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Director

April 8, 2016

CERTIFIED MAIL: 70111570000185455813
RETURN RECEIPT REQUESTED

Mr. Brad Corcoran, City Manager
City of Eden
308 East Stadium Drive
Eden, NC 27288

SUBJECT: **Notice of Deficiency**
Compliance Inspection Report
City of Eden Wood Waste Facility
YWN-79-003 (T&PN-79-003)
Rockingham County

Dear Mr. Corcoran:

On March 31, 2016, Susan Heim, representing the State of North Carolina, Division of Waste Management Solid Waste Section, inspected the above referenced facility for compliance with North Carolina solid waste statutes and rules. Paul Dishmon, Municipal Services Director for the City of Eden was present and represented the City of Eden Wood Waste Facility during this inspection. The following violations were noted:

A. 15A NCAC 13B .1402(g)(3), states that small Type 1 facilities must provide, “notification of the Solid Waste Section prior to operation and on an annual basis.”

The City of Eden is in violation of **15A NCAC 13B .1402(g)(3)** by failing to notify the Solid Waste Section annually of its yard waste notification site as required. The last record of notification found is dated May 25, 2010.

B. 15A NCAC 13B .1402(f)(6), states that small Type 1 facilities must “occupy less than two acres of land.”

The City of Eden is in violation of **15A NCAC 13B .1402(f)(6)** based on the size of the existing operation, which was estimated to occupy approximately 2.75 acres of land.

The above violation may have or can compromise the facility’s ability to ensure protection of the public health and the environment and thus require remedial action on behalf of the facility in order to maintain compliance with **15A NCAC 13B .1402(g)(3)** and **15A NCAC 13B .1402(f)(6)**. In

order to resolve these issues, the City of Eden Wood Waste Facility must take the following actions:

1. **Immediately cease receiving waste at the facility until the corrective actions noted in #'s 2 and 3 below have been completed.**
2. **On or before April 25, 2016, submit a Yard Waste Notification to the Solid Waste Section for review and approval. The notification must include a site plan that indicates a footprint that complies with the two-acre maximum area, and contains less than the maximum permitted volume of 6,000 cubic yards of stored material (both processed and unprocessed). Additional guidance about submitting Yard Waste Notifications, as well as the required forms, can be found at <http://deq.nc.gov/about/divisions/waste-management/waste-management-permit-guidance/solid-waste-section/yard-waste>.**
3. **On or before May 23, 2016, reduce the existing footprint of the facility so that it occupies no more than two acres of land, while maintaining the required buffers, as set forth in 15A NCAC13 .1404(a)(1)-(9).**

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 follow-up inspections to verify that the facility has completed the requirements of this Notice of Deficiency.

If you have any questions please contact me at (336) 776-9672 of susan.heim@ncdenr.gov.

Sincerely,

Susan Heim
Environmental Senior Specialist
Division of Waste Management - Solid Waste Section

copies: Jason Watkins, Field Operations Branch Head
Deb Aja, District Supervisor
Jessica Montie, Compliance Officer
Rodney Carter, City of Eden
Paul Dishmon, City of Eden