



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

September 16, 2014

CERTIFIED MAIL 70092250000410843966
RETURN RECEIPT REQUESTED

Mr. Mike Griffin
Greenway Waste Solutions, LLC
19109 West Catawba Avenue, Suite 200
Cornelius, NC 28031

Re: **Notice of Violation**
North Mecklenburg C&D Landfill – Closed Phase I
Mecklenburg County
Solid Waste Permit Number 60-13

Dear Mr. Griffin:

The Solid Waste Section (Section) has completed a review of the revised *Edge of Waste Investigation* dated August 26, 2014 (DIN 21716) submitted by Civil & Environmental Consultants, Inc. on behalf of Greenway Waste Solutions, LLC for the North Mecklenburg C&D Landfill – Closed Phase I.

Based upon the Section's review of the above mentioned document, you are hereby informed that the facility is operating in violation of North Carolina General Statutes and/or Administrative Code, specifically:

15A NCAC 13B .0503(2)(f) states that "a site, except a land clearing and inert debris landfill, shall meet the following buffer requirements: (i) A 50-foot minimum buffer between all property lines and disposal areas;"

Further, the October 22, 2002 Closure Letter issued by Mecklenburg County Land Use and Environmental Services Agency states: "It is still the operator's responsibility to maintain the closed cell in accordance with the NCDENR guidelines."

The revised Edge of Waste Investigation report included field confirmation of the edge of waste limits at the closed facility utilizing the 50-foot buffer required in .0503(2)(f). Based upon the field confirmation, waste is located within the 50-foot buffer along the eastern property boundary of the closed facility, in the area between test pits 11 and 13 as shown in the report.

Based upon the above noted violation(s), Greenway Waste Solutions, LLC shall come into compliance with all requirements of the regulations in 15A NCAC 13B .0503(2)(f) by completing the following:

Winston Salem Regional Office
585 Woughtown Street, Winston Salem, North Carolina 27107-2241
Phone: 336-771-5000 \ FAX: 336-771-4631
Internet: <http://portal.ncdenr.org/web/wm>

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1. Re-establish the 50-foot buffer by whatever means necessary to comply with the Solid Waste Rules. A response must be provided to the Section within 30 days of receipt of this report detailing the specific plan of action to achieve compliance, including any contingencies and timeframes for completion.

The Section understands that Greenway Waste Solutions, LLC may be overwhelmed with the responsibility of addressing other issues at the North Mecklenburg Landfill facility in addition to the buffer requirements after many years since the closure of the facility however please continue to be proactive in your approach.

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.

If you have any questions or concerns regarding this letter, please feel free to contact me at (336) 771-5092 or by email at jason.watkins@ncdenr.gov. Thank you again for your continued cooperation in these matters.

Sincerely,

Jason M. Watkins
Field Operations Branch Head
Div. of Waste Management – Solid Waste Section

Copies (via email): Michael Scott, Division of Waste Management Deputy Director
Jackie Drummond, Compliance Hydrogeologist
Teresa Bradford, Environmental Senior Specialist
John Murray, Permitting Engineer
Mike Griffin, Greenway Waste Solutions, LLC
Scott Brown, Civil and Environmental Consultants, Inc.
Joe Hack, Mecklenburg County Solid Waste Management
Charles Dial, Mecklenburg County Solid Waste Management