NCDENR

North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

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

Solid Waste Section

December 9, 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7007 2680 0001 7995 6326

Jerry Ayscue, County Manager
Vance County
122 Young Street, Suite B
Henderson, NC 27536

SUBJECT: **NOTICE OF VIOLATION**
Vance County Solid Waste Management Plan Three Year Update

Dear Mr. Ayscue:

Pursuant to N.C. General Statute 130A-309.09 A(b) you are hereby informed that Vance County has not complied with this general statute of North Carolina. The Department has not received the 2006-2009 Three Year Update to the 10 Year Solid Waste Management Plan. Please be advised that your county should comply with this statute **within 10 days of receipt** of this letter.

Additionally, N.C.G.S. 130A-309C(g) states that "A unit of local government that does not comply with the requirements of G.S. 130A-309.09 A(b) shall not be eligible for grants from the Solid Waste Management Trust Fund, the Scrap Tire Disposal Account, or the White Goods Management Account and shall not receive proceeds of the scrap tire disposal tax imposed by Article 5B of Chapter 105 of the General Statutes or the proceeds of the white goods disposal tax imposed by Article 5C of Chapter 105 of the General Statutes to which the unit of local government would otherwise be entitled".

Pursuant to N.C.G.S. 130A-22(a) and 15A N.C.A.C. 13B .0701-.0707, an administrative penalty of up to $15,000.00 per day may be assessed for violation of the Solid Waste Management Law or Regulations.

If you have any questions please telephone me at 919-693-5023 or e-mail mary.whaley@ncmail.net.

Sincerely,

Mary Whaley

Mary Whaley
Environmental Senior Specialist
Solid Waste Section

cc: Mark Poindexter, Field Operations Branch Head
Dennis Shackelford, Eastern District Supervisor
Pamela Moore, Environmental Specialist
Bill Patrakis, Environmental Biologist