



PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

LINDA CULPEPPER
Director

February 19, 2016

CERTIFIED MAIL 70142120000080551132
RETURN RECEIPT REQUESTED

William S. Clark, County Manager
111 Washington Street
Whiteville, NC 28472

SUBJECT: **Notice of Deficiency**
Compliance Inspection Report
Columbus County Transfer Station
2403T-TRANSFER-1997
Columbus County

Dear Mr. Clark:

On February, 15, 2016, Mr. Wes Hare, representing the State of North Carolina, Division of Waste Management Solid Waste Section (Section), inspected the above referenced facility for compliance with North Carolina solid waste statutes and rules. The following violations were noted:

- A. **15A NCAC 13B .0201(c)** states "No solid waste management facility shall be established, operated, maintained, constructed, expanded or modified without an appropriate and currently valid permit issued by the Division. It is the responsibility of every owner and operator of a proposed solid waste management facility to apply for a permit for the facility. The term "owner" shall include record owners of the land where the facility is located or proposed to be located and holders of any leasehold interest, however denominated, in any part of the land or structures where the facility is located or proposed to be located."
- B. **15A NCAC 13B .0203(d)** states "By receiving solid waste at a permitted facility, the permittee(s) shall be considered to have accepted the conditions of the permit and shall comply with the conditions of the permit."

Attachment 1, Part IV, Number 1 of the expired Permit to Operate (PTO) states the following: "The Permit to Operate shall expire November 23, 2015. Pursuant to 15A NCAC 13B .0201(e), no later than August 23, 2015, the owner or operator must submit a request to the Section for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans."

The abovementioned violations have occurred because the PTO has expired. The renewal request needs to be received by the Section within fifteen days of receipt of this Notice.

The above violations may have or can compromise the facility's ability to ensure protection of the public health and the environment and thus require remedial action on behalf of the facility in order to maintain compliance with 15A NCAC 13B .0201(c) and 15A NCAC 13B .0203(d). In order to resolve these issues, Columbus County must formally request renewal of the PTO within fifteen days of receipt of this Notice to Mr. Ed Mussler, Head of the Permitting Branch of this Section.

The violations 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 please contact me at 910-796-7405 or e-mail wes.hare@ncdenr.gov.

Sincerely,

Wes Hare
Environmental Senior Specialist
Division of Waste Management - Solid Waste Section

copies: Jason Watkins, Field Operations Branch Head
Jessica Montie, Compliance Officer
Ed Mussler, Permitting Branch Head
Danny Fowler, Public Utilities Director



FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:

Table with columns for unit types (Lined MSWLF, Closed MSWLF, CDLF, LCID, HHW, Tire T&P/Collection, YW, White goods, Tire Monofill, Transfer, Incin, Industrial Landfill, Compost, T&P, DEMO, SLAS, FIRM, SDTF) and a summary box for COUNTY: COLUMBUS, PERMIT NO.: 2403T-TRANSFER-1997, FILE TYPE: COMPLIANCE.

Date of Site Inspection: February 15, 2016 Date of Last Inspection: February 25, 2015

FACILITY NAME AND ADDRESS:

Columbus County Transfer Station
Landfill Road
Whiteville, North Carolina 28472

GPS COORDINATES: N: 34.29330° W: 78.75123°

FACILITY CONTACT NAME AND PHONE NUMBER:

Mr. Danny Fowler, Public Utilities Director
910.642.2828
dfowler@columbusco.org

Patrick Kalembe, District Manager
910.480.4015
pkalembe@wm.com

FACILITY CONTACT ADDRESS:

Columbus County c/o
Mr. Danny Fowler, Public Utilities Director
612 North Madison Street
Whiteville, North Carolina 28472

Environmental Protection Manager
Shawn Carroll
Waste Management of Carolinas, Inc.
3920 River Road scarrol3@wm.com
Wilmington, NC 28412

PARTICIPANTS:

Wes Hare, NCDENR Solid Waste Section
Ruth Nance, Columbus County

STATUS OF PERMIT:

EXPIRED November 23, 2015; Current five years permit issued November 23, 2010; permit review request was due before August 23, 2015.

PURPOSE OF SITE VISIT:

Comprehensive Inspection

STATUS OF PAST NOTED VIOLATIONS:

Not applicable

OBSERVED VIOLATIONS:

- 1. 15A NCAC 13B .0201(c) states "No solid waste management facility shall be established, operated, maintained, constructed, expanded or modified without an appropriate and currently valid permit issued by the Division. It is the responsibility of every owner and operator of a proposed solid waste management facility to apply for a permit for the facility. The term "owner" shall include record owners of the land where the facility is located or proposed to be located and holders of any leasehold interest, however denominated, in any part of the land or structures where the facility is located or proposed to be located."
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FACILITY COMPLIANCE INSPECTION REPORT

Division of Waste Management

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The abovementioned violations have occurred because the PTO has expired. The renewal request needs to be received by the Section within fifteen days of receipt of this Notice.

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.

ADDITIONAL COMMENTS

1. The hours of operation are Monday thru Friday, 7:30am-12:00pm and 12:30pm-4:00pm; closed weekends.
2. Ruth Nance, Transfer Station Operation Specialist (exp. 4/5/17) was onsite during the inspection.
3. Other Certified TS Operations Specialists are as follows: Cliff Baldwin 5/1/16 and Robert George 4/30/17.
4. The facility is averaging approximately 24 tons of waste hauled to the landfill per day.
5. Tires are being placed in a covered trailer upon receipt.
6. There were several charged fire extinguishers available for fire control.
7. Windblown debris is removed daily as required.
8. CEI (Custom Ecology, Inc.) loads and hauls waste for this facility.
9. Safety-Kleen hauls leachate from the tanks; last performed 1/6/16.
10. Tires are stored in a covered trailer. There were no problems noted regarding the tire forms.



Please contact me if you have any questions or concerns regarding this inspection report.

Wes Hare
Environmental Senior Specialist
Regional Representative

Phone: 910-796-7405

Sent on 2/19/16	X	Email		Hand delivery	X	US Mail	X	Certified No. 70142120000080551132
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FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

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Copies: Jason Watkins, Field Operations Branch Head - Solid Waste Section
Jessica Montie, Compliance Officer – Solid Waste Section
William S. Clark, County Manager
Shawn Carroll, Waste Management of Carolinas, Inc.