



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Donald van der Vaart
Secretary

April 15, 2015

CERTIFIED MAIL

RETURN RECEIPT REQUESTED:

Ira Dove, County Manager
Haywood County
215 N. Main Street
Waynesville, NC 28786
7006 2150 0005 2458 9327

Matt Dillard, VP of Operations
Santek Environmental of North Carolina, LLC
650 25th Street NW Suite 100
Cleveland, TN 37311
7014 0510 0000 4466 1346

SUBJECT: **Notice of Violation**
Compliance Inspection Report
White Oak Landfill
4407-MSWLF-1993
Haywood County

Dear Mr. Dove and Mr. Dillard,

On March 18, 2015, Andrea Keller, 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. Both Haywood County (Ira Dove, David Francis, and Marc Pruitt) and Santek Environmental (John Preston) representatives were present (in part) and represented the White Oak Landfill during this inspection. The following violations were noted:

- A. 15A NCAC 13B .1626 Operational Requirements for MSWLF Facilities (2)(c)** *Areas which will not have additional wastes placed on them for 12 months or more, but where final termination of disposal operations has not occurred, shall be covered with a minimum of one foot of intermediate cover.*

On March 18, 2015, during the comprehensive landfill inspection, areas of erosion and exposed wastes were observed on the Phase One intermediate cap.

- B. 15A NCAC 13B .1626 (8)(d):** *Leachate shall be contained within a lined disposal cell or leachate collection and storage system. All leachate shall be treated, as required by the receiving facility, prior to discharge. An NPDES permit may be required prior to the discharge of leachate to surface waters, as provided by 40 CFR Parts 258.26 and 258.27.*

During the March 18, 2015, comprehensive landfill inspection, sediment containing waste had visibly flowed outside the lined limits of the Phase Three waste cell. The apparent leachate and sediment flow was observed in several ditches outside the liner system and waste particles reached the sediment basin below Phase Three.

- C. **15A NCAC 13B .1631 Ground-Water Monitoring Systems (b)** *Monitoring wells shall be designed and constructed in accordance with the applicable North Carolina Well Construction Standards as codified in 15A NCAC 2C.*

(2) *The monitoring wells and piezometers shall be operated and maintained so that they perform to design specifications throughout the life of the monitoring program.*

15A NCAC 02C .0108 STANDARDS OF CONSTRUCTION: WELLS OTHER THAN WATER SUPPLY (k) *All non-water supply wells, including temporary wells, shall be secured with a locking well cap to ensure against unauthorized access and use.*

On March 18, 2015, during the comprehensive landfill inspection, multiple monitoring wells were observed with the locks removed (zip-ties in place of locks).

Based upon the foregoing, the White Oak Landfill shall come into compliance by **May 15, 2015** with all requirements of the regulations in 15A NCAC 13B .1626(2)(c), 15A NCAC 13B .1626 (8)(d), and 15A NCAC 13B .1631 (b)(2) by completing the following:

To correct the violation, and come in compliance with **15A NCAC 13B .1631 (2)(c)**, the permit holders must, within 30 days, repair the Phase One intermediate slopes exhibiting significant cap erosion, and establish vegetation to restrain future erosion of the cap.

To correct the violation, and come in compliance with **15A NCAC 13B .1626 (8)(d)**, the permit holders must investigate and determine the extent of the leachate release, as instructed by the Section compliance hydrogeologist. Further action may be required by the Division.

Ervin Lane

Compliance Hydrogeologist

NC Department of Environment and Natural Resources

Division of Waste Management - Solid Waste Section

919-707-8288 (phone/fax)

Email: ervin.lane@ncdenr.gov

PHYSICAL ADDRESS:

217 WEST JONES ST.

RALEIGH, NC 27603

MAILING ADDRESS:

1646 MAIL SERVICE CENTER

RALEIGH, NC 27699-1646

To correct the violation, and come in compliance with **15A NCAC 13B .1631 (b)(2)**, the permit holders must, within 30 days, ensure that all non-water supply wells, including temporary wells, are secured with locks/locked caps.

White Oak Landfill 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 Andrea Keller (2090 US Hwy 70, Swannanoa, NC 28778) by the noted compliance date.

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.

Please keep me informed of your progress in this matter. Solid Waste Section staff will conduct follow-up inspection(s) to verify that the facility has completed the requirements of this Notice of Violation.

If you have any questions please contact me at 828-296-4700 or e-mail at andrea.keller@ncdenr.gov.

Sincerely,

Andrea Keller
Environmental Senior Specialist
Division of Waste Management - Solid Waste Section

ec: Jason Watkins, Field Operations Branch Manager – Solid Waste Section
Deb Aja, Western District Supervisor – Solid Waste Section
Sarah Rice, Compliance Officer – Solid Waste Section
Jessica Montie, Compliance Officer – Solid Waste Section
Ervin Lane, Compliance Hydrogeologist – Solid Waste Section
John Preston, Santek Environmental – Landfill Manager
Fred Walker, NCDENR DEMLR