



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

February 27, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7009 0820 0000 2474 1466

Mr. Gregory Bean, Public Works Director
Public Works Business Center
IMSE-BRG-PW
HQ, US Army Garrison, Fort Bragg
Installation Management Agency Command
Fort Bragg, North Carolina 28310

SUBJECT: **Notice of Violation**
 Compliance Inspection
 Fort Bragg Construction and Demolition Landfill
 2608-CDLF
 Cumberland County

Dear Mr. Bean:

On February 5, 2015, Drew Hammonds, representing the State of North Carolina, Division of Waste Management Solid Waste Section, along with Diane Adams, Division of Energy Mining and Land Resources, Land Quality Section, inspected the above referenced facility for compliance with North Carolina solid waste statutes and rules. Sid Williamson, Rick Akers and Dan Messier was present and representing Fort Bragg during this inspection. The following violation(s) were noted:

A. 15A NCAC 13B .0542 (k) (2) states that “Adequate sedimentation and control measures consisting of vegetative cover, materials, structures or devices must be utilized to prevent sediment from leaving the C&DLF facility or unit.”

Fort Bragg is in violation of this rule in that there were several areas of excessive onsite erosion occurring at the time of this inspection on the side slopes of Phase II where seeps and exposed waste were observed. The excessive erosion has resulted in sediment leaving the unit.

B. 15A NCAC 13B .0542 (l) (4) states that “Leachate must be contained onsite or treated prior to discharge. An NPDES permit may be required prior to the discharge of leachate to surface waters.”

A leachate release was observed at the toe of the slope on the south west side of the closed out Phase I flowing into the perimeter drainage channel outside the waste boundary. The channel flow is along the south west side of Phase I and south side of Phase II and then terminated at the southern tip of Phase II.

C. 15A NCAC 13B .0542 (a) states in part that “The owner or operator of a C&DLF unit must maintain and operate the facility in accordance with the operation plan prepared in accordance with this rule.”

A new haul road has been constructed beyond the limits of construction for Phase II of this landfill. The perimeter channel along the north end of Phase II and the new haul road has been lined with broken asphalt. The graded and disturbed areas of the landfill are not being maintained and repaired according to the operations plan.

Based upon the foregoing, Fort Bragg shall come into compliance by March 19, 2015 with all requirements of the regulations in 15A NCAC 13B .0542 and the Permit to Operate and approved operations plan by completing the following:

- 1. The facility staff were advised during the inspection that attempts to eliminate the release of leachate need to be underway. The leachate repair was completed later that day.**
- 2. Repair all eroded or disturbed areas to provide vegetative growth sufficient to restrain erosion. Exposed areas need to be properly graded seeded and mulched as a minimum.**
- 3. Corrective measures need to be underway that will properly align facility operations and installation of measures with the approved plan. Haul roads, permanent ditches and drainage features need to be installed as shown on the approved site plans.**
- 4. A contingency plan needs to be developed that includes a routine monitoring plan to prevent the release of leachate and to identify areas of erosion that can cause leachate breakouts from uncovered or improperly covered side slopes.**

Mr. Gregory Bean
Fort Bragg
Notice of Violation
Page 3 of 3
February 27, 2015

Fort Bragg shall provide a written certification with supporting documentation 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. Mail this certification to Drew Hammonds, 225 Green Street, Suite 714, Fayetteville, NC 28301 by the noted compliance date.

The violation(s) listed above were observed by Section staff and require action on behalf of the facility in order to come into or maintain compliance with the Statutes, Rules, and/or other regulatory requirements applicable to this facility. Be advised that pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or Order under Article 9 of Chapter 130A of the N.C. General Statutes. Further, the facility and/or all responsible parties may also be subject 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.

Please keep me informed of your progress in this matter. Solid Waste Section staff will conduct a follow-up inspection(s) to verify that the facility has completed the requirements of this Notice of Violation.

If you have any questions please contact me at 910-433-3350 or e-mail Andrew.hammonds@ncdenr.gov.

Sincerely,

Drew Hammonds
Environmental Senior Specialist
Division of Waste Management - Solid Waste Section

copies: Jason Watkins, Field Operations Branch Head (email)
Dennis Shackelford, Eastern District Supervisor (email)
Jessica Montie, Compliance Officer (email)
Audrey Oxendine, Fort Bragg Environmental Compliance Branch Chief (email)
Sid Williamson, Fort Bragg Solid Waste Manager (email)