



North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor

William G. Ross Jr., Secretary

Raleigh Central Office

DIVISION OF SOLID WASTE MANAGEMENT

January 22, 2008

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

7005 1820 0003 4169 5504

Re: Notice of Violation

Non Permitted Facility File# 420706

Halifax County

Job S. Womack
300 West 10th Street
PO Box 431
Weldon, NC 27890

Dear Mr. Womack:

Pursuant to North Carolina General Statutes 130A-22(a) and to 15A North Carolina Administrative Code 13B, you are hereby informed that you are operating two non-conforming solid waste disposal sites/open dumps on property owned by Wommack & Sons Inc., and located off Mulberry Street, Weldon in Halifax County.

On December 18, 2007, I inspected two nonconforming solid waste disposal sites on property owned by Wommack & Sons Inc. (a 85 acre tract, parcel # 1200139) in Halifax County. The inspection revealed that the site on top of the coal ash site has had land clearing debris, demolition debris including: shingles, wood, furniture, mattresses, metal, plastic, sheetrock, insulation, and household trash, have been deposited in an area measuring approximately 600 feet long and 10-60 feet wide on this site. The second site on the property is closer to the wood mill and this site appears to be 200 feet by 50 feet. The open dumping of this type of waste on this property constitutes a violation of the North Carolina Solid Waste Management Rules, codified at 15A N.C. Admin. Code 13B; specifically:

15A NCAC 13B .0201(a) which states that *"no person shall establish, or allow to be established, on his land a solid waste disposal facility, or otherwise treat, store, or dispose of solid waste unless a permit for this facility has been obtained from the Division."*

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-508-8400 \ FAX: 919-733-4810 \ Internet: www.wastenotnc.org

Mr. Job Wommack
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You are in violation of Section 15A NCAC 13B .0201(a) in that you have established two solid waste management facilities without a permit from the Division.

The following actions will bring you into compliance with 15A N.C.A.C. 13B of the Solid Waste Management Rules:

As we discussed in December, discontinue dumping illegal waste at both sites immediately, and by March 15, 2008, comply with regulations concerning open dumps, Section .0502 of 15A NCAC 13B, as follows:

- I.** Remove all solid waste from the sites including any that is buried and properly dispose of in a facility permitted by the Division of Solid Waste Management. Excavate any buried waste to the original soil surface and leave the excavation open for my inspection.
- II.** Provide proof that the waste was disposed of properly by mailing copies of all landfill receipts to Mary Whaley, Solid Waste Section, North Carolina Department of Environment, and Natural Resources, P.O. Box 59, Oxford, NC 27565.
- III.** Prevent unauthorized entry to the sites by mean of gates, fences, berms or other structures as required.

NOTE: Burning of waste in place is not permissible.

Pursuant to N.C.G.S. 130A-22(a) and 15A N.C.A.C. 13B .070- .0707, an administrative penalty of up to \$15,000.00 per day may be assessed for violation of the Solid Waste Management Laws or Regulations.

If you have any questions regarding this matter, please contact me at 919-693-5023. Thank you for your cooperation.

Sincerely,

Mary Whaley
Environmental Senior Specialist
Solid Waste Section

cc: Mark Poindexter, Field Operations Branch Head
Dennis Shackelford, Eastern District Supervisor

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North Carolina
Naturally