



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	<input checked="" type="checkbox"/>	FIRM	
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF	

Date of Site Inspection: December 22, 2014

Date of Last Inspection: December 5, 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
bandbtopsil@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.
 William (Brenn) Andrews, Office Manager - 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 toward correcting the "Observed Violations" listed in the report from the compliance inspection conducted December 5, 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 December 22, 2014, SWS conducted an inspection of the B&B Top Soil Mine, Inc. Treatment and Processing Facility. Material for use in dry method treatment cells remains along portions of the side of the access road. The material was not placed in treatment cell areas to be constructed into lifts. Active cells that had material removed were not re-constructed back into uniform cell structure for the dry method to perform optimally and new windrows/piles constructed were not uniform in that material alongside needed to be incorporated. Pondered water was observed along access roads in ruts and depressions and along the access road and leaf storage pile. Access roads were impassible due to prolonged periods of wet weather. Pondered water was observed adjacent to the soil screener.

By February 1, 2015, the facility shall remove material along the access road to an area suitable for treatment cell construction. Active cells shall be reconfigured to include material that has become dislodged. Areas of the access road that hold water (ruts and depressions) shall be graded 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 graded to ensure positive drainage. Water should not pond in ruts, depressions, and voids.

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 December 22, 2014, John Patrone met with Brandon Andrews and Brenn 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. If required, additional material is added for specific soil blends.
3. Woody material screened-out from the soil, needing more time to break-down, is staged to return to the Dry Method active process.
4. The facility is permitted to receive high carbon:nitrogen ratio yard waste, sawdust, wood fibers, mill residue from pressboard and chipboard, land clearing debris, and untreated, unpainted, and unglued wood wastes.
5. Leaves are received and stored for soil amendment.

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6. Currently, leaves are the only material routinely incorporated into soil.
7. It is estimated that the Dry Method operation encompasses 20 acres.
8. It was observed that during prolonged periods of wet weather access roads and operational areas become impassible.
9. 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.
10. 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.
11. 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.
12. Mr. Andrews stated that the bulldozer is able to operate in thick mud but that it leaves ruts and depressions.
13. 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.
14. Mr. 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.
15. 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.
16. During the inspection ponded water was observed in and 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, although flowing out slowly. See "Observed Violations" for remediation requirement.
17. Screened overs are required to be routinely placed back into active cells.
18. The Dry Method row/pile size appeared to be < 50 feet wide and 30 feet high.
19. Ensure Dry Method cells are constructed as described in the approved facility operations plan (Good Practice Guide for Practitioners of the Patented Dry Method Process).
20. The facility has a proper sign. Although, it is suggested outdated information be permanently covered-up.
21. The facility permit renewal application was received by the SWS – Composting & Land Application Branch on December 12, 2014.

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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>December 29, 2014</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

Digital pictures taken December 22, 2014
by John Patrone, DWM – SWS

Thick layer of topsoil/decomposed LCD atop ground



ponded water adjacent to soil screener draining slowly



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Ponded water in access road – left side



Ponded water in access road – right side



Ponded water along access road and leaf storage pile



Accumulated overs at soil screener, thick layer of topsoil/
decomposed LCD atop ground



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Open operational area where windrows will be constructed Material not placed in windrow/pile – representative



Material adverse weather offload area –
behind maintenance building

