

**HAZARDOUS WASTE SECTION - COMPLIANCE BRANCH
FILE TRANSMITTAL & DATA ENTRY FORM**

Your Name: Jeff Menzel

Facility ID Number: NCS000002337

Facility Name: Marion Equipment

Document Group: Inspection/Investigation (I)

Document Type: I - Complaint Investigation (CMP)

File Description/Comments: complaint no violations

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Author(s) of Document: Jeff Menzel

Inspector ID #: NC014

Suborganization: Western Region

County (if not on report): McDowell



**NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WASTE MANAGEMENT
HAZARDOUS WASTE SECTION (HWS) / COMPLIANCE BRANCH**

RCRA INSPECTION REPORT

1. **Facility Information:** former Marion Equipment
1722 Rutherford Road
Marion, NC 28752
EPA ID#: NCS000002337
2. **Facility Contact:** Matt Smith – Property Owner
Phone: 828-659-3100 jmsbroker@hotmail.com
3. **Inspector(s):** Jeff Menzel, HWS-Environmental Senior Specialist
Brian Polk, Safety Consultant
4. **Survey Participants:** Matt Smith – Property Owner
5. **Date/Time of Inspection:** May 11, 2016 / Arrived: 12:25pm Departed: 01:30 pm
June 20, 2016 / Arrived: 12:25pm Departed: 02:30 pm
Date of Report: July 18, 2016 – Prepared by: Jeff Menzel
6. **Purpose of Inspection:** Complaint Investigation
7. **Facility Description:**

On May 4, 2016 I received a complaint referral for the former Marion Equipment located in Marion, NC. The complaint was first submitted to EPA's web-based system on April 25, 2016. The complaint included allegations that waste oil and used batteries had been buried at the back of the property and is leaching into Young's Fork Creek.

Since the early 1950s, Marion Equipment had sold different kinds of farm and construction equipment including tractors, excavators, agricultural machinery and large commercial type riding mowers. Marion Equipment closed in early 2015.

On May 11, 2016, I conducted a site visit at the former Marion Equipment to investigate the complaint allegations. Currently the building is being renovated to house David Hick's body shop. David will be leasing the property from the longtime owner Mr. Matt Smith. Upon arrival I met contractors working for David Hicks and explained the reason for the visit. I was granted access to the main building and the back portion of the property.

8. **Areas of Inspection:**

Complaint Allegations:

An inspection of the facility's main building was conducted as well as the area outside of the facility. The back portion of the property showed no sign of being recently disturbed. I did not see any evidence of oil in the creek. Mr. Smith, stated he had no knowledge of used oil or batteries being buried in the back of the property. There was an AST on site with secondary containment that held fuel oil used for heating

the building. The AST will be removed from the property during the renovation. Several floor drains were observed within the building and I advised Mr. Smith to identify where these drains are routed.

On June 20, 2016, Brian Polk, DWM Safety Consultant, and myself returned to the site to conduct sampling of the back portion of the property referenced in the complaint. Ground penetrating radar was used to survey the area behind the main building. The GPR was used to make several passes of the area behind the main building and no significant anomalies were noted in the soil. The GPR was able to detect a sewer line in the area that the inspectors anticipated finding it.

Six test holes were dug laterally across the rear of the property averaging 1.5 feet in depth. The line of test holes were approximately 60 feet from the main building and 30 feet in front of the creek bank. The average distance between the test holes was 20 feet. A Nikon xRF was used to conduct soil analysis and observations were made of the soil condition within the test holes. No trash or waste materials were found while digging. Concentrations for lead and total chromium were found to be below EPA's residential risk based preliminary remediation goals. Additionally, no discolored or stained soil was observed and no odors were detected in the sample soil. No evidence was found to validate the complaint allegations that waste oil and used batteries had been buried at the back of the property.



JEFF MENZEL/ 7/18/2016
NC HWS-COMPLIANCE BRANCH

SENT BY ELECTRONIC MAIL
Matt Smith

cc: Sean Morris, Western Compliance Branch Supervisor
Central Office Files