



North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

May 2, 2014

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
7010 3090 0002 6247 8289

Wayne Long  
7474 Highway 125  
Halifax, NC 27839

SUBJECT:       **Notice of Violation**  
                  Compliance Inspection Report  
                  Wayne Long Mini Storage  
                  CCB0002  
                  Halifax County

Dear Mr. Long:

On April 24, 2014, Mary Whaley and Ellen Lorscheider, 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 statutes and rules. The following violations were noted:

1. **15A NCAC 13B .1705 (a)** *The structural fill facility must be designed, constructed, operated, closed, and maintained in such a manner as to minimize the potential for harmful release of constituents of coal combustion by-products to the environment or create a nuisance to the public.*
2. **15A NCAC 13B .1705 (e)** *The coal combustion by-product structural fill facility shall be effectively maintained and operated as a non-discharge system to prevent discharge to surface water resulting from the operation of the facility.*
3. **15A NCAC 13B .1705 (j)** *All structural fills shall be covered with a minimum of 12 inches compacted earth, and an additional surface six inches of soil capable of supporting native plant growth.*
4. **15A NCAC 13B .1706 (b)** *The final surface of the structural fill shall be graded and provided with drainage systems that:*
  - (1) *Minimize erosion of cover materials; and*
  - (2) *Promote drainage of area precipitation, minimize infiltration and prevent ponding of surface water on the structural fill.*

5. **15A NCAC 13B .1706 (c)** *Other erosion control measures, such as temporary mulching, seeding, or silt barriers shall be installed to ensure no visible coal combustion by-product migration to adjacent properties until the beneficial end use of the project is realized.*

**The site has not been maintained so as to minimize the potential for harmful release of constituents of coal combustion by-products to the environment or create a nuisance to the public. There is deep gullying in many places and the coal ash is exposed and washing down the slope, into the sediment basins, as well as along the edge of the property. A ground cover sufficient to prevent erosion has not been established.**

### **COMPLIANCE SCHEDULE**

Based upon the foregoing, Wayne Long Mini Storage shall come into compliance by **July 2, 2014** with all requirements of the regulations in **15A NCAC 13B .1705 (a), 15A NCAC 13B .1705 (e), 15A NCAC 13B .1705 (j), 15A NCAC 13B .1706 (b) and 15A NCAC 13B .1706 (c)** by completing the following:

**There must be 12 inches of compacted soil and 6 inches of soil capable of supporting plant growth over all coal ash. The site must be graded and provided with drainage systems to prevent erosion of the soil. A ground cover must be established to prevent the erosion of soil. If any coal ash has moved off of the footprint of the structural fill, the ash must be placed back within the footprint and covered with 12 inches of compacted soil and 6 inches of soil capable of supporting plant growth and ground cover established.**

Wayne Long Mini Storage shall provide a written certification with supporting documentation on company letterhead confirming the noted compliance schedule has been completed. Include in this certification any actions taken to prevent these deficiencies from occurring in the future. Mail this certification to Mary Whaley, P.O. Box 59, Oxford, NC, 27565 by the noted compliance date.

Failure to comply with this schedule may subject the facility and/or all responsible parties 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. Pursuant to N.C.G.S. 130A-22(a) and 15A NCAC 13B .0701-.0707, an administrative penalty of up to \$15,000.00 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or an Order issued under Article 9 of Chapter 130A of the N.C. General Statutes.

If you have any questions please contact me at 919-693-5023 or e-mail [mary.whaley@ncdenr.gov](mailto:mary.whaley@ncdenr.gov)

Sincerely,



Mary Whaley  
Environmental Senior Specialist  
Solid Waste Section

copies: Dennis Shackelford, Eastern District Supervisor  
Jessica Montie, Compliance Officer  
Ellen Lorscheider, Planning and Programs Branch Head  
Michael Scott, Solid Waste, Section Chief  
Thad Valentine, NCDENR, Land Quality  
Glen Outland, Roanoke Valley Energy