



FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:											
Lined MSWLF		LCID		YW		Transfer		Compost		SLAS	COUNTY: Durham PERMIT NO.: 32-05 FILE TYPE: COMPLIANCE
Closed MSWLF		HHW		White goods		Incin		T&P	X	FIRM	
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF	

Date of Site Inspection: February 5, 2015

Date of Last Inspection: December 22, 2014

FACILITY NAME AND ADDRESS:

B&B Top Soil Mine, Inc. Treatment and Processing Facility
 1800 Hamlin Road
 Durham, NC 27704

GPS COORDINATES: N: 36.05694 E: -78.85342

FACILITY CONTACT NAME AND PHONE NUMBER:

Billy Andrews, Vice President
 B&B Top Soil Mine, Inc.
 w. 919-477-6328
 c. 919-998-8832
 f. 919-471-4857
 www.bandbtopsoilmine.com
bandbtopsoil@aol.com

FACILITY CONTACT ADDRESS:

B&B Top Soil Mine, Inc.
 Billy Andrews, Vice President
 1800 Hamlin Road
 Durham, NC 27704

PARTICIPANTS

John Patrone, Environmental Senior Specialist - Solid Waste Section (SWS)
 Brandon Andrews, Site Operator - B&B Top Soil Mine, Inc.
 George Andrews, Retired Employee - B&B Top Soil Mine, Inc.

STATUS OF PERMIT:

Permit To Operate (PTO) issued November 4, 2009
 PTO expiration date November 4, 2014
 Permit renewal application received by the SWS for review

PURPOSE OF SITE VISIT:

Partial Inspection

STATUS OF PAST NOTED VIOLATIONS

The facility has made progress towards correcting the "Observed Violations" listed in the report from the partial inspection conducted December 22, 2014. The past noted violations are the same as those noted below.

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OBSERVED VIOLATIONS

Per 15A NCAC 13B .0302 Operational Requirements, “Any person who maintains or operates a treatment and processing facility shall maintain and operate the facility in accordance with the following practices unless otherwise specified in the permit: (1) Operational plans shall be approved and followed as specified for the facility; (5) Effective vector control measures shall be applied to control flies, rodents, and other insects or vermin.” Per the approved facility operations plan, Cell Construction Using the Dry Method – page numbered 5 of 28: “... Treatment cells are constructed in lifts that range from 8 to 12 feet high...” On page numbered 8 of 28: “Time is the most critical component in the dry method. Organic residues must remain in active cells for sufficient time for the dry method to effectively convert organic residues to a soil like material.” On page 4 of 28: “Following visual inspection, site operations personnel will provide directions to vehicle operators to the proper location for off loading the residue. Project personnel will ensure that individual vehicle operators transport incoming materials to proper location for further processing through the dry method.” On page numbered 7 of 28: “... When weather forecast indicate a high probability of rain, then ruts, depressions, and site features that accumulate water must be smoothed over to facilitate water movement off site and away from the base of the cell and through appropriately designed sediment control structures.”

On February 5, 2015, SWS conducted an inspection of the B&B Top Soil Mine, Inc. Treatment and Processing Facility. The facility has made progress regarding the aforementioned “Observed Violations” although additional work is needed. Material for use in dry method treatment cells was observed along portions of the side of the access road. The material was not placed in treatment cell areas to be constructed into lifts. Ponded water was observed along the access road and leaf storage pile. Ponded water was observed adjacent to the soil screener.

On February 9, 2015, Mr. Patrone received an email with pictures of work conducted at the facility over the past weekend. The pictures indicate additional progress toward meeting the aforementioned “Observed Violations.”

By March 5, 2015, all material received shall be placed in piles/active cells upon receipt. It shall not be staged at the entrance to the access road or placed along the access road. Active cells shall be reconfigured to include material that has become dislodged. The access road and operations area that hold water due to ruts and depressions shall be graded prior to inclement weather to ensure positive drainage. The area along the leaf storage pile and access road shall be graded to ensure positive drainage. The area adjacent to the soil screener shall be continually graded to ensure positive drainage. Leaves received for storage should be incorporated into the leaf pile/piles in a timely manner. Ensure the leaf receiving area does not hold water.

The item(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.

ADDITIONAL COMMENTS

On February 5, 2015, John Patrone met with Brandon Andrews and George Andrews to conduct a partial inspection of the B&B Top Soil Mine, Inc. Treatment and Processing Facility on Hamlin Road in Durham, Durham County.

1. The facility is a treatment and processing (TP) facility. High carbon:nitrogen ratio land clearing debris (LCD) is managed via Dry Method active processing utilizing aerobic conditions and limited moisture.
2. Material is formed into rows/piles. The rows/piles are left in-place allowing vegetation to grow atop. Material decays in two to five years. The decayed material/soil when processed is mixed with leaves and screened.
3. Woody material screened-out from the soil, needing more time to break-down, is staged to return to the Dry Method active process.

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4. Leaves are received and stored for soil amendment.
5. During prolonged periods of wet weather access roads and operational areas become impassible.
6. Mr. (Brandon) Andrews stated that during prolonged periods of wet weather customers commonly offload LCD behind the maintenance building adjacent to the access roads leading to the operational areas. This operation should be noted in the facility operations plan upon permit modification or renewal.
7. It is suggested that areas commonly impassible during prolonged periods of wet weather are mined. There should not be a thick layer of topsoil/decomposed LCD atop the ground that prohibits normal facility operation during adverse weather conditions.
8. Mr. Patrone stated that the facility is required to provide accessible access roads and operational areas during prolonged periods of wet weather or it may have to limit facility operation.
9. During the inspection material for use in dry method treatment cells was observed along portions of the access road. Material was not placed in a treatment cell to be constructed into lifts. See "Observed Violations" for remediation requirement.
10. Mr. (Brandon) Andrews stated that he is in the process of constructing three long windrows of LCD atop much of the open operational area that has become impassible. When complete, the material will be left to decompose via the Dry Method active process.
11. During the inspection active cells that had material removed were not re-constructed back into uniform cell structure for the dry method to perform optimally. See "Observed Violations" for remediation requirement.
12. During the inspection ponded water was observed along access roads in ruts and depressions. Ponded water adjacent to the leaf storage pile was observed. Ponded water adjacent to the soil screener was observed. See "Observed Violations" for remediation requirement.
13. It is suggested that the accumulated soil built-up around the soil screener is mined.
14. It is suggested that staff are cross-trained to effectively utilize personnel to meet the requirements of the facility permit and operations plan.
15. The facility has a proper sign. Although, it is suggested outdated information be permanently covered-up.
16. The facility permit renewal application was received by the SWS – Composting & Land Application Branch on December 12, 2014.

Please contact me if you have any questions or concerns regarding this inspection report.

Phone: 336-776-9673

John Patrone, Environmental Senior Specialist
 Division of Waste Management, NCDENR

Sent on: <u>February 11, 2015</u>	X	Email		Hand delivery		US Mail		Certified No. []
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Electronic Copies: Deb Aja, Western District Supervisor - SWS
 Sarah Rice, Compliance Officer - SWS
 Tony Gallagher, Supervisor - Composting & Land Application Branch – SWS
 Donna Wilson, Permitting Engineer - SWS
 Liz Patterson, Environmental Technician –SWS
 Brandon Andrews, Site Operator - B&B Top Soil Mine, Inc. brandonandrews1@gmail.com

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Digital pictures taken February 5, 2015
by John Patrone, DWM – SWS

Material not placed in piles/active cells



Ponded water at soil screener – requires positive drainage



Access road and leaf pile – require positive drainage



Active cell requires reconfiguration - material dislodged



Material received offloaded at access road entrance



Leaf pile spread-out/requires consolidation



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Digital pictures taken February 8, 2015
by Facility Personnel

Material offloaded at access road entrance removed



Area on left side of screener graded/soil placement
although soil needs to be removed and positive drainage
obtained



Ponded water removed from access road and leaf pile



Operational area graded although material on right not in
pile/active cell

