



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

January 14, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7009 0820 0000 2474 1046

Mr. Kenneth Hardin, President
Mr. John Killian, Vice President
AAA Hauling of NC, Inc.
1171 S. Eastern Blvd
Fayetteville, North Carolina 28301

Subject: **Notice of Continuing Violations**
 AAA Hauling of NC, Inc.
 Cumberland County, North Carolina
 2613-Transfer-2010

Dear Sirs:

On September 30, 2014, the Solid Waste Section issued a Notice of Violations letter to Kenneth Hardin, President, regarding facility violations. The specific violations listed were **A. 15 NCAC 13B .0402 (1), B. Permit to operate attachment 2: Part 1 number 4 (15A NCAC 13B .1626 (5) and C. Permit to operate attachment 3: Part 1 number 8 (b).**

On December 18, 2014, Drew Hammonds representing the State of North Carolina, Division of Waste Management, Solid Waste Section, conducted a follow-up inspection of the site. Due to the fact that violations noted in the September 30, 2014 NOV have not been corrected at this time, you are hereby notified that the Section intends to move forward in the enforcement process.

In order to potentially abate any further action forthcoming, it is recommended that the following actions be taken within the next 30 days of receipt of this notice:

- 1) **Remove all unacceptable waste that has been deposited and spread on the ground within the transfer station boundaries as well as the remaining property of AAA Hauling of NC to include;**
 - a. **The C&D waste fines that were used as fill and/or any berms.**
 - b. **The C&D waste concrete mixed with other wastes that were used for road base and fill.**
 - c. **The pile of ash waste residue from the burned tree and wood waste.**
 - d. **Cleanup and remove any and all waste that is within the woods on AAA property.**
 - e. **Due to the fact the waste had not been tested for contaminants, it may be necessary to conduct soil, surface water and groundwater sampling at this facility.**
 - f. **Retain all documentation including disposal receipts associated with the cleanup.**

The item(s) listed above were observed by Section staff and require action on behalf of the facility and/or all responsible parties in order to come into or maintain compliance with the Statutes, Rules, and/or other

Kenneth Hardin
John Killian
AAA Hauling of NC, Inc.
Notice of Continuing Violation
Page 2 of 2
January 14, 2015

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.

We solicit your cooperation and would like to avoid taking further enforcement actions. At the same time, it is your responsibility to comply with the requirements of the General Statutes and/or the North Carolina Administrative Code. If you have any questions regarding this matter, please feel free to contact me at 910-433-3350.

Sincerely,

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

Copies to: Michael Scott, Deputy Director Division of Waste Management (email)
Jason Watkins, Field Operations Branch Head (email)
Teresa Townsend, Attorney General's Office (email)
Dennis Shackelford, Eastern District Supervisor (email)
Jessica Montie, Compliance Officer (email)