



FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

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

Date of Site Inspection: April 21, 2015

Date of Last Inspection: September 3, 2014

FACILITY NAME AND ADDRESS:

Fogleman and Fogleman Landfill and Recycling Facility – LCID Landfill and Processing Facility
 4005 Intermere Road
 Durham, NC 27704

GPS COORDINATES: N: 36.05502 E: -78.81176

FACILITY CONTACT NAME AND PHONE NUMBER:

Jay Fogleman, Manager w. 919-682-0068 c. 919-795-4386 f. 919-682-0662 jay.fogleman@frontier.com	Linda Fogleman, Secretary/Treasurer c. 919-795-4388 lfogle@frontier.com
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FACILITY CONTACT ADDRESS:

Linda Fogleman, Secretary/Treasurer
 Fogleman and Fogleman Soils, Inc.
 4005 Intermere Road
 Durham, NC 27704

PARTICIPANTS

John Patrone, Environmental Senior Specialist - Solid Waste Section (SWS)
 Jay Fogleman, Manager - Fogleman and Fogleman Soils, Inc.

STATUS OF PERMIT:

Permit To Operate (PTO) issued March 27, 2012
 Permit To Construct (PTC) issued in conjunction with PTO
 PTO expiration date December 19, 2016

PURPOSE OF SITE VISIT:

Partial Inspection

STATUS OF PAST NOTED VIOLATIONS

None

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OBSERVED VIOLATIONS

None

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 April 21, 2015, John Patrone met with Jay Fogleman to conduct a partial inspection of the Fogleman and Fogleman Landfill and Recycling Facility – LCID Landfill and Processing Facility on Intermere Road in Durham, Durham County.

1. The facility is a land clearing and inert debris (LCID) landfill and recycling operation.
2. The recycling operation pertains to materials recovery and processing.
3. The landfill can be mined and material screened, ground, crushed, and stored within the landfill footprint. Overs can be reintroduced and/or new fill material added to the area mined.
4. The recycling operation also pertains to sorting material received, within the landfill footprint, for grinding and crushing.
5. Land clearing debris (LCD) is sorted atop the landfill cap, adjacent to the working face. Selected LCD is staged to be chipped. The material is sold for boiler fuel.
6. Segregated loads of used asphalt, stone, and concrete are screened/crushed on the property, outside of the landfill footprint.
7. The facility collects logs for firewood. Firewood logs are stockpiled outside of the landfill footprint.
8. Clean soil is stockpiled for use at the landfill and for sale to customers.
9. The facility is permitted to receive land clearing waste, inert debris, yard trash, used asphalt, uncontaminated soil, and untreated and unpainted wood.
10. The facility is permitted to receive wooden pallets for processing only.
11. Segregated loads of low carbon nitrogen ratio material should not be received for processing.
12. The landfill side slopes were constructed in tiered sections. Material was built-up, spread-out laterally along the side slope, and covered with soil. Side slope grade was not well defined.
13. During the last inspection, Mr. Fogleman agreed to rework the side slopes creating a manageable grade and covering exposed material with soil.
14. Per 15A NCAC 13B .0566(4), "Adequate soil cover shall be applied monthly, or when the active area reaches one acre in size, whichever occurs first."
15. Material adequately covered with soil shall not be visible.
16. Excavation, grading, and fill material side slopes shall not exceed three to one (3:1).
17. Per 15A NCAC 13B .0566(3), "Solid waste shall be restricted to the smallest area feasible and compacted as densely as practical into cells."
18. During the inspection it was observed that significant progress has been made creating manageable side slopes and covering exposed material.
19. The southwest and east-facing side slopes (front and right side of landfill) contain soil cover/have been repaired. The northeast side slope (rear of landfill) has been graded accordingly and soil applied, although due to recent heavy rains a top layer of the soil was washed away. The northwest and north facing side slopes (left rear of landfill area) contain exposed material although the [two] areas are active and are continually being re-graded and covered with soil.

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- 20. Mr. Fogleman stated that he intends to have the remaining side slopes reworked to create a manageable grade and all material adequately covered with soil, weather permitting, within the next two months. Once complete, he will operate a manageable working face that will be graded for ease of maintenance and soil cover stability.
- 21. Repair erosion rills along landfill side slopes.
- 22. Mr. Fogleman stated that side slope bare areas will be sown with grass seed.
- 23. Woody vegetation should be removed from the landfill cap.
- 24. The permit expiration date is December 19, 2016.
- 25. Permit renewal application shall be submitted to the SWS by September 19, 2016.

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>April 22, 2015</u>	X	Email		Hand delivery		US Mail	Certified No. []
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Electronic Copies: Deb Aja, Western District Supervisor - SWS
 Jessica Montie, Compliance Officer - SWS
 Jay Fogleman, Manager - Fogleman and Fogleman Soils, Inc.

Digital pictures taken April 21, 2015
 by John Patrone, DWM-SWS

Landfill front side slope – soil cover



Landfill right side slope – repaired and seeded area



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Landfill rear side slope area – reworked/to rework again, to reapply soil cover



Landfill left rear side slope area – active areas, to rework grade and apply soil cover



Landfill left middle area side slope



Wood chipper atop landfill

