

Hazardous Waste Section
File Room Document Transmittal Sheet

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Your Name: Darnell Mitchell
EPA ID: N C D 9 8 1 7 4 8 3 2 0
Facility Name: Holiday Cleaners, Inc.
Document Group: Enforcement (E)
Document Type: Administrative Order on Consent (AOC)
Description: Compliance Order
Date of Doc: 3/10/2011
Author of Doc: Craig Caudill

*Last two letters
not scanned
although 5/6/2011
is incara
under this date
JAC*

File Room Use Only

NCD981748320

Date Received by File Room:

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Date Scanned:

Month	Day	Year

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North Carolina Department of Environment and Natural Resources

Beverly Eaves Perdue, Governor

Dee Freeman, Secretary
Rod Davis, Controller

March 10, 2011

Carolyn S. Deaton, Registered Agent
Holiday Cleaners, Inc.
3321 Monroe Road
Charlotte, NC 28205

Received
APR 2011
Hazardous
Waste Section

Subject: Unpaid Civil Penalty
Case ID: HW 2010-051 = \$702.50
Holiday Cleaners, Inc. – NCD981748320
McDowell County

Dear Ms. Deaton,

The civil penalty assessed against Holiday Cleaners, Inc. on May 25, 2010, by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Hazardous Waste Section has now been referred to my office. The penalty became due and owing on July 9, 2010, in the current amount of Seven Hundred Two Dollars and Fifty Cents (\$702.50), which includes hazardous waste fees of \$125.00. As of the date of this letter, no payment has been received.

In order to resolve this matter, the penalty must be paid. Payment should be made by check or money order made payable to the North Carolina Department of Environment and Natural Resources or "NCDENR" and sent to my attention at the address below. Failure to submit full payment of the penalty within thirty (30) days of receipt of this letter will result in interest being charged from the date the penalty became due and owing, and may result in the matter being referred to the North Carolina Attorney General's Office for further action.

Should you have questions or believe you have received this letter in error, please contact me at (919) 715-0697, or via e-mail at Craig.Caudill@ncdenr.gov. Your prompt attention to this matter is appreciated.

Sincerely,

Craig Caudill
Business Officer - Collections Unit

cc: Helen Cotton
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N.C. Department of Environment and Natural Resources
Office of the Controller - Collections Unit
1606 Mail Service Center
Raleigh, NC 27699-1606
Phone: (919) 715-0697 Fax: (919) 715-0166 Email: Craig.Caudill@ncdenr.gov



FACILITY LOCATION ADDRESS:

ATTENTION: ACCOUNTS PAYABLE
 HOLIDAY CLEANERS
 166 LOGAN ST
 MARION, NC 28752

JOE METTS
 HOLIDAY CLEANERS
 166 LOGAN ST
 MARION, NC 28752

FACILITY EPA ID #	INVOICE #	INVOICE DATE	AMOUNT DUE	DUE DATE	ENTER AMOUNT PAID
NCD981748320	HW47757	05/25/2010	\$702.50	7/ 9/2010	

A. Fee Requirements: Pursuant to North Carolina General Statute 130A-294.1 you are required to pay fee(s) based on your hazardous waste management activities. The fee(s) are used to support government programs that ensure the safe management of hazardous waste. Failure to pay the required hazardous waste fee could result in an enforcement action with a penalty.

B. Explanation of Invoice Amount is Based on Facility's Current Status as of July 1, 2009:

FACILITY STATUS	FEE	TONNAGE	AMOUNT DUE
SMALL QUANTITY GENERATOR	\$125.00	*****	\$125.00
		PAST DUE	\$125.00
		Penalty and Late Fee	\$452.50
		TOTAL AMOUNT DUE	\$702.50

C. Remit Payment (include a copy of this invoice):

Make checks payable to **N.C. Hazardous Waste Section**, include EPA ID# and Invoice # on check. If you are paying by electronic transfer, include the invoice number with your electronic transfer. Please note per NC General Statute (G.S. 25-3-506), a \$25.00 processing fee will be charged on all returned checks. Please return a copy of this invoice with your payment to:

ATTN: PATRICIA DAVALOS
 NC HAZARDOUS WASTE SECTION
 401 OBERLIN RD, SUITE 150
 RALEIGH, NC 27605

D. Hazardous Waste Contacts:

1. BILLING:

Ray Strawbridge (919) 508-8569
 Jim Edwards (919) 508-8539
 Patricia Davalos, Supervisor (919) 508-8541

2. Technical Assistance:

Doug Roberts (919) 508-8563
 Ann Preston (919) 508-8559
 Lebeed Kady, Supervisor (919) 508-8546

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E. Update Your Information:

If your generator status or the facility contact person has changed, you must notify the North Carolina Hazardous Waste Section of these changes by submitting an EPA Form 8700-12 (RCRA Subtitle C Site Identification Form). EPA Identification Numbers are site specific, if your facility's physical location changes, you must inactivate the old and apply for a new number. Form 8700-12 can be obtained by contacting Jim Edwards at 919-508-8569 or you can download this form by using the web page address:

<http://epa.gov/epawaste/inforesources/data/form8700/forms.htm>

Who is Required to Pay?

BY LAW you are required to pay the fee(s) when your company has notified that it is a generator, transporter, treater, storer or disposer of hazardous waste as defined below.

Large Quantity Generator (\$1,000.00): A facility who generates one kilogram or more of acute hazardous waste or 1,000 kilograms or more of hazardous waste in any calendar month during the year beginning July 1 and ending June 30. Large Quantity Generators are also required to pay an additional fee of \$0.50 per ton, or any part thereof, for hazardous waste generated during the calendar year up to a maximum of 25,000 tons. [Note: Large Quantity Generators must determine how much waste was generated in the 2008 calendar year. The calculated tonnage should be entered in the table located on the front of this invoice under the column heading Facility Status and in the Waste Generation row. To calculate the amount due, multiply the amount generated by \$0.50 and enter in the Amount Due column for Waste Generation. Total all the fees in the Amount Due column for the Total Amount Due.]

Small Quantity Generator (\$125.00): A facility who generates 100 kilograms or more of hazardous waste but less than 1,000 kilograms in any calendar month during the year beginning July 1 and ending June 30.

Transporter (\$600.00): A facility that transports hazardous waste.

Treater, Storer or Disposer (\$1,200.00 each): A treatment, storage, or disposal facility shall pay an annual activity fee for each activity. (Note: A commercial hazardous waste storage, treatment, or disposal facility is also required to pay an additional fee of \$1.75 per ton, or any part thereof of hazardous waste stored, treated, or disposed of at the facility) during the 2009 calendar year.

G. Where Can I Obtain Information?

1. The Division of Waste Management's Web Page:
www.wastenotnc.org
2. Rules, Regulations and the General Statutes:
<http://www.wastenotnc.org/hwhome/webrules/nchwrule.html>
3. Notification of Regulated Waste Activity (EPA Form 8700-12):
<http://epa.gov/epawaste/inforesources/data/form8700/forms.htm>

H. Useful Publications on the Internet:

1. Hazardous Waste Requirements for Large Quantity Generators (EPA: 530-F-96-032):
<http://epa.gov/osw/hazard/downloads/lqgpdf.pdf>
2. Compliance Manual for Generators of Hazardous Waste (Compliance Branch, Hazardous Waste Section):
<http://www.wastenotnc.org/hwhome/LQGCOMPLIANCEMANUAL.pdf>
3. Managing Your Hazardous Waste: A Guide for Small Businesses (EPA: 530-K-01-005):
<http://www.epa.gov/epawaste/hazard/generation/sqg/handbook/k01005.pdf>

I. Where Can I Take my Waste?

Various Lists of Hazardous Waste Services:
<http://www.wastenotnc.org/HWHOME/Hwservices.asp>

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

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

April 7, 2011

Mr. Stacy West and
Mr. Timothy Williams
Merchants Metals Inc.
165 Fanjoy Road
Statesville, NC 28687

NCD 980 710 602

Re: ISSP Report- Former Galvanizing Building Assessment

Dear Msrs. West and Williams:

I have reviewed the Report of the results of the Initial Site Sampling Plan which included a summary of data previously collected at this site. Please address the comments listed below follow:

1. The report proposes to use Residential clean up levels rather than the levels that are protective of groundwater. These levels are would only be appropriate to use it has been demonstrated that groundwater has not been affected at the site and there were no drinking water wells in the vicinity. Sampling should be conducted at to determine if there has been any impact to groundwater.
2. Stream samples show excess levels of zinc that appear to be the result of the elevated levels contained in storm water from this site. Your consultant proposes that the elevated levels arose from sediment in the samples from a recent rain. To either prove or disprove this assertion, further sampling must be conducted in the stream of the stream water, the storm water run-off, and sediments. The samples must be collected up stream as well as downstream of the site.

If you have any questions concerning this matter, please contact me at the numbers listed below.

Sincerely,

Roberta Proctor, Environmental Chemist
Hazardous Waste Section

cc: Central Files ✓
Brent Burch
Sean Morris
Michael Burns, Environmental Services Inc. via electronic mail

PO Box 384, Lake Lure, North Carolina 28746
Phone\ FAX: 828-625-0171 \ Internet: Roberta.Proctor@ncdenr.gov

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

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

May 16, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joe Metts
Holiday Cleaners, Inc.
166 Logan St.
Marion, North Carolina 28752

Re: **Hazardous Waste Fee Compliance Order**
Holiday Cleaners, Inc.
NCD 981 748 320
Docket # 2010-051

Dear Mr. Metts:

On May 25, 2010 Holiday Cleaners, Inc. was issued a Short Form Compliance Order with an Administrative Penalty (Order) Docket # 2010-051, for failure to pay a fee as a Small Quantity Generator (SQG). It has been determined that Holiday Cleaners, Inc. was not a Small Quantity Generator of hazardous waste, in any calendar month during the fiscal year 2008. With the above information the Order will be withdrawn. This letter hereby rescinds the Order issued to Holiday Cleaners, Inc. on March 25, 2011 for failure to pay hazardous waste fees. Holiday Cleaners, Inc. will not be required to pay the \$440.00 penalty, the \$12.50 late fee and the hazardous waste fees of \$250.00.

If you should have any questions concerning this information, please contact Doug Roberts at (919) 508-8560.

Respectfully,

Elizabeth Cannon, Chief
Hazardous Waste Section

cc: Central File - enforcement
Nancy McKee, EPA Region 4
Helen Cotton
Lebeed Kady
Brent Burch
Mike Williford
Lebeed Kady

Susan Love, Mooresville Regional Office Manager
Jim Edwards
Daniel Hirschman, Attorney General's Office

1 page⁵ should be in
another file NCD 980 710 602

The last of

page 6 is already in CABA

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