

Hazardous Waste Compliance Data Entry Form - Side A

AW  
9/2/02

EPA ID Number: NCR000001602

Facility Name: THIRD CREEK WASTEWATER TREATMENT PLANT City: STATESVILLE, NC

EVALUATION DATA New:  Change:  Delete:

Mo. Day Yr. Type:  
Date: 04/02/03 C E I  
Date: 08/06/03 C S E

LB  
9-503  
15

Inspector ID #: 046 Reason:     

Evaluation Comments: DOCKET # 2003-112

INSPECTION FOR COMPLIANCE WITH POST CLOSURE CARE.

FACILITY IS IN COMPLIANCE.

SNC DETERMINATION: If this evaluation resulted in a SNC determination, fill in this block. (NOTE: SNC determinations are SNY/SNN evaluations. The SNY/SNN evaluation can also be submitted later on a separate form.)

Facility is (Check one)  
- a SNC (SNY evaluation)       
or  
- no longer a SNC (SNN eval.)     

Docket # 2003-112  
Slam

YES / NO	CSE ONLY					
Waste Involved	Volume	Exposure Media (a, gw, sw, s)	Distance to Residences	Number of People involved	Distance to On-site wells	Distance to Off-site wells

# 1 Type: DGW Date Determined 04/02/03 Class:     

Priority:      Branch: 01 Person: 046

Return to Compliance 05/09/03 08/06/03  
\*Scheduled\* \*Actual\*

Reg. Type: SR Reg. Description: VIOLATION OF POST-CLOSURE PLAN, SECTION 2.2

Comment: MONITORING WELLS UNLOCKED. \* CORRECTED

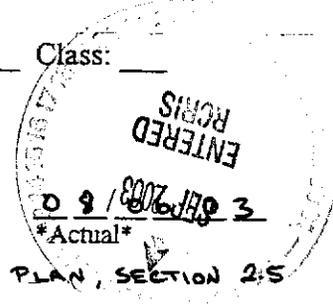
# 2 Type: DLF Date Determined: 04/02/03 Class:     

Priority:      Branch: 01 Person: 046

Return to Compliance: 05/09/03 08/06/03  
\*Scheduled\* \*Actual\*

Reg. Type: SR Reg. Description: VIOLATION OF POST-CLOSURE PLAN, SECTION 2.5

Comment: SURVEY PLAT WAS NOT AVAILABLE DURING INSPECTION. \* CORRECTED



# 3 Type: DCL Date Determined: 04/02/03 Class: \_\_\_\_\_

Priority: \_\_\_\_\_ Branch: 01 Person: 046

Return to Compliance: 05/09/03 08/06/03  
\*Scheduled\* \*Actual\*

Reg. Type: SR Reg. Description: VIOLATION OF A.O.C. DOCKET # 94-191 ITEM(D)(3)

Comment: WRITTEN DESCRIPTION OF TRAINING WAS NOT AVAILABLE. \*CORRECTED

# 4 Type: DCL Date Determined: 04/02/03 Class: \_\_\_\_\_

Priority: \_\_\_\_\_ Branch: 01 Person: 046

Return to Compliance: 05/09/03 08/06/03  
\*Scheduled\* \*Actual\*

Reg. Type: SR Reg. Description: VIOLATION OF A.O.C. DOCKET # 94-191 ITEM(D)(4)

Comment: TRAINING RECORDS WERE NOT DOCUMENTED. \*CORRECTED

# \_\_\_\_\_ Type: \_\_\_\_\_ Date Determined: \_\_\_\_/\_\_\_\_/\_\_\_\_ Class: \_\_\_\_\_

Priority: \_\_\_\_\_ Branch: \_\_\_\_\_ Person: \_\_\_\_\_

Return to Compliance: \_\_\_\_/\_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_/\_\_\_\_  
\*Scheduled\* \*Actual\*

Reg. Type: \_\_\_\_\_ Reg. Description: \_\_\_\_\_

Comment: \_\_\_\_\_

# \_\_\_\_\_ Type: \_\_\_\_\_ Date Determined: \_\_\_\_/\_\_\_\_/\_\_\_\_ Class: \_\_\_\_\_

Priority: \_\_\_\_\_ Branch: \_\_\_\_\_ Person: \_\_\_\_\_

Return to Compliance: \_\_\_\_/\_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_/\_\_\_\_  
\*Scheduled\* \*Actual\*

Reg. Type: \_\_\_\_\_ Reg. Description: \_\_\_\_\_

Comment: \_\_\_\_\_

# \_\_\_\_\_ Type: \_\_\_\_\_ Date Determined: \_\_\_\_/\_\_\_\_/\_\_\_\_ Class: \_\_\_\_\_

Priority: \_\_\_\_\_ Branch: \_\_\_\_\_ Person: \_\_\_\_\_

Return to Compliance: \_\_\_\_/\_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_/\_\_\_\_  
\*Scheduled\* \*Actual\*

Reg. Type: \_\_\_\_\_ Reg. Description: \_\_\_\_\_

Comment: \_\_\_\_\_

~~CONFIDENTIAL~~

## RCRA REINSPECTION REPORT

1. **Facility Information:** Third Creek Wastewater Treatment Plant  
444 Third Creek Road  
Statesville, N.C. 28687  
NCR 000 001 602, TSD Facility  
  
PO Box 1111  
Statesville, NC 28677
2. **Facility Contact:** Mr. Jerry Byerly, Assistant Director, Water Resources  
704-878-3438
3. **Survey Participants:** Mr. Jeff Carty, Plant Supervisor  
Mr. Sean Morris, Waste Management Specialist *sm*  
Mr. Jerry Byerly
4. **Date of Inspection:** August 6, 2003  
  
**Date of Report:** August 7, 2003
5. **Purpose of Inspection:** To determine compliance with Notice of Violation  
Docket # 2003-112
6. **Facility Description:**

Third Creek Wastewater Treatment Plant is located in Statesville, NC. The facility is operating under an Administrative Order on Consent that was signed on March 8, 1995. Wastewater treatment sludge from Aeration Basin 1 and 2 was removed because of elevated cadmium levels in the facility's wastewater discharge. Soil from the Aeration Basins was removed and placed in 8-landfill trenches onsite. 7 out of the 8 trenches exceeded the TCLP limit for cadmium.

7. **Waste Type:**

None

8. **Areas of Inspection:**

Manifests:

N/A

Monthly Inspections:

Monthly inspections were documented for inspection of the gate entrance, fence, and monitoring wells. I noted to Mr. Carty what should be inspected monthly in the facilities post closure plan (see recommendation section below). During our visual inspection we observed

that monitoring wells 8 and 9 were not locked (see deficiency section below). Mr. Carty conducts all the monthly inspections.

Emergency Coordinator:

The facility contact is Mr. Joe Hudson, Jr.

Training:

Mr. Carty stated that training is not required at the site but according to the Administrative Order on Consent, Docket # 94-191 Item (D) (3) training for all positions related to the management of hazardous waste is required. Training records were not available for review at the time of the inspection.

Biennial Report:

Not available

Emergency Preparedness:

The facility is operated to minimize fire, explosion, or hazardous waste release.

Accumulation Areas:

N/A

Hazardous Waste Storage Areas:

N/A

Other Hazardous Waste Units:

The facility is operating under post-closure care as described above. Groundwater monitoring is currently being conducted annually by Aquaterra. The facility's Sampling and Analysis Plan is onsite and up to date. The last sample date was 12/3/02. I talked with Larry Stanley with the Hazardous Waste Section, Facility Management Branch before visiting the site. Mr. Stanley indicated that the EPA recently conducted a CME (Compliance Monitoring Evaluation) at the facility but there were no other issues with the facilities post closure management.

Larry Fox spoke with Andy Smith who is the Land Application Supervisor for the facility about the location of the facility's survey plat. The facility contact Joe Hudson was not available and the survey plat could not be located while we were onsite. (see deficiency section below)

The facilities financial information is up to date and maintained onsite.

Method: Financial Test

Amount: \$183,618

Date: Sept. 25, 2002

Expires: Sept. 30, 2003

## 9. Site Deficiencies:

- During the inspection it was noted that monitoring wells #8 and #9 were not properly locked to prevent inadvertent entry as required by the facility's Post Closure Plan dated September 13, 1996, Section 2.2. **\*Violation has been corrected as of 8/6/03.**
- During the inspection it was noted that the facility's certified survey plat was not immediately available for review. Mr. Jeff Carty contacted Mr. Andy Smith by phone during the inspection. Neither one of the facility representatives could present the plat during the inspection. The plat is required to be maintained onsite in the facility's operating record as required by the facility's Post Closure Plan dated September 13, 1996, Section 2.5. **\*Violation has been corrected as of 8/6/03.**
- According to Administrative Order on Consent, Docket # 94-191, Item (D) (3), Third Creek WWTP is required to maintain a written description of the type and amount of initial and continuing training that will be given to persons that manage hazardous waste at the facility. No written description of the type and amount of initial and continuing training required of persons working with the hazardous waste management unit was available for review at the time of the inspection. Specifically, Mr. Jeff Carty who conducts the facility's maintenance inspections, did not have the required training and was not familiar with all aspects of the Inspection and Maintenance, Section 2.2, of the facility's Post Closure Plan. In addition training is required for all contractors working on behalf of the City of Statesville. **\*Violation has been corrected as of 8/6/03.**
- According to Administrative Order on Consent, Docket #94-191, Item (D)(4), Third Creek WWTP is required to maintain records that document that the training or job experience required under paragraphs (A), (B), and (C) of this section has been given to, and completed by, facility personnel. Specifically, no records were being maintained that documented training for Mr. Jeff Carty who conducts the facility's maintenance inspections and no training records were available to document training for those contractors performing hazardous waste duties on behalf of the City of Statesville. **\*Violation has been corrected as of 8/6/03.**

\* Ticket Notice of Violation, Docket # 2003-112, will be issued.

## 10. Recommendations:

- It is recommended that the monthly inspection check sheets be revised to include inspections for erosion control, vegetative cover, run on / run off controls and subsidence as required by the facilities Post Closure Plan. It is strongly suggested that any permanent surveyed benchmarks associated with the units be included in the inspection to insure their integrity.
- It is recommended that a sign be placed on the fence immediately surrounding the landfill area. The sign should give some warning to the potential hazards of the area.

- It is recommended that the landfill area be mowed in order to prevent the emergence of vegetation, which may compromise the integrity of the cap.
- It is recommended that all documents required by the Administrative Order on Consent and the Post Closure Plan is kept at the Third Creek WWTP Operations Center for review.

**11. Follow Up Actions:**

**On August 6, 2003, I stopped by Third Creek Wastewater Treatment Plant and met with Jeff Carty and Jerry Byerly. Mr. Byerly is the facility's new contact.**

**All violations listed on Notice of Violation Docket # 2003-112 have been corrected. A training program has been put in place and training has been conducted. The groundwater sampling contractor, Waters Edge, submitted copies of training certificates for individuals that will be onsite. All records, including survey plot, are now located at the Third Creek WWTP Operations Center. All monitoring well locks have been replaced and all recommendations have been addressed. The areas around each monitoring well were mowed and the entire cap will be mowed when the area has time to dry out. The facility is currently in compliance.**

*J. Sean Mc* 8/7/03  
INSPECTOR (DATE)

North Carolina  
Department of Environment and Natural Resources  
Mooresville Regional Office



Michael F. Easley, Governor  
William G. Ross Jr., Secretary

WASTE MANAGEMENT DIVISION  
HAZARDOUS WASTE SECTION

NOTICE OF VIOLATION

COPY

To: Mr. Joe Hudson  
City of Statesville  
Third Creek Wastewater Treatment Plant  
P.O. Box 1111  
Statesville, NC 28677

Docket #: 2003-112  
Date of Inspection: April 2, 2003  
Facility Type: TSD Facility  
EPA ID#: NCR 000 001 602

On December 18, 1980, the State of North Carolina, Hazardous Waste Section (State) was authorized to operate the State RCRA hazardous waste program under the Solid Waste Management Act (ACT), N.C.G.S. 130A, Article 9 and rules promulgated thereto at 15A NCAC 13A (Rules) in lieu of the federal RCRA program.

On April 2, 2003, Sean Morris, Waste Management Specialist and Larry Fox, Waste Management Specialist inspected your facility for compliance with North Carolina Hazardous Waste Management Rules. During that investigation, the following violations were noted:

Citation                      Specifics

1. According to Third Creek Wastewater Treatment Plant's Post-Closure Plan dated September 13, 1996, Section 2.2, all monitoring wells are required to be locked to prevent inadvertent entry.

Third Creek Wastewater Treatment Plant is in violation of Post-Closure Plan dated September 13, 1996, Section 2.2, in that during the inspection it was noted that monitoring wells number 8 and number 9 were observed to be unlocked at the time of the inspection.

2. According to Third Creek Wastewater Treatment Plant's Post-Closure Plan dated September 13, 1996, Section 2.5, a survey plat is required to be maintained onsite in the facility's operating record that shows the exact location, dimensions, depth, and permanently surveyed benchmarks as well as the contents and hazardous waste type.

919 North Main Street, Mooresville, North Carolina 28115  
Phone: 704-663-1699 \ FAX: 704-663-6040 \ Internet: [www.enr.state.nc.us/ENR/](http://www.enr.state.nc.us/ENR/)

Third Creek Wastewater Treatment Plant is in violation of Post-Closure Plan dated September 13, 1996, Section 2.5, in that during the inspection facility representatives could not locate the required plat in a timely manner. This plat must be maintained at Third Creek Wastewater Treatment Plant Operations Center and be immediately available for review.

3. According to Administrative Order on Consent, Docket # 94-191, Item (D) (3), Third Creek Wastewater Treatment Plant must maintain a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under (D)(1) of this section.

Third Creek Wastewater Treatment Plant is in violation of the Administrative Order on Consent, Docket # 94-191, Item (D) (3), in that a written description of the type and amount of introductory and continuing training that will be given to each person filling a position listed under (D)(1) of this section were not available for review at the time of the inspection.

4. According to Administrative Order on Consent, Docket # 94-191, Item (D) (4), Third Creek Wastewater Treatment Plant must maintain records that document that the training or job experience required under paragraphs (A), (B), and (C) of this section has been given to, and completed by, facility personnel.

Third Creek Wastewater Treatment Plant is in violation of the Administrative Order on Consent, Docket # 94-191, Item (D) (4), in that training records were not available at the time of the inspection. Any person who is involved with maintenance inspections, sampling, or any other aspect of the management of hazardous waste at the facility must take part in introductory and continuing training and the training must be documented. This also includes outside contractors working on behalf of the City of Statesville. Training documents for outside contractors performing duties associated with the hazardous waste management unit must be available for inspection.

You are hereby required to comply with the noted violations by May 9, 2003 at which time a follow up visit will be performed. If compliance with the violations noted above are not met, pursuant to N.C.G.S. 130A-22 (a) and 15A NCAC 13A .0701-.0707, an administrative penalty of up to \$25, 000.00 per day may be assessed for violation of the hazardous waste law or regulations.

In further satisfaction of Docket #2003-112 Third Creek Wastewater Treatment Plant shall provide a written certification with supporting documentation on company letterhead confirming the noted compliance schedule has been completed. Mail this certification to Mr. Sean Morris – Waste Management Specialist at NCDENR-Division of Waste Management, Hazardous Waste Section, 919 North Main Street, Mooresville, North Carolina 28115.

4/4/03  
(Date)

*J. Sean Morris*  
N.C. Hazardous Waste Section

I, J. Sean Morris, hereby certify that I have personally served a copy of this Notice on:  
Mr. Joe Hudson, Director, by certified mail.

SENT CERTIFIED MAIL  
(Recipient Signature)

Cc: Mr. Jesse Wells, NC Hazardous Waste Section  
Central Files  
MRO files

COPY

## RCRA INSPECTION REPORT

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444 Third Creek Road  
Statesville, N.C. 28687  
NCR 000 001 602, TSD Facility
- PO Box 1111  
Statesville, NC 28677
2. **Facility Contact:** Mr. Joe Hudson, Director  
704-872-9621
3. **Survey Participants:** Mr. Jeff Carty, Plant Supervisor  
Mr. Sean Morris, Waste Management Specialist *SM*  
Mr. Larry Fox, Waste Management Specialist  
Mr. Andy Smith, Plant Land Application Supervisor
4. **Date of Inspection:** April 2, 2003
- Date of Report:** April 2, 2003
5. **Purpose of Inspection:** To determine compliance with Post Closure Care,  
Administrative Order on Consent, and Groundwater Monitoring  
requirements.

6. **Facility Description:**

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*J. Leon Mori* 4/3/03  
INSPECTOR (DATE)