



PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

LINDA CULPEPPER
Director

February 9, 2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Ray Zamora Sr.
Ray's Septic Service
1142 Gould Rd.
Jacksonville, NC 28540

SUBJECT: **Notice of Violation**
 Ray's Septic Service
 SLAS-67-11
 Onslow County

Dear Mr. Zamora:

On February 4, 2016, Mr. Chester R. Cobb, representing the State of North Carolina, Division of Waste Management Solid Waste Section, completed reviewing the submitted land application records from 2014 through 2015 for septage land application site SLAS-67-11. The records were reviewed for compliance with North Carolina solid waste statutes and rules. Upon review of the submitted records, the following violation(s) were noted:

A. **15A NCAC 13B .0838(b)(1) states "Maximum land application rates for septage shall be determined based upon the following: (1) Domestic septage land application rates shall be in accordance with 40 CFR Part 503.12(c)..." Federal Rule 40CFR Part 503.12(c) basically states that domestic septage shall not be applied to agricultural land if the annual application amount has been reached. Permit Condition 7 states that the maximum annual application rate is 50,000 gal/ac/yr.**

A review of the submitted records revealed that the permitted maximum annual application rate of 50,000 gallons/acre/year had been exceeded in 2014 by 21,300 gallons for Field 1 and 18,620 gallons for Field 3a. For 2015, the maximum annual application rate had been exceeded by 29,600 gallons for Field 1 and 24,400 gallons for Field 4.

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B. 15A NCAC 13B .0838(a)(18) states “Approved nutrient management plans shall be followed.” Your nutrient management plan contains the monthly application rates for this site.

A review of the submitted records revealed that the application rate of 5,000 gallons/acre for the month of January had been exceeded in 2015 by 4,833 gallons/acre for Field 1, by 2,953 gallons/acre for Field 2, by 854 gallons/acre for Field 3a, and by 4,872 gallons/acre for Field 4.

Based upon the foregoing, Ray’s Septic Service shall come into compliance immediately with all requirements of the regulations in 15A NCAC 13B .038(b)(1) and 15A NCAC 13B .038(a)(18) by completing the following:

- A. Ray’s Septic Service shall insure that the maximum annual application rate of 50,000 gallons/acre/year is not exceeded on a site or field basis.
- B. Ray’s Septic Service shall insure that the monthly application rates as listed in your approved nutrient plan are not exceeded.
- C. Ray’s Septic Service shall provide written certification on company letterhead confirming the noted compliance schedule has been completed. Include in this certification any actions taken to prevent these violations from occurring in the future and any supporting documentation. **Mail this certification to Chester R. Cobb at 1646 Mail Service Center, Raleigh, NC 27699-1646 within 14 days of receipt of this letter.**

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 to verify that the facility has completed the requirements of this Notice of Violation.

If you have any questions, please contact me at (919) 707-8283 or e-mail to chester.cobb@ncdenr.gov.

Sincerely,



Chester R. Cobb, Soil Scientist
Division of Waste Management, NCDEQ

copies: Martin A. Gallagher, Branch Head
 Connie Wylie, Soil Scientist

SENDER: COMPLETE THIS SECTION

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR RAY A ZAMORA SR
 RAYS SEPTIC SERVICE
 1142 GOULD ROAD
 JACKSONVILLE NC 28540

A. Signature

X *Miana Zamora* Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

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Domestic Return Receipt

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DIVISION OF WASTE MANAGEMENT
 SOLID WASTE SECTION
 1646 MAIL SERVICE CENTER
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ATTEN: CHESTER COBB

