



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

June 16, 2014

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
70103090000262478302

Jay Myrick
10315 Hwy 158
Littleton, NC 27850

SUBJECT: **Notice of Violation**
 Compliance Inspection Report
 Myrick LCID
 Notification 064
 Warren County

Dear Mr. Myrick:

On June 12, 2014, Mary Whaley and 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. You were not present during this inspection. The following violations were noted:

- A. **15A NCAC 13B .0566 (4)** states "Adequate soil cover shall be applied monthly, or when the active area reaches one acre in size, whichever occurs first." There was not any soil cover on the side slopes.
- B. **15A NCAC 13B .0565 (3) (j)** states "Excavation, grading, and fill material side slopes shall not exceed three to one (3:1)." The side slopes were steeper than 3:1.
- C. **15A NCAC 13B .0565** Solid waste shall be restricted to the smallest area feasible and compacted as densely as practical into cells. Vegetative debris is being dumped and pushed over the sides in many locations. It is not being restricted to the smallest area and compacted as densely as practical into cells.

Based upon the foregoing, Myrick LCID shall come into compliance by **July 21, 2014** with all requirements of the regulations in 15A NCAC 13B .0566 (4) and .0565 (3) (j) by completing the following:

“Corrective Actions”

- 1. The side slopes are to be made no greater than 3:1 grades.**
- 2. All of the debris is to be covered with adequate soil, including the side slopes.**
- 3. Solid waste shall be restricted to the smallest area feasible and compacted as densely as practical into cells**

Myrick LCID 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, PO Box 59, Oxford, NC 27565 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 919-693-5023 or e-mail mary.whaley@ncdenr.gov

Sincerely,



Mary Whaley
Environmental Senior Specialist
Division of Waste Management - Solid Waste Section

copies: Dennis Shackelford, Eastern District Supervisor
Jessica Montie, Compliance Officer