



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

June 2, 2014

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

CERTIFICATION NUMBER 7011 2000 0001 6591 2100

Eastern Composting LLC
8487 Battleboro-Leggett Rd
Battleboro, North Carolina 27809

SUBJECT: Notice of Violation
Compliance Inspection Report
Eastern Composting
SWC-33-03
Edgecombe Co.

Dear Mr. Smith:

On May 6, 2014, Ben Barnes 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 statues and rules. The following violations were noted:

15A NCAC 13B .1406 OPERATIONAL REQUIREMENTS FOR SOLID WASTE COMPOST FACILITIES

Any person who maintains or operates a solid waste compost facility shall maintain and operate the site to conform with the following practices:

(1)Plan and Permit Requirements: (A) Construction plans and conditions of permit shall be followed

Permit condition:

1. Operation and maintenance of this facility shall be in accordance with the Solid Waste Compost Rules (15A NCAC 13B, Section .1400)
2. Any leachate generated at the facility and any runoff from the facility shall be managed in such a manner that ground or surface water quality will not be adversely affected. The facility shall be maintained to prevent the accumulation of storm water or leachate on travel areas or active composting sites
17. The facility shall be operated in a manner that reduces the potential for vector attraction.

Operation Plan:

Leachate Pond Operation and Maintenance states in part:

Maintenance of the pond and swale will include but not limited to:

- Swales are to remain cleared of debris to allow free flow of water to the pond, sediment buildup will be removed on a quarterly basis and re-used within the composting process.
- Fix all damages to integrity of the swales and pond liner upon first notice

(4) Leachate shall be contained on site and treated to meet the standards of the off-site disposal method.

COMPLIANCE SCHEDULE

Based upon the foregoing, Eastern Composting LLC shall by **June 18, 2014** comply with all requirements of **15A NCAC 13B SECTION .1400 SOLID WASTE COMPOST FACILITIES** by completing the following:

Provide the Division a plan with a time table for the completion of all work illustrating how:

- **Leachate leaving the pad will be diverted to the storm water retention pond in a manner that meets the 15A NCAC 13B .1404(a)(10)(E) standard. This method must involve reconfiguring the swales in such a manner that: leachate flows freely to the storm water retention pond at all times, the turning of equipment at the end of the windrows does not create ruts, requires little maintenance and does not allow leachate to come in contact with the natural soil surface on any side of the composting pad. Constructing the swale of concrete and extending the concrete pad to the swales appears to be the best solution. However the Section will consider other options that will meet the same goal.**
- **Incoming grease waste is managed in such a manner that excess leachate is not generated and that excess liquids are not allowed to stand or pool on the pad.**
- **Submit a sampling plan for soil that has come in contact with leachate and the leachate to Ben Barnes P.O. Box 1568, Elm City, North Carolina 27822. The sampling plan should include sampling methodology and a figure depicting the sampling locations according to the method listed below:**

Soil Sampling

- Guidelines for soil sampling are located at http://portal.ncdenr.org/c/document_library/get_file?uuid=d28d4f91-4b6d-4c9d-afd947c9ee93615f&groupId=38361.
- Conduct subsurface soil sampling to evaluate the extent of the potential environmental impacts from the release(s) at the facility. Discrete soil samples should be collected between one to two feet below ground surface. Composite soil samples will not be accepted. A background subsurface soil sample should also be collected.
- Analyze subsurface soil samples for the Appendix I of 40 CFR Part 258 list of constituents consisting of both VOCs and metals. Please also analyze for pH.
- The results should be compared to the Preliminary Soil Remediation Goal Table. Both the health based and the protection of groundwater soil goals must be met. The table is located at http://portal.ncdenr.org/c/document_library/get_file?uuid=5539ecfb-739f-4345-9459-b514508135f1&groupId=38361.

Surface Water Sampling

- Guidelines for surface water sampling are located at http://portal.ncdenr.org/c/document_library/get_file?uuid=d28d4f91-4b6d-4c9d-afd9-47c9ee93615f&groupId=38361.
- Conduct surface water sampling to evaluate the extent of the potential environmental impacts from the release(s) at the facility. A background surface water sample should also be collected.
- Analyze surface water samples for the Appendix I of 40 CFR Part 258 list of constituents consisting of both VOCs and metals. Please also analyze for the field parameters pH, specific conductance, ORP, dissolved oxygen, and turbidity.
- The results should be compared to the 2B Surface Water Standards.

The Division will review the submitted plans with timetable and if acceptable, Eastern Composting can commence the approved construction, operational changes and sampling.

- **A summary report (in electronic format) containing the results of the assessment should be submitted to the Solid Waste Section within 30 days of receiving the analytical results from the NC certified laboratory.**
- **Manage the contaminated soil in a manner that is consistent with the results of the testing and sampling protocol listed above.**

