



PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

MICHAEL SCOTT
Director

June 28, 2016

CERTIFIED MAIL 7015 1520 0003 5462 9992
RETURN RECEIPT REQUESTED

CT Corporation System
Evergreen Packaging Inc.
150 Fayetteville St., Box 1011
Raleigh, NC 27601

CERTIFIED MAIL 7015 1520 0003 5462 9985
RETURN RECEIPT REQUESTED

CT Corporation System
Blue Ridge Paper Products Inc.
150 Fayetteville St., Box 1011
Raleigh, NC 27601

SUBJECT: **Notice of Violation**
 Compliance Inspection Report
 Landfill No. 6
 4406-INDUS-1984
 Haywood County

Dear Sir or Madam:

On June 15, 2016, Deb Aja and Lee Hill, 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. Logan Vaughan was present and represented Landfill No. 6 during this inspection. The following violation(s) were noted:

- A. 15A NCAC 13B.0505 (4)(b) states “Adequate erosion control measures shall be practiced to prevent excessive on-site erosion.**

Evergreen Packaging, Inc. and Blue Ridge Paper Products Inc. are in violation of 15A NCAC 13B 0505(4)(b) in that it failed to established a groundcover sufficient to restrain erosion which caused excessive rill erosion in the Asbestos Containing Material (ACM) area. The erosion and lack of groundcover caused Asbestos Containing Material poly bags to become exposed. On June 15, 2016, Deb Aja and Lee Hill conducted an inspection of Landfill No. 6, Areas D-South & D-North. At that time Ms. Aja and Mr. Hill observed multiple areas on and around the Asbestos Containing Material (ACM) disposal area of the landfill where excessive erosion had occurred. Exposed waste was observed in some eroded areas.

Based upon the foregoing, Evergreen Packaging Inc. and Blue Ridge Paper Products Inc. shall come into compliance **within ten (10) days of receipt of this letter** with all requirements of the regulations in 15A NCAC 13B (4)(b) by completing the following:

- Within ten (10) days of receipt of this letter Evergreen Packaging Inc. and Blue Ridge Paper Products Inc. must repair the rill erosion, replace the 18 inches of cover soil as specified in the *“Operations & Maintenance Manual Landfill No.6, section 2.9.3.2 Site Security and Maintenance.”* Seed and mulch the area with the intent to establish a groundcover sufficient to restrain erosion in the Asbestos Containing Material (ACM) area.

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.

Please keep me informed of your progress in this matter. Solid Waste Section staff will conduct a follow-up inspection(s) to verify that the facility has completed the requirements of this Notice of Violation.

If you have any questions, please contact me at 828-296-4700 or e-mail lee.hill@ncdenr.gov.

Sincerely,

Lee Hill
Environmental Senior Specialist
Division of Waste Management - Solid Waste Section

Enclosure: Landfill No. 6 Inspection Report

copies: Jason Watkins, Field Operations Branch Head – Solid Waste Section
Deb Aja Western District Supervisor – Solid Waste Section
Jessica Montie, Compliance Officer – Solid Waste Section
Sarah Rice, Compliance Officer – Solid Waste Section
Tracy Clarke, Controller, Evergreen Packaging, Inc.
John Frasier, Evergreen Packaging, Inc.