carolina solid waste statues and rules. Upon review of the submitted records, the following violations were noted:

**A.     15A NCAC 13B .0838(b)(1) states "Maximum land application rates for septage shall be determined based upon the following: (1) Domestic septage land application rates shall be in accordance with 40 CFR Part 503.12(c)..." Permit Condition 7 states that the maximum annual application rate is 50,000 gal/ac/yr.**

A review of the submitted records revealed that the maximum annual application rate had been exceeded for several fields. The maximum annual application rate for Field 1 had been exceeded by 8,300 gallons in 2010 and 27,200 gallons in 2011. For Field 3a, the maximum annual application rate had been exceeded by 5,000 gallons in 2012. Also, the maximum annual application rate for Field 4 had been exceeded by 55,040 gallons in 2009, by 129,690 gallons in 2011, and by 37,820 gallons in 2012.

**B.     15A NCAC 13B .0838(a)(18) states "Approved nutrient management plans shall be followed." The nutrient management plan contains the monthly application rates.**

A review of the submitted records revealed that the monthly application rate had been exceeded several times. In April 2010, the monthly application rate had been exceeded by 5,000 gallons on Field 1, and by 1,000 gallons on Field 3a. In January 2013, the monthly application rate had been exceeded by 13,200 gallons on Field 1, by 3,750 gallons on Field 3a, and by 8,400 gallons on Field 4.

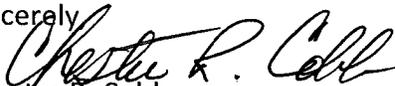
#### COMPLIANCE SCHEDULE

Based upon the foregoing, Ray's Septic Service shall come into compliance immediately with all requirements of the applicable regulations in 15A NCAC 13B .038(b)(1) and 15A NCAC 13B .038(a)(18) by completing the following:

- A. Ray's Septic Service shall insure that the maximum annual application rate of 50,000 gal/ac/yr is not exceeded on a site or field basis.
- B. Ray's Septic Service shall insure that the monthly application rates as listed in the approved nutrient plan are not exceeded.
- C. Ray's Septic Service shall provide written certification on company letterhead confirming the noted compliance schedule has been completed. Include in this certification any actions taken to prevent these violations from occurring in the future and any supporting documentation. **Mail this certification to Chester R. Cobb at 1646 Mail Service Center, Raleigh, NC 27699-1646 within 14 days of receipt of this letter.**

Failure to comply with this schedule may subject the facility and/or all responsible parties to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules. Pursuant to N.C.G.S. 130A-22(a) and 15A NCAC 13B .0701-.0707, an administrative penalty of up to \$15,000.00 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or an Order issued under Article 9 of Chapter 130A of the N.C. General Statutes. If you have any questions please contact me at (919) 707-8283 or e-mail to [chester.cobb@ncdenr.gov](mailto:chester.cobb@ncdenr.gov).

Sincerely



Chester R. Cobb

Soil Scientist, Solid Waste Section

cc: Martin A. Gallagher, Branch Head  
Will Burke, Environmental Senior Specialist