



North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

September 30, 2014

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
7009 0820 0000

Kenneth Hardin  
AAA Hauling of NC, Inc.  
1171 S. Eastern Blvd  
Fayetteville, North Carolina 2830

SUBJECT:       **Notice of Violation**  
                  Compliance Inspection Report  
                  AAA Hauling of NC, Inc.  
                  26-13 T  
                  Cumberland County

Dear Mr. Hardin:

On September 22, 2014, Drew Hammonds, representing the State of North Carolina, Division of Waste Management Solid Waste Section, inspected the above referenced facility for compliance with North Carolina solid waste statutes and rules. Kenneth Hardin was present and represented AAA Hauling of NC, Inc. during this inspection. The following violation(s) were noted:

**A.       15A NCAC 13B .0402 Operational Requirements state that “Any person who maintains or operates a transfer facility shall maintain and operate the facility in conformance with the following practices unless otherwise specified in the permit. (1) Operational plans shall be approved and followed as specified for the facility.”**

**You are in violation of this rule in that you have failed to follow the permit and approved operations plan by using C&D waste for fill and base at the transfer station and other areas of the property owned by AAA Hauling of NC, Inc.**

**B.       Permit to Operate Attachment 2: Part 1 number 4 states that “Pursuant to the NC Solid Waste Management Rule 15A NCAC 13B .1626(5) burning of land-clearing debris generated on site as a result of construction activities requires approval by the Section prior to initiating the**

**burn. In addition, the Division of Air Quality and local fire department must approve the activity prior to burning.”**

**Land clearing debris from your property was deposited with the boundaries of the WTS and set on fire without approval as directed in the permit to operate. The fire spread to the YW and dimensional wood storage pile, causing the storage pile to burn.**

**C. Permit to Operate Attachment 3: Part I number 8 (b) states that “Waste must only be deposited on a “tipping floor” or directly into a transfer container....”**

**You are in violation of the permit in that C&D waste (fines) was observed dumped and spread in areas around the WTS and along berms behind the inert waste, the trailer storage area and a berm along the front of the property adjacent to your building. Crushed inert debris comingled with waste was also observed behind the trailer storage area and in the recently cleared area in the woods.**

Based upon the foregoing, AAA Hauling of NC, Inc. shall come into compliance by October 30, 2014 with all requirements of the regulations in 15A NCAC 13B .0402 and the Permit to Operate by completing the following:

- 1. Stop dumping C&D waste and using it for fill on your property.**
- 2. Remove and properly dispose of all C&D waste (fines and crushed comingled inert waste) that has been used for fill at a facility permitted to receive the waste for disposal.**
- 3. Ensure that the dimensional lumber storage area fire is completely out and remove and dispose of the charred waste at a permitted facility.**

Kenneth Harding and AAA Hauling of NC, Inc. 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)