



**FACILITY COMPLIANCE INSPECTION REPORT**  
**Division of Waste Management**  
**Solid Waste Section**

**UNIT TYPE:**

Lined MSWLF		LCID		YW		Transfer		Compost		SLAS		COUNTY: Forsyth PERMIT NO.: 34-18-TP 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:** June 24, 2015

**Date of Last Inspection:** April 15, 2014

**FACILITY NAME AND ADDRESS:**

Myers Treatment and Processing Facility  
 7775 Shallowford Road  
 Lewisville, North Carolina 27023

**GPS COORDINATES:** N: 36.10202    W: 80.45674

**FACILITY CONTACT NAME AND PHONE NUMBER:**

Name: Marty Lee Myers  
 Telephone: (336) 407-9262  
 Email address: [lewisvillelandfill@gmail.com](mailto:lewisvillelandfill@gmail.com)

**FACILITY CONTACT ADDRESS:**

Same as above

**PARTICIPANTS:**

Marty Myers  
 Charles Gerstell, NCDENR-Solid Waste Section

**STATUS OF PERMIT:**

A Permit to Construct/Operate a Land Clearing and Inert Debris Treatment and Processing Facility was issued to Herbert G. Myers, Sr. and Marty Lee Myers on January 6, 2010. This permit expired on January 6, 2015.

**PURPOSE OF SITE VISIT:**

Comprehensive Inspection

**STATUS OF PAST NOTED VIOLATIONS:**

**General Permit Condition #6 states:** *Operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of the Chapter 130A of the North Carolina General Statutes (NCGS 130-290, et seq.), the conditions contained in this permit; and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.*

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**General Permit Condition #7 states:** *This permit is issued based on the documents submitted in support of the application for permit the facility including those identified in Attachment I, Part II “List of Documents for Approved Plan,” and which constitute the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.*

- Item #6 of the “List of Documents for the Approved Facility Plan” is detailed as: “Permitting and Operations Manual,” Myers Land Clearing and Inert Debris Landfill, Permit No. 34-18-TP, Prepared by: Allied Design, Inc. March 2009. DIN 7047
- Included with the “Permitting and Operations Manual” was an “Overall Site Plan” detailing the limits of the Treatment and Processing Facility including the 100’ Minimum Buffer.
- During the April 25, 2014 inspection, multiple loads of processing fines/screenings with a significant amount of wood waste was observed on the far north side of the property outside of the areas designated for facility activities shown on the facility site plan.

Disposal of waste/screenings outside of the approved facility limits constituted violations of General Permit Conditions #6 and #7.

To achieve compliance, all wood waste resulting from facility activities was required to be relocated to the processing areas shown on the approved site plan for the facility.

Inspection of the facility on June 24, 2015 found all waste previously observed in the area of concern and been removed. **Therefore, this violation is considered resolved.**

**Operating Condition #15 states:** *The 100-foot buffer to property line shall be maintained free of waste and final product.*

During the April 25, 2014 inspection, mulch was stockpiled within the 100-foot buffer to the property boundary on the east side of the site. Measurements taken found that some material was within 45-feet of the property boundary.

To achieve compliance, all waste and final product was required to be relocated to ensure that the proper 100-foot buffer is provided to all property boundaries.

Inspection of the facility on June 24, 2015 found no waste within the 100-foot buffer to property boundaries. All mulch had been removed from the site or used for stabilization efforts. **Therefore, this violation is considered resolved.**

### **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.

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**ADDITIONAL COMMENTS**

1. The facility is no longer in operation.
2. During the inspection, Mr. Myers stated that he did not wish to renew the permit for the facility.
3. All mulch waste had been removed from the property or used for stabilization efforts.
4. Facility signage was still in place.
5. A gate was provided at the entrance to the facility to prevent unauthorized access.



View of the former processing area looking northeast.

6. In order to officially have this site closed out, please submit a letter to the Permitting Branch notifying the Section of your intent to close the facility. The letter should be submitted to:

Ed Mussler, Permitting Branch Head  
 1646 Mail Service Center  
 Raleigh, North Carolina 27699-1646

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

*Charles T. Gerstell*  
 Digitally signed by Charles T. Gerstell  
 DN: cn=Charles T. Gerstell,  
 o=Division of Waste Management, ou=Solid Waste Section,  
 email=charles.gerstell@ncdenr.gov, c=US  
 Date: 2015.07.07 16:19:27 -04'00'

Phone: (704) 235-2144

Charles T. Gerstell  
 Environmental Senior Specialist  
***Regional Representative***

Sent on: <u>7/7/15</u>	<b>X</b>	Email		Hand delivery		US Mail		Certified No. [ ]
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Copies: Deb Aja, Western District Supervisor  
 Jessica Montie, Compliance Officer  
 Ed Mussler, Permitting Branch Head