



North Carolina Department of Environment and Natural Resources  
Division of Waste Management

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

September 18, 2009

**CERTIFIED MAIL 7002 0460 0001 9899 6289**  
**RETURN RECEIPT REQUESTED**

John Wear, Town Planner  
Town of Rutherford College  
P.O. Box 406  
Rutherford College, NC 28671-0406

Subject: **Notice of Violation**  
Annual Report - Fiscal Year 2007-2008  
Town of Rutherford College  
Burke County

Dear: Mr. Wear,

North Carolina General Statute 130A-309.09A (d) requires each unit of local government to submit a report (*Local Government Annual Solid Waste Management Report*) to the Department on the solid waste programs and waste reduction activities within the unit of local government by September 1 of each year. As of this date, we have not received your report.

**Based upon the foregoing, the Town of Rutherford College is in Violation of North Carolina General Statute 130A-309.09A (d). Please comply by submitting the completed Local Government Annual report within 10 days of receipt of this Notice of Violation.**

Pursuant to G.S. 130A-22(a) and 15A NC Administrative Code 13B Section .0701 - .0707, an administrative penalty of up to \$15,000.00 per day may be assessed for violations of the Solid Waste Law or Regulations.

You can access an electronic version of the *Local Government Annual Solid Waste Management Report* at this web site:

<http://www.wastenotnc.org/swhome/annualreports.asp>

If you have any questions regarding this matter you can reach me by phone at (828-296-4705) or through e-mail ([bill.wagner@ncmail.net](mailto:bill.wagner@ncmail.net)).

Sincerely,

A handwritten signature in black ink that reads "Bill Wagner". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Bill Wagner  
Environmental Senior Specialist  
Division of Waste Management  
Solid Waste Section

ec: Paul Crissman, SWS Chief  
Mark Poindexter, SWS Field Operations Branch Supervisor  
Deb Aja, SWS Western District Supervisor  
Donald Herndon, SWS Environmental Senior Specialist  
Ethan Brown, SWS Environmental Senior Specialist