



## North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor

William G. Ross, Jr.

### WASTE MANAGEMENT DIVISION HAZARDOUS WASTE SECTION NOTICE OF VIOLATION

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

**NOTICE OF VIOLATION  
DOCKET # 2008-104**

June 25, 2008

Scott Moncrief  
Martin Marietta Composites  
114 Industrial Park Drive  
Sparta, NC 28675

NCR000000521

Dear Mr. Moncrief:

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.

Mr. Ernest Lawrence representing the NC Hazardous Waste Section inspected your facility for compliance with NC Hazardous Waste Management Rules on Tuesday, June 17, 2008.

During that investigation, the following violation(s) were noted:

Citation

Specifics

- 1 40 CFR 262.34(c)(1)(i) adopted by reference at 15A NCAC 13A .0107 reference 265.173(a) adopted by reference at 15A NCAC 13A .0110 states that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

Martin Marietta Composites is in violation of 40 CFR 262.34(c)(1)(i) adopted by reference at 15A NCAC 13A .0107 reference 40 CFR 265.173(a) adopted by reference at 15A NCAC 13A .0110 in that one 55-gallon container of paint waste in a mixing/cleanup room was open. The funnel lid was not latched and the vent opening was unplugged.

- 2 40 CFR 262.34(d)(4) adopted by reference at 15A NCAC 13A .0107 reference 40 CFR 262.34(a)(2) adopted by reference at 15A NCAC 13A .0107 states that a generator who generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a

calendar month may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status, provided that the date upon which each period of accumulation

Martin Marietta Composites is in violation of 40 CFR 262.34(d)(4) reference 40 CFR 262.34(a)(2) adopted by reference at 15A NCAC 13A .0107 in that one 30-gallon and six 55-gallon containers of solvent wipes and one 30-gallon container of MEK were not marked with a starting accumulation date.

- 4 40 CFR 262.34(d)(4) adopted by reference at 15A NCAC 13A .0107 reference 40 CFR 265.173(a) adopted by reference at 15A NCAC 13A .0110 states that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

Martin Marietta Composites is in violation of 40 CFR 262.34(d)(4) adopted by reference at 15A NCAC 13A .0107 reference 40 CFR 265.173(a) adopted by reference at 15A NCAC 13A .0110 in that one 30-gallon container of waste MEK in the storage area was not clamped closed.

You are hereby required to comply with the noted violation(s) by Monday, July 28, 2008 on or after which time a follow up visit will be performed. If compliance with the violation(s) 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 Number 2008-104 Martin Marietta Composites shall provide a written certification with supporting documentation on company letterhead confirming the noted compliance schedule has been completed. Mail this certification to Mr. Ernest Lawrence - Waste Management Specialist at Winston Salem Regional Office, 585 Waughtown Street, Winston Salem, NC 27107-2241.

6-28-08

(Date)



NC Hazardous Waste Section

I, Ernest Lawrence, hereby certify that I have personally served a copy of this Notice by certified mail on Mr. Moncrief.

Cc: Mr. Brent Burch, NC Hazardous Waste Section

Central Files

WSRO Files