

August 6, 1979

REF: 4AH-RM



Mr. Weldon C. Fill, P. E.
Chief, Environmental Health Branch
Division of Preventive Health Services
Department of Health, Education & Welfare
101 Marietta Tower
Atlanta, Ga. 30323

Dear Mr. Fill:

As requested in your letter of July 16, the application submitted by Madison County, North Carolina for purchase of additional equipment for their Solid Waste Management Program was reviewed by my staff. As part of our review, we contacted Mr. Bill Strickland, Head of North Carolina's Solid Waste Control Program, to solicit his opinion. Mr. Strickland felt that the type of equipment proposed was compatible with the County's waste collection program.

We agree that the equipment proposed by the County would be adequate, but we would like to suggest a minor change which we feel would improve the County's collection capabilities at a comparable cost. Rather than purchase a two-ton dump truck, we recommend the County purchase a truck of the following description:

- Stake body with about four foot removable sides and steele bed.
- Hydraulic lift gate
- Minimum one ton capacity or larger (1 ton would have about a 7' x 12' bed)
- Heavy duty springs
- Dual rear wheels
- Electric winch on front.



December 3, 1976

The Honorable William Powell
Mayor
P.O. Box 368
Mars Hill, NC 28754

Dear Mayor Powell:

This is a letter confirming the conversation on November 24, 1976, among yourself; Mr. Ed Morton, Madison County Health Director; Mr. Jim Brown, Madison County Solid Waste Manager; and myself. We related to you complaints from members of your community regarding continued use of the old Mars Hill solid waste disposal site. We also stated that our inspection of the site earlier the same day revealed that in addition to tree limbs and leaves disposed of by the town of Mars Hill, there was also much demolition waste, several discarded major appliances, and some household garbage.

You informed us that the only waste you approved of going into the site was tree limbs and leaves and that the other dumping was probably due to individuals with keys to the gate lock. You agreed to change the lock to prohibit any dumping except for tree limbs and leaves and to cover with dirt and seed the dumping area.

This will be a satisfactory solution which should cause no hardships. As stated by Mr. Brown, the Madison County Landfill will accept all waste now going into the Mars Hill site.

We thank you in advance for your cooperation in this matter.

Sincerely,
J. W. Moore, Jr.
J. W. Moore, Jr.
District Sanitarian

Copy to: Mr. Ed Morton
Mr. Jim Brown
Mr. O. W. Strickland ✓

With this type of vehicle, less manpower would be required on pick-ups, heavy items lying in ditches or in the woods could be more easily retrieved and loaded and better fuel efficiency would be achieved.

If we can be of further assistance, please let us know.

Sincerely,

James H. Seabrough, P. E.
Chief, Residuals Management Branch

cc: Mr. Bill Strickland

4AH-EM:C.Brown:ls:3016:8/6/79

File: 9.6.3 - App. Reg. Comm.



Madison
JWK
✓

STATE OF NORTH CAROLINA
DEPARTMENT OF HUMAN RESOURCES

JACOB KOOMEN, M.D., M.P.H.
DIRECTOR

JAMES E. HOLSHOUSER, JR.
GOVERNOR
DAVID T. FLAHERTY
SECRETARY

Division of Health Services
WESTERN REGIONAL OFFICE
WESTERN NORTH CAROLINA SANITORIUM
BUILDING 3
BLACK MOUNTAIN, N.C. 28711

April 16, 1976



Mr. Dennis Hyatt
Assistant Cafeteria Manager
Mars Hill College
Mars, Hill, North Carolina

Dear Mr. Hyatt:

In confirmation of the conversation, on April 14, 1976, among you; Ed Morton, Madison County Health Department; James Brown, Madison County Solid Waste Disposal Supervisor; and myself, you agreed to discontinue sending liquid waste to the Madison County Landfill.

The best suggestion we can offer is to use sawdust to absorb the liquid prior to disposal in the green containers.

Thank you for your cooperation and let us know if we can be of service.

Sincerely,
J.W. Moore, Jr.
J. W. Moore, Jr.
District Sanitarian

JWM/t1

cc: O. W. Strickland ✓
Ed Morton
James Brown

November 6, 1974

Mr. Edward A. Morton
Health Director
Madison County Health Department
Route 5, Box 231
Marshall, North Carolina 28753

Dear Mr. Morton:

The final copies of the Operational Design and Construction Plan of the Madison County Solid Waste Disposal Site have been reviewed and found to be in keeping with plans previously submitted. Conditions for the approved operation were listed in the August 2, 1974, letter to you. *JCP*

Comments heard from your disposal program thus far indicate that you and Madison County have gotten off to a good start on the new site. Trusting this practice will continue, I remain

Sincerely yours,

Jerry C. Perkins, Assistant Head
Solid Waste & Vector Control Branch
Sanitary Engineering Section

JCP/ct

cc: Mr. Jim Moore

NORTH CAROLINA
STATE BOARD OF HEALTH
RALEIGH



June 24, 1974

Mr. Ed Morton
Acting Health Director
Madison County Health Department
Route # 5, Post Office Box 231
Marshall, North Carolina

J&F
Dear Ed:

This is in relation to our discussion about your needs in Solid Waste.

I talked to Mr. Sid Usry and he related that your Solid Waste plan, concerning the landfill site, was complete. Mr. Usry advised me to tell you that you should write a proposal for your other needs in Solid Waste. Specifically include the truck compactor you mentioned as a need.

Send the proposal to Mr. Bob Shephard, Region B, in Asheville with a copy to me, Jim Fulp and Mr. Usry. We will review your proposal and add our support. This support, hopefully, will be meaningful to Madison County.

In the event you need assistance in writing your proposal, please allow Jim Fulp and myself (if I can assist) to help you.

Best of success in your new position.

Sincerely yours,

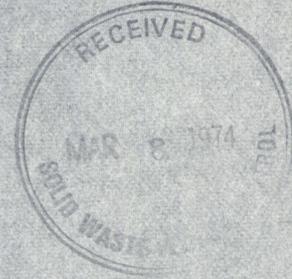
James S. McCormick, Jr. M.P.H.
Director
Western Regional Office

JSMc/ws

cc: ✓ Mr. Sidney Usry
Mr. Jim Fulp

JCM Madison
lee

March 7, 1974



Mr. Robinson H. Watson
Tributary Area Representative
Tributary Area Development
Tennessee Valley Authority
422 Evans Building
Knoxville, Tennessee 37902

Dear Bob:

In reference to your letter concerning methods of operation for the Madison County Landfill, we feel it would be best to fill areas one and two of the proposed site separately. Mr. Jerry Perkins' suggestion that both areas be filled simultaneously has been considered and seems to have merit in that drainage ditches could all be dug at one time and fewer intermediate ditches would be required. However, our opinion is that the larger drainage system used with simultaneous filling would require considerably more maintenance. Since our operation will employ persons with no previous experience in working with landfills, we feel it would be wise to keep work loads light; especially during the first few months of operation. Any further comments on this subject by you or Mr. Perkins would be welcome.

We deeply appreciate the assistance on the landfill project given by you, Mr. Perkins, and your respective departments.

Thank you.

Sincerely,

Edward A. Morton
Edward A. Morton, Sanitarian
Madison County Health Dept.

EAM:hh

cc: Mr. Jerry C. Perkins, Assistant Head
Solid waste & Vector Control Branch
North Carolina Department of Human Resources
P. O. Box 2091
Raleigh, North Carolina 27602

~~SECRET~~
FILES

TENNESSEE VALLEY AUTHORITY
KNOXVILLE, TENNESSEE
37902



February 7, 1974

Mr. Ed Morton
Madison County Health Center
Rural Route 5
Marshall, North Carolina 28753

Dear Ed:

With reference to Jerry C. Perkins' January 23 letter concerning the state's approval of the Madison County sanitary landfill plans, we plan to reflect the changes in the construction plans before the preparation of the operational manual. We would appreciate it if you would show on the enclosed pages the location of the landfill access road which is presently being constructed. Also, we would like to have your opinion as to the possible filling of areas 1 and 2 simultaneously. The plans show the complete filling of area 1 before any operation begins in area 2. We believe the best approach is to follow the plans as prepared and presented, since simultaneous filling could result in operational complications.

The last point raised in Mr. Perkins' letter concerns the deed you have provided. Apparently this deed covers the entire tract of land purchased by the county and not the landfill in particular. A description of the landfill site, however, is shown on drawing -4 of the construction plans. In preparing the operational manual we intend to include the deed as an appendix. We would like to have a reproduceable document for that purpose. Let's discuss this when I see you on February 19.

Sincerely yours,

Robinson R. Watson
Tributary Area Representative
Tributary Area Development

Enclosures

CC: Mr. Jerry C. Perkins, Assistant Head ✓
Solid Waste & Vector Control Branch
North Carolina Department of Human Resources
Post Office Box 2091
Raleigh, North Carolina 27602

Madison
L.R.

August 6, 1973

Miss Betty Sue Johnson
c/o Mr. Ted Tweed
Route 3, Box 91
Marshall, North Carolina 28753

Dear Miss Johnson:

Received your letter of July 31, 1973, and I share **your** concern for the dumping of solid waste into the streams of North Carolina. This type of problem has been eliminated in many counties of the State by the implementation of a rural container system for waste collection.

A solid waste management plan was prepared by this office and presented to the Madison County Commissioners. It recommended a central sanitary landfill and a rural container system. This type of program has been implemented by a number of counties near you, such as, Yancey and Mitchell.

I would suggest that you contact the county commissioners and lend your support to a county-wide management program for solid waste.

I am much in agreement that simply prosecuting those who litter isn't the complete answer.

If this office can be of assistance in the future plans, let me know.

Sincerely,

O. W. Strickland, Supervisor
Solid Waste Management Unit
Solid Waste & Vector Control Branch
Sanitary Engineering Section

OWS:bm

cc: Mr. J. W. Moore, Jr.



Miss Betty Sue Johnson
C/O Mr. Ted Tweed
Route 3, Box 91
Marshall, North Carolina 28753
July 31, 1973

Mr. O. W. Strickland
Department of Human Resources
State Board of Health
P. O. Box 2091
Raleigh, North Carolina 27600

Dear Mr. Strickland:

In March of 1973 I wrote to Mr. Edward A. Morton, Sanitarian, Madison County Health Department, and to the Western Regional Office of the Office of Water and Air Resources concerning the dumping of household refuse into the Shelton Laurel Creek, in the Shelton Laurel section of Madison County. Increasingly over the past ten years, that creek has become a depository for all forms of household refuse.

I received no reply to my letter from Mr. Morton but I did receive a reply from Mr. W. H. Mull from the Western Regional Office (I believe you have a copy of his letter). He recommended writing to you and to the local superior court solicitor about this problem. I again wrote to Mr. Morton asking his advice on how to proceed, and again received no answer. Therefore now I am writing to both you and the Solicitor, for advice as to what can be done to clean up the creek.

The admended General Statute 14-134.1 clearly prohibits placing or depositing of household refuse into any waters over which North Carolina has jurisdiction, and provides a \$500 fine for such offenses.

From a discussion last summer with Mr. Morton, I understand that one of the basic issues is the lack of garbage service to the Shelton Laurel area. Further, I understand that a private garbage collector was servicing the area for a while last year, but the paucity of subscribers to this service necessitated discontinuance. Mr. Morton also pointed out the hazards of attempting to prosecute those who are putting refuse into the creek when there is no garbage service available to those persons as an alternative.

Therefore I continue to be concerned about the pollution in the creek. Yet without a viable alternative for the residents in terms of free garbage service, I fail to see how the situation can be handled. Simply prosecuting those who litter would serve to only create ill will, in the face of ther having no other alternatives but the creek.

Mr. O. W. Strickland
July 31, 1973
Page 2

I would be very grateful, and so would others who live along the creek, if you have any suggestions or solutions to this problem.

Thank you very much for your kind attention to this matter.

Sincerely,

Betty Sue Johnson

Betty Sue Johnson

CC: Mr. Edward A. Morton
Madison County Health Department

Mr. Clyde M. Roberts
Solicitor, Superior Court of Madison County

OFFICE MEMORANDUM
NORTH CAROLINA STATE BOARD OF HEALTH

Madison
LR

July 11, 1973 DATE

TO: Mr. J. W. Moore, Jr.
FROM: Sidney H. Usry, Head, Solid Waste & Vector Control Branch
RE: Pollution Help Line Report No. 1288 - Complainant, Mr. Garland Adams

In accordance with the request of Mr. Adams, Mr. O. W. Strickland, Supervisor, Solid Waste Management Unit, contacted Mr. Adams' son by telephone on July 6, 1973, regarding the open dump that is being operated on his property. He requested that a member of our staff visit him and discuss possible measures to eliminate the problem. His son informed us that Mr. Adams is at home on Friday and I would appreciate your arranging your schedule to contact Mr. Adams.

SHU,bm
cc: Mrs. Jackie Wall

Wavy

IN REPLYING REFER TO: NO. 1288

POLLUTION HELP LINE REPORT

DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES

DATE: 7-2 19 73

TIME: _____ AM
PM

NAME OF CALLER: Mr. Garland Adams

ADDRESS: (Madison County)
Street P. O. Box

City Zip

TELEPHONE NUMBER: (704) 649-3136

please call him on Friday, July 6th)

RECEIVED

~~JUL~~ 5 1973

POINT OF POLLUTION: _____

SANITARY ENGINEERING
DIVISION

SOURCE OF POLLUTION: _____

NATURE OF CALL: Mr. Adams is concerned about some land he owns that the public is using as a dump. People are dumping everything from old cars and refrigerators to boxes and cans. Mr. Adams is worried that if an environmental agent would want him to clear it off, it would cost over \$10,000. He says the property is not even worth that much. He lives 25 miles away and has no control over the situation. He has contacted the Madison County Sheriff's Department and he has put up "No Trespassing" signs but to no avail. He says that Madison County has no pick-up service whatsoever, so the garbage is dumped on his land. He even caught one family from Tennessee dumping on his land, and when he made them haul the junk away it took three truckloads. Mr. Adams feels that he should not have to pay for cleaning up the garbage, but he doesn't know what to do and would like someone to tell him how the situation can be handled.

REPORT REFERRED TO: _____
Sanitary Engineering, State Board of Health

IMMEDIATE ACTION TAKEN: _____

SIGNED Jackie Hall

March 9, 1973

Mr. Randolph Hendricks
State Planning Division
Department of Administration
Raleigh, North Carolina

Re: CH 73-0390
Solid Waste Disposal Program
Board of County Commissioners
Madison County

Dear Mr. Hendricks:

JTR

This application expresses the intent of the Madison County Board of Commissioners to apply to the Farmers Home Administration for financial assistance in funding a county-wide solid waste disposal system. The total estimated cost of the proposed system is \$150,000; of which amount \$36,000 is to be requested in Federal grant-in-aid funds and \$114,000 in Federal loan funds.

The staff of our Solid Waste Management Program assisted Madison County in the preparation of its solid waste management plan, and the proposed county-wide system is in conformance with the plan.

For your additional information this office has been informally advised by the Farmers Home Administration that Federal grants for solid waste disposal projects are no longer available, but that Madison County has expressed an interest in obtaining from FHA a Federal loan to finance the total cost of its program.

We recommend favorable consideration of the applicant's intent to apply for Federal assistance in financing its proposed county-wide solid waste management program.

Sincerely yours,

John D. Faulkner
John D. Faulkner
Assistant Director
Sanitary Engineering Division

cc: Mr. Gene Barrett
Mr. Jim Pulp
Mr. Lawrence Durwell

bcc: Mr. John D. Faulkner
Mr. Sidney Usry
Mr. O. W. Strickland

DEPARTMENT OF ADMINISTRATION
State Planning Division
Clearinghouse and Information Center
Raleigh, North Carolina 27603

NOTIFICATION REFERRAL

ACTION REQUESTED

FEB 28 1973

TO: Name Mr. B. Gene Barrett, Planning Officer
Agency State Board of Health

Re: Clearinghouse Notification No. 73-0390

The attached Notification to Clearinghouse of Intent to Apply for Assistance is referred to you for review and comment in accordance with Project Notification and Review System procedures established under Bureau of the Budget Circular No. A-95.

MAR 15 1973

RESPONSE REQUESTED BY _____

In each response, please refer to the Clearinghouse Notification No. shown above. If your agency does not wish to submit written comments, you may respond by telephone.

It is recommended that you contact the applicant directly if your agency needs additional information on the proposed application, or if there are any questions which may be resolved in this way.

Please reply to: Clearinghouse and Information Center
116 West Jones Street
Telephone 829-4375

CIC Form # 2
1/71

10.418

NOTIFICATION TO CLEARINGHOUSE OF INTENT TO APPLY FOR ASSISTANCE

Date 12/27, 19 72

I. IDENTITY OF THE APPLICANT AGENCY, GOVERNMENTAL UNIT, ORGANIZATION, OR INDIVIDUAL:

Name Board of County Commissioners, Madison County

Address Marshall, North Carolina

Name of Chief Executive Officer Mr. James Ledford

Title of Chief Executive Officer Chairman, Madison County Board of Commissioners

Individual who will be responsible for preparation of application or proposal:

Name Lawrence B. Burwell, M.P.H. Title County Health Officer

Address Public Health Department, Madison County

Marshall, North Carolina Telephone No. 1-704-649-3531

II. A. AREA TO BE AFFECTED BY PROPOSED PROJECT (Municipality(s), Township(s); County(s), etc.): County-wide

B. BENEFICIARIES (Clientele Group) OF THE PROPOSED PROJECT: Citizens of Madison County

III. ANTICIPATED DATE FORMAL APPLICATION WILL BE SUBMITTED: January 15, 19 73

IV. SOURCE OF GRANT-IN-AID ASSISTANCE TO BE REQUESTED:

A. Name of Federal Agency(s) Farmers Home Administration

B. Number(s) and Name(s) of Federal Grant-in-Aid Program(s)

C. Name of Private Foundation or Other Source

V. ESTIMATED COSTS AND SOURCES OF FUNDING:

A. State Agency Contribution: In-Kind \$ Name of Agency Cash \$

B. Local Governmental Unit Contribution: In-Kind \$ Municipality or County Cash \$

C. Other Non-Federal Contribution: In-Kind \$ Source Cash \$

D. Federal Grant-in-Aid Funds to be Requested. \$ 36,000.

Federal Loan Funds to be Requested. \$ 114,000.

E. TOTAL ESTIMATED COSTS \$ 150,000.

F. Budget Period(s) for State Agency or Local Government Contribution:

FY 74 % 40 FY 75 % 45 FY 76 % 50

- VI. A. If any State agency(s), Regional Planning Agency(s), or Local Government unit(s) have been contacted or have furnished information relative to the proposed project, list individual staff members contacted and agencies they represent.

Sanitary Engineering Division, N. C. State Board of Health, Raleigh,

North Carolina

- B. List any other State or Local agencies which might have an interest in or be affected by the proposed project.

Mountain Ramparts Health Planning, Inc.

VII. DESCRIPTION OF THE PROPOSED PROJECT:

A. Title Management Program for Solid Waste Disposal System

B. Narrative Description of the Proposed Project; Including Quantitative Information as to Size, Number of Units, etc.:

See Attached

- VIII. Does the Federal Agency Administering the Program Under Which Funding will be Requested Require an Environmental Impact Statement? Yes. (If Yes, attach a statement of the nature and extent of environmental impact anticipated.)

Attach additional sheets if necessary to present complete information, and mail completed form to:

Clearinghouse and Information Center
State Planning Division
116 West Jones Street
Raleigh, North Carolina 27603

RECEIVED

FEB 27 1973

ENVIRONMENTAL IMPACT ASSESSMENT

STATE
North Carolina
COUNTY
Madison

I. Name of Applicant:
Mr. James Ledford, Chairman, County Commissioners

Address of Applicant:
Marshall, North Carolina

II. Description of development: Name, Location, Scope, Type of Service to be Rendered, Number of People to be served and Population of Area. Solid waste disposal system: Madison County: 16,000 people to be served out of a county population of 16,000.

III. Estimated development cost: \$ 150,000.

IV. Source and amount of funds:

FHA Loan	\$ 114,000.	Local	\$ _____
FHA Grant	\$ 36,000.		\$ _____

Other Federal Agencies (indicate Agency and Amount):

V. Other Federal Agencies likely to provide Assistance other than Financial:

VI. Describe Local Public Opinion, Attitude, and reaction to the proposed Development:

Survey shows general public highly favorable to the purposal.

VII. Have any controversial issues regarding the proposed been noted? (If Yes, explain): YES NO

VIII. Will the project cause undesirable kinds and quantities of odors, gases, smoke, dirt, vapor or other emissions to be released into the air? (If Yes, explain): YES NO

IX. Will the project require the use of water in short or critical supply? (If Yes, explain): YES NO

FEB 27 1973

X. Will the project result in the generation of a waste disposal problem? YES NO
(If Yes, explain):

XI. Will the project result in an undesirable housing development pattern? YES NO
(If Yes, explain):

XII. Will there likely be any controversy over location of treatment facilities? YES NO
(If Yes, give complete details:

There may be some questions raised about location of the landfill operation.

XIII. Other Comments and Recommendations:

XIV. Assessment submitted to State Director by:

Name of FHA Official

FHA Office Address

Signature

Date

XV. Determination by State Director:

The environmental assessment of this project indicates that:

1. An environmental impact statement is needed and will be prepared by

(Name of Agency)

2. An environmental impact statement is not needed.

Name of State Director

Address of State Director

Signature of State Director

Date

SURVEY DATA
and
PROPOSED MANAGEMENT PROGRAM
for
SOLID WASTE DISPOSAL
in
MADISON COUNTY

Prepared By
SANITARY ENGINEERING DIVISION
NORTH CAROLINA STATE BOARD OF HEALTH
Raleigh, N. C.

SECTION I - Introduction

In the overall environmental sanitation picture of rapidly expanding urban communities of North Carolina, the problem of how to handle the estimated 4,511,000 tons of refuse produced annually offers one of our greatest challenges. This is a problem of the community as well as the individual and continual disregard on the part of either will certainly result in unnecessary disease and annoyance. Lack of understanding, carelessness and indifference is largely responsible for our present problems. Frequently, individual effort is fruitless without public control, but, at the same time, efforts of public health agencies are doomed to failure without support of individual citizens.

Refuse which is contaminated with disease organisms originating in the home or institutions provides food and shelter for many of our most important public health pests, insects and rodents. It is, therefore, necessary that refuse be handled in an acceptable manner from the point of origin to that of disposal. Refuse, at the point of origin, is largely the responsibility of the producer and must be stored in an approved manner. Refuse collection is accomplished in three ways: (1) by the individual, (2) by a governmental agency using public funds, and (3) by private contract garbage collectors who are paid by the individual receiving the service. Refuse disposal is normally accomplished by (1) the individual who utilizes his own land or disposal areas belonging to private or public agencies, (2) by governmental agencies who utilize publicly-owned disposal areas or (3) by private collectors who provide their own disposal area or utilize that of a public agency. No longer is the old-fashioned, insanitary refuse dump acceptable in today's society as a means of refuse disposal. An open dump is aesthetically offensive because of smoke and odors and is responsible for the reduction of adjacent land values, and are gradually being replaced by the sanitary landfill or other sanitary means of refuse disposal.

SECTION II - Legal Aspects

Authority to Regulate

Boards of Health

County boards of health have the authority to regulate the collection and disposal of refuse. This authority is based on the broad powers as set forth in G. S. 130-17 which permits boards of health to make rules and regulations as necessary to protect and to advance public health. Such regulations typically cover three major areas:

- (1) The type of container in which garbage is stored.
- (2) Sanitation standards for equipment used in the collection of refuse.
- (3) Standards and methods for disposal.

Attached to this report is a copy of an ordinance that has been prepared for adoption by the local boards of health for the control of storage, collection, and disposal of refuse.

Boards of Commissioners

County boards of commissioners have authority to regulate under G.S. 153-272 through 275, the collection and disposal of refuse by private persons and firms outside municipal boundaries.

In exercising this authority, the board of commissioners may:

- (1) Issue licenses or permits for the collection and disposal of refuse.
- (2) Prohibit collection and disposal by unlicensed persons.
- (3) Grant licensed persons exclusive rights to collect in designated areas.
- (4) Regulate the fees charged for private collection services.
- (5) Operate collection and disposal services.

Authority to Finance

The 1967 General Assembly amended G. S. 153-77 and G. S. 153-80 of the County Finance Act to authorize the issuance of bonds for sanitary landfills and for vehicles and equipment.

SECTION III - The Refuse Problem in Madison County

The survey of Madison County was completed in 1968 and the data has been summarized on the attached table. In addition, the following general information was gathered in regard to the storage, collection, and disposal of refuse.

Storage: Approximately 16,003 people are living in Madison County where there are only limited regulations governing on-site storage. Refuse is stored on the ground, in 55-gallon barrels, or in other type containers, many of which have no lids. This provides ideal conditions for the breeding and feeding of flies, rats, and other pests.

Collection: The refuse in the municipalities is collected once or twice a week. At the time the survey was conducted there were no known private collectors working in the rural areas of the county. Private collectors can be an asset to the county when their activities are regulated by the Board of Health and County Commissioners.

Disposal: The study reveals that an estimated 7,577 tons of household, commercial, industrial, and institutional refuse is being collected annually by the municipalities in Madison County. This amount of refuse is being placed at three land disposal sites shown on the enclosed map. All sites are open dumps.

The study further reveals that there are approximately 12,745 people living in rural Madison County who have no collection or disposal services. Computing their annual rate at less than the urban dweller, an estimated 4,745 tons of refuse is produced by them annually. Part of this tonnage is being burned and part is buried, but a large part is cluttering our farms, woodlands, streams, and highways.

SECTION IV - Recommendations

To protect the health of the people of Madison County and to prevent the depreciation of the county's environment, the following plan for storage, collection, and disposal of refuse is recommended.

Storage: Under authority stated in Section II of this report, the Madison County Board of Health should adopt ordinances that shall require all householders to provide containers of a type approved by the Health Director. Every such container shall be constructed of metal, or equally durable material, in such a manner as to be strong, watertight, not easily corrodible, fly and rodent proof, be equipped with handles and shall have a capacity of not more than 32 gallons. Businesses and institutions shall provide containers that are in accordance with those required for householders other than size which may vary with the approval of the Health Director.

Collection: It is recommended that house-to-house collection in unincorporated areas of Madison County be left to private enterprise (private collectors). An effort should be made to get a private collection firm to work in the county. The collection firm should be regulated under authority as stated in Section II of this report.

It is also recommended that a container system be provided for collection in the unincorporated areas where house-to-house service is not available or is not economically feasible.

Disposal: In preparation of recommendations for the disposal by sanitary landfill, it is necessary to consider length of haul, volume of refuse, and cost to county and municipalities. Based on these factors, it is recommended that:

1. The Madison County Board of Commissioners in cooperation with the municipalities provide one sanitary landfill in the general vicinity of the proposed location shown on the enclosed map to serve the total population of the county.
2. After the county site is opened, the present dumps including those on private property should be closed and covered with two feet of compacted earth.

Every effort should be made to clean up roadside dumps to prevent continued dumping at these sites. Note: Soon after these dumps are closed and before they are covered with earth, they should be heavily baited with rat poison for

at least two weeks. This will prevent the rat population from migrating to other areas.

There is nothing in these recommendations that would prevent the individual from disposing of his own refuse on his own property as long as it is done in a manner approved by the Health Director.

Supervision: In order that adequate supervision may be provided, it is recommended that the Madison County Health Department be put in charge of the operation. This would consist of: promotion of this program, education of the public, and supervision of the landfill operation.

SECTION V - Cost Analysis

Capital Investment - Landfill

<u>Site</u>	
One (1) site of twenty (20) acres @ \$1,500/acre	\$30,000
<u>Equipment</u>	
One (1) high-lift loader with multi-purpose bucket, cab and heater (Caterpillar 941 or equal)	25,000
<u>Structure</u>	
One (1) structure to provide shelter for equipment and office space (septic tank and well)	7,000
<u>Miscellaneous</u>	
Site preparation (access road, signs, etc.)	4,000
Legal fees	500
Survey and plans	1,000
Supervision of site preparation	<u>500</u>
TOTAL	\$68,000

Capital Investment - Container System

One (1) Dumpmaster - 20 cu. yd.	\$25,000
Fifty (50) containers (4 cu. yd.) @300/container	15,000

Notes:

1. The loader operator would operate the Dumpmaster part of four days per week.
2. Containers would be serviced at least twice a week or more often if needed.
3. The containers would serve for household waste only. Other type waste would be transported to the disposal site by the individual or by contract collectors.
4. Municipalities and industry would transport their refuse to the disposal site with the exception of the small communities which could be served by the container system.
5. Based on the cost of solid waste disposal for the total population of Madison County, with an estimated population of 16,003, the annual operating cost for disposal would be \$1.15 per person.
6. For the container system designed to serve the rural population estimated to be 12,745 people, the annual operating cost would be 63 cents per person. (This does not include the operator salary which is included in the disposal cost estimates.)
7. Additional containers could be added without imposing a burden on the container collection system. Industry and business could be serviced for a fee that would half defray the operating expenses.

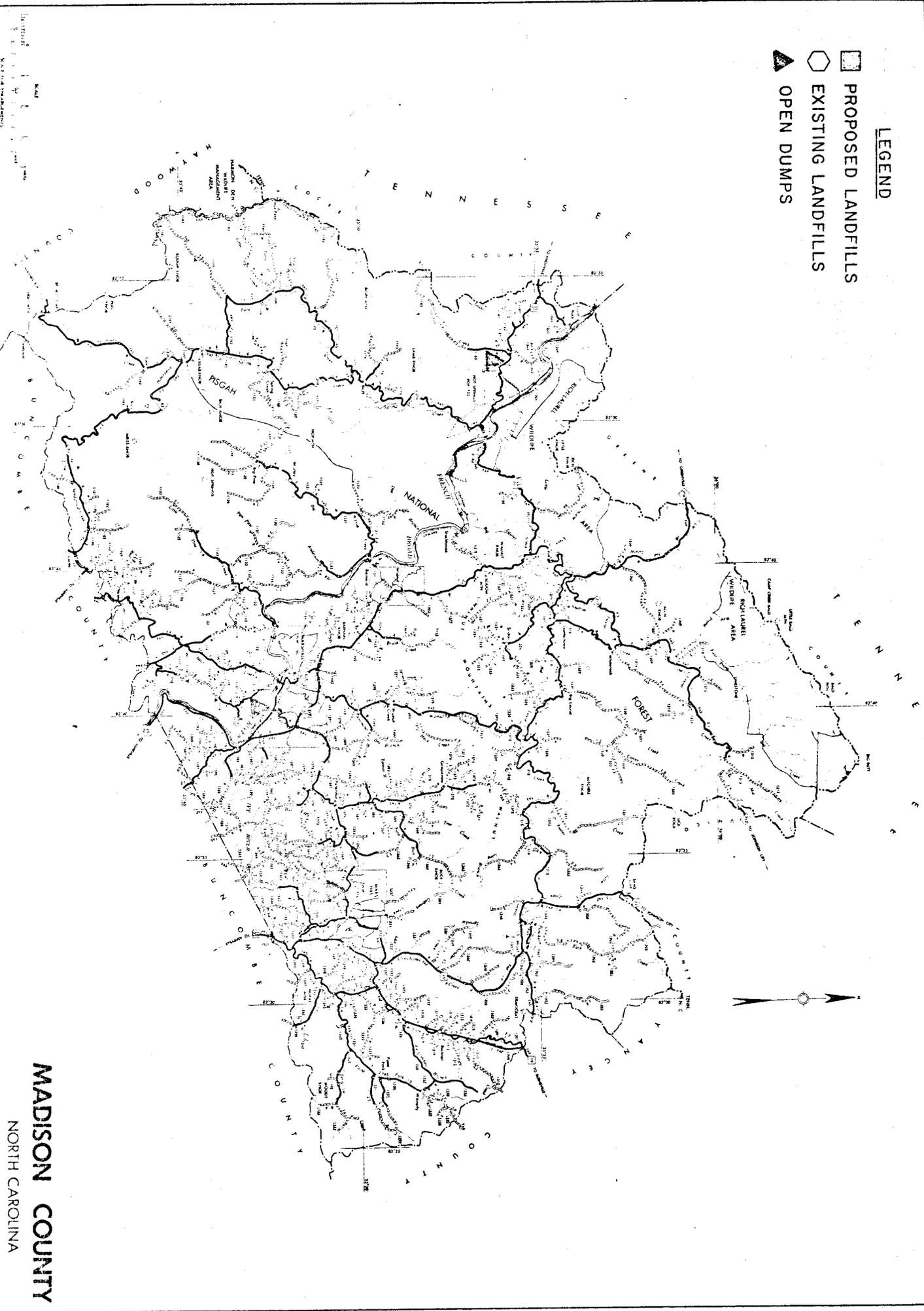
SECTION VI - Conclusion

1. The problem of refuse disposal in Madison County is due to a number of factors. There are more disposable items on the market today than ever existed in the past as many containers are no longer the returnable and reusable types. The pounds of disposed items per capita per day have doubled over the past decade. Regardless of whether the area of discussion is rural or urban, the disposable items are still the problem, only the quantity changes.

2. This is a problem that affects the total population from the farmer whose land is being dumped upon to the person who lives near a burning dump.
3. The Solid Waste and Vector Control Section of the State Board of Health, through the local health department, is available to assist in any way possible.
4. The recommendations of this report were made to meet the anticipated needs for a ten-year period. Before the end of this time, exhaustive studies of new methods should be made and incorporated in plans for the future.

LEGEND

- ▣ PROPOSED LANDFILLS
- ◊ EXISTING LANDFILLS
- ▲ OPEN DUMPS



MADISON COUNTY
NORTH CAROLINA

RULES AND REGULATIONS GOVERNING THE STORAGE, COLLECTION,
TRANSPORTING, AND DISPOSAL OF REFUSE IN _____
COUNTY, NORTH CAROLINA

Be It Ordained By The _____ Board of Health:

That the following regulations for the protection of public health are hereby adopted pursuant to authority granted by Section 17 of Chapter 130 of the General Statutes of North Carolina, and shall govern the storage, collection, transporting, and disposal of refuse throughout _____ County, except that these regulations shall not apply to the area within any municipality, sanitary district, or other governmental unit which operates its own refuse collection and disposal system.

SECTION I - DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of these regulations:

- A. The word "refuse" means garbage or rubbish.
- B. The word "garbage" means all putrescible solid wastes, including vegetable matter, animal offal, and carcasses of small animals, but excluding human body wastes, animal manure, and recognizable industrial by-products. Used milk cartons, or other discarded food containers that are not dry and clean shall be included in this definition.
- C. The word "rubbish" means non-putrescible solid wastes.
- D. The term "Health Director" means the director of the _____ County Health Department, or his authorized representative.
- E. The word "person" means any individual, firm, governmental unit, organization, partnership, corporation, or company.
- F. The term "refuse collector" means any person who collects or transports refuse, other than one who removes refuse from his own premises.

SECTION II - REFUSE STORAGE

No owner, occupant, tenant, or lessee of any premises shall permit any garbage or other refuse to accumulate upon such premises that is not stored in a manner approved by the Health Director.

- (1) Garbage shall be stored in a container of a type approved by the Health Director. Every such container shall be constructed of metal, or equally durable material, in such a manner as to be strong, water tight, not easily corrodible, fly proof, and rodent proof, shall have a capacity of not more than 32 gallons; shall have handles designed for lifting; and shall have fly-tight covers which shall be kept in place at all times, except when garbage or other refuse is being deposited in or removed from such container. A sufficient number of containers shall be provided to hold at least one week's accumulation of garbage. Each garbage container shall be kept clean so that no odor or other nuisance will exist.

- (2) Rubbish shall be stored in such a manner that it will not provide harborage to rats, nor cause a fire hazard.

SECTION III - REFUSE COLLECTION

The owner, occupant, tenant, or lessee of any premises upon which garbage is stored shall remove, or cause to be removed, all garbage from said premises at least once a week. Refuse collectors shall remove all refuse from the premises, when they receive compensation for this service, at least once a week. The work shall be done in a clean and orderly manner, without causing damage to the container. Any refuse that is spilled shall be cleaned up, and the premises left in a sanitary condition.

SECTION IV - REFUSE TRANSPORTATION

No refuse collector shall transport refuse in a conveyance that has not been approved by the Health Director. Such conveyances shall be leak proof, and covered with a canvas, or other substantial material, unless it is constructed in such a manner as to prevent leakage or spillage of the refuse. Truck beds in which garbage is hauled shall be cleaned daily.

SECTION V - REFUSE DISPOSAL

No refuse collector, or other person, shall dispose of refuse, except by one of the following methods; provided that this section shall not be construed to prevent any person from properly disposing of refuse from his own residence, or business establishment, by burning or burying it in a safe and sanitary manner approved by the Health Director.

- (1) By burning refuse in an incinerator of a type approved by the Health Director as safe and sanitary.
- (2) By burying refuse in a sanitary landfill that is designed, operated, and equipped in accordance with the recommendations in Special Bulletin No. 479 of the North Carolina State Board of Health, Refuse Disposal By Sanitary Landfill. This bulletin is hereby incorporated by reference pursuant to authority granted by Article 4 of Chapter 130 of the General Statutes of North Carolina, and becomes a part of these regulations as fully as if set out verbatim herein. A copy of said bulletin is on file in the office of the Clerk of the Superior Court of _____ County, and in the office of the Health Director.

SECTION VI - REFUSE COLLECTOR PERMITS

- A. No person shall collect, transport, or dispose of refuse without a written permit from the Health Director; provided that this sub-section shall not apply to any person disposing of refuse from his own residence, or business establishment. The Health Director shall issue such permit only when, upon inspection, he finds that the facilities, equipment, and proposed operating methods of the applicant are in compliance with the requirements of these regulations.

SECTION VII - REVOCATION OF PERMITS

- A. Whenever upon the inspection of facilities, equipment, or operating methods of any person holding a permit to collect, transport, or dispose of refuse, the Health Director finds that conditions or practices exist which are in violation of the provisions of these regulations, the Health Director shall give notice in writing to such person that unless such conditions or practices are corrected within ten days, the permit will be revoked. At the end of such ten-day period, the Health Director shall make a re-inspection, and if he finds that such conditions or practices have not been corrected, he shall give notice in writing to such person that his permit has been revoked. Upon the receipt of this notice, such person shall immediately cease to collect, transport, or dispose of refuse. No such permit shall be reinstated by the Health Director until he finds, upon inspection, that all provisions of these regulations have been complied with, except that following a hearing, as hereinafter provided, such permit may be reinstated by order of the County Board of Health.
- B. Upon written petition from a person whose permit to collect, transport, or dispose of refuse has been denied or revoked, the County Board of Health shall hold a hearing at which time such person shall be given an opportunity to show that his permit should not have been denied or revoked. No such hearing shall be held unless written petition therefor shall have been filed in the office of the Health Director on or before the tenth day following the day on which said permit was denied or revoked. The Health Director shall convey the request for a hearing to the Chairman of the County Board of Health as soon as practicable. Such hearing shall be held within _____ days following the receipt of such petition by the Chairman. After such hearing, the County Board of Health may either approve the denial or revocation of such permit, or order that it be issued or reinstated, depending upon its findings as to whether or not these regulations have been complied with.

SECTION VIII - PENALTY

Any person who violates any rules and regulations adopted by a local Board of Health shall be guilty of a misdemeanor, and fined not exceeding fifty dollars (\$50) or imprisoned not exceeding thirty days (30), as provided by Section 203 of Chapter 130 of the General Statutes of North Carolina.

SECTION IX - CONFLICTING REGULATIONS REPEALED

All regulations or parts of regulations in conflict herewith are repealed only to the extent necessary to give these regulations full force and effect.

SECTION X - SEVERABILITY

If any provision of these rules and regulations, or the application thereof to any person or circumstance, is held invalid, the remainder of the rules and regulations, or the application of such provision to other persons or circumstances, shall not be affected hereby.

SECTION XI - EFFECTIVE DATE

These regulations shall be in full force and effect from and after _____.

AN ACT TO AUTHORIZE COUNTIES TO REGULATE THE COLLECTION OF GARBAGE

ARTICLE 22

Garbage Collection and Disposal

G. S. 153-272. Control of Private Collectors. -- The board of county commissioners of any county is hereby empowered to regulate the collection and disposal of garbage by private persons, firms, or corporations outside of the incorporated cities and towns of the county for the purpose of encouraging and attempting to insure an adequate and continuing service of garbage collection and disposal where the board deems it to be desirable. In the exercise of such power, the board may issue a license to any private person, firm, or corporation to collect and/or dispose of garbage; may prohibit the collection and/or disposal of garbage by unlicensed persons, firms, or corporations; may grant to licensed persons, firms, or corporations the exclusive right to collect and/or dispose of garbage for compensation within a specified area and prohibit unauthorized persons, firms, or corporations from collecting and/or disposing of garbage within said area; and may regulate the fees charged by licensed persons, firms, and corporations for the collection and/or disposal of garbage to the end that reasonable compensation may be provided for such services. The board may adopt regulations pursuant to the power herein granted, and the violation of any such regulation shall be a misdemeanor, subject to a fine not exceeding fifty dollars, or imprisonment not exceeding thirty days; each week that any such violation continues to exist shall be a separate offense. (1961, c. 514, s.1)

G. S. 153-273. County collection and disposal. -- The board of county commissioners of any county is hereby empowered to establish and operate garbage collection and/or disposal facilities in areas outside of incorporated cities and towns where, in its opinion, the need for such facilities exists. The board may contract with any city or town to collect and/or dispose of garbage in any such area. In the disposal of garbage, the board may use any vacant land owned by the county, or it may acquire suitable sites for such purpose. The board may make appropriations to carry out the

activities herein authorized. The board may impose fees for the use of disposal facilities, and in the event it shall provide for the collection of garbage, it shall charge fees for such collection service sufficient in its opinion to defray the expense of collection. (1961, c. 514, s.1)

G. S. 153-274. Powers of local boards of health unaffected. -- Nothing in this article shall affect the powers of local boards of health to control the keeping, removal, collection, and disposal of garbage, insofar as the exercise of any such power is necessary to protect and advance the public health. (1961, c. 514, s.1)

G. S. 153-275. Powers granted herein supplementary. -- The powers granted to counties by this article shall be deemed supplementary to any powers heretofore or hereafter granted by any other law, either general, special, or local, for the same or similar purpose, and in any case where the provisions of this article conflict with or are different from the provisions of such other law, the board of county commissioners may in its discretion proceed in accordance with the provisions of such other law, or, as an alternative method, in accordance with the provisions of this article. (1961, c. 514, s.1)

Sec. 1a. The provisions of this Act shall not apply to Vance County.

Note:
Chapter 904 of the 1961 Session Laws exempts Johnston County from all provisions of this article.
Chapter 912 of the 1961 Session Laws authorizes Dare County Board of Commissioners to levy ad valorem tax in areas of the county in which the county provides garbage collection service.



Madison
JHR

STATE OF NORTH CAROLINA
DEPARTMENT OF HUMAN RESOURCES
STATE BOARD OF HEALTH

ROBERT W. SCOTT
GOVERNOR
LENOX D. BAKER, M.D.
SECRETARY

P. O. Box 2091
RALEIGH 27602

JACOB KOOMEN, M.D., M.P.H.
STATE HEALTH DIRECTOR AND
SECRETARY-TREASURER
W. BURNS JONES, JR., M.D., M.P.H.
ASSISTANT STATE HEALTH DIRECTOR

July 13, 1972

Mayor William P. Powell
Town of Mars Hill
Mars Hill, North Carolina 28754

Dear Mayor Powell:

We are in receipt of your letter of intent pursuant to Section XIII of the North Carolina State Board of Health "Rules and Regulations Providing Standards for Solid Waste Disposal." Your proposal to utilize the county operated disposal facility is acceptable provided the county program is implemented within the time schedule required by these regulations.

At the time the county disposal program is implemented, you will be required to close your present disposal site in accordance with the requirements of Section XIII - C of the regulations.

Very truly yours,

Sidney H. Usry

Sidney H. Usry, Chief
Solid Waste & Vector Control Section
Sanitary Engineering Division

SHU:bm

cc: Mr. J. N. Fulp, Sr.

WILLIAM P. POWELL, MAYOR
CARL ELLER, TREAS.

E. W. GRIGG, VICE MAYOR
ARTHUR WOOD, CLERK

TOWN OF MARS HILL

MARS HILL, NORTH CAROLINA

JUNE 26, 1972



Fulp

HEALTH DIRECTOR
N C STATE BOARD OF HEALTH
RALEIGH, N C

DEAR SIR:

IN THE EVENT THAT MADISON COUNTY DOES NOT COMPLY WITH THE
N C LAWS DEALING WITH SOLID WASTE DISPOSAL THE TOWN OF MARS
HILL WILL ASSUME THE FULL RESPONSIBILITY FOR MEETING THE RULES
AND REGULATIONS AS STATED IN ARTICLE 13B, CHAPTER 130 OF THE
GENERAL STATUTES OF NORTH CAROLINA FOR ALL RESIDENTS OF THE
TOWN OF MARS HILL ON OR BEFORE JULY 1, 1974.

IF THESE RULES AND REGULATIONS ARE CHANGED, PLEASE LET US
KNOW.

SINCERELY,

WILLIAM P POWELL
MAYOR

WPP/NL

RECEIVED

JUN 28 1972

SANITARY ENGINEERING
DIVISION

USA

*Madison
JCP*

May 13, 1971

Mr. Arthur B. Wood
Box 632
Mars Hill, North Carolina 28754

Dear Mr. Wood:

The Solid Waste and Vector Control Section, Sanitary Engineering Division, North Carolina State Board of Health, is in receipt of your letter concerning a solid waste survey in Madison County.

Madison County was included in a solid waste survey made during 1968. This information and material may be of some value in your survey.

I have a scheduled trip to Burke County next week and will extend my itinerary to include Madison County. A telephone conversation with your father today indicated your possible availability on May 20, 1971, after noontime. I will plan on meeting you at 12:30 P.M. at the Mars Hill Town Hall to discuss your survey and the available State survey information from Madison County.

If this is not satisfactory with your plans, please contact me or Mr. Sidney H. Usry at 829-3589, North Carolina State Board of Health, Raleigh, North Carolina.

Looking forward to our meeting, I am

Sincerely yours,

Jerry C. Perkins, Sanitary Engineer
Solid Waste & Vector Control Section
Sanitary Engineering Division

JCP:bm

DEPARTMENT OF WATER AND AIR RESOURCES

TO: Mr. Sidney Casey
FROM: J. L. Taylor
SUBJECT: Attached letter -

Sid,

Can you give this
gentleman some assistance.

Jessie

Arthur B. Wood
Box 632
Mars Hill, North Carolina
28754

State Board of Health
225 North McDowell Street
Raleigh, North Carolina
27602

Dear Sirs:

I am a graduate student at East Tennessee State University pursuing a Masters degree in environmental health and am working with ten students from Mars Hill College in Mars Hill, North Carolina. This summer, we are working on different types of pollution in Madison County through a National Science Foundation Grant. One project includes taking a survey of 10% of the population, and try to justify a sanitary land field in Madison County. I'm sure you have conducted numerous surveys on counties in North Carolina, and we would appreciate any information you could send us in regard to preliminary investigations of different counties in N.C. We are interested in seeing your survey forms and types of questions ask, results, procedure, and any other information you might send us relating to this project. Our summer work began May 31, and any information you could send us as quickly as possible would be greatly appreciated.

Arthur B. Wood
Arthur B. Wood

RECEIVED

MAY 6 1971

WATER AND AIR
POLLUTION CONTROL