

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE: (check all that apply to this audit with same Permit number)

Lined MSWLF	LCID	<input checked="" type="checkbox"/>	YW	Transfer	Compost	SLAS	COUNTY: DURHAM PERMIT NO.: 32-F FILE TYPE: COMPLIANCE
Closed MSWLF	HHW	<input type="checkbox"/>	White goods	Incin	T&P	FIRM	
CDLF	Tire T&P / Collection	<input type="checkbox"/>	Tire Monofill	Industrial Landfill	DEMO	SDTF	

Date of Audit: 9-14-2004

Date of Last Audit 3-27-2004

FACILITY NAME AND ADDRESS:

FOGLEMEN LANDFILL
Red Mill Road, Durham, NC

*LCIDN32-F Com Fogleman
Landfill*

FACILITY CONTACT NAME AND PHONE NUMBER:

Jay Fogleman, (919) 682-0068

FACILITY CONTACT ADDRESS (IF DIFFERENT):

Jay Fogelman
4005 Intermere Road
Durham, NC 27704

AUDIT PARTICIPANTS:

Jay Fogleman, owner/operator FLF
Ken Fogleman, owner/operator FLF
Flint Worrell, DENR, Solid Waste Section

STATUS OF PERMIT:

Active

PURPOSE OF AUDIT:

Compliance

NOTICE OF VIOLATION(S):

None

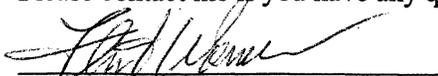
You are hereby advised that, pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$5,000 per day may be assessed for each violation of the Solid Waste Statute or Regulations. If the violation(s) noted here continue, you may be subject to enforcement actions including penalties, injunction 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.

STATUS OF PAST NOTED VIOLATIONS

NA

OTHER COMMENTS /SUGGESTIONS:

1. The southeast slope need more cover, this area has been inactive over 30 days.
 2. Continue to remove plastic, glass and paper from the LCID waste.
- Please contact me if you have any questions or concerns regarding this audit report.


Flint Worrell
Regional Representative

Phone: (910)-486-1541

FACILITY COMPLIANCE AUDIT REPORT

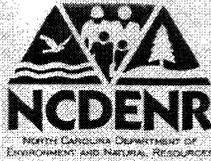
Division of Waste Management

Solid Waste Section

Page 2 of 2

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Mark Poindexter, NCDENR-Solid Waste Section



FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE: (check all that apply to this audit with same Permit number)								COUNTY: DURHAM	
Lined MSWLF	LCID	<input checked="" type="checkbox"/>	YW	Transfer	Compost	SLAS		PERMIT NO.: 32-F	
Closed MSWLF	HHW		White goods	Inciner.	T&P	FIRM		FILE TYPE: COMPLIANCE	
CDFL	Tire T&P/Collection		Tire Monofill	Industrial Landfill	DEMO	SDIT			

Date of Audit: 3/27/01⁰² Date of Last Audit: 12/27/01

FACILITY NAME AND ADDRESS:

Fogleman Landfill
 Red Mill Road (SR 1632)
 Durham, North Carolina

FACILITY CONTACT NAME AND PHONE NUMBER:

Mr. James Kent Fogleman
 (919) 682-0068

FACILITY CONTACT ADDRESS (IF DIFFERENT):

4005 Internere Road
 Durham, North Carolina 27704

AUDIT PARTICIPANTS:

Robert Hearn, DENR, Solid Waste Section

STATUS OF PERMIT:

Expired/due for review; permit issued 3/16/92

PURPOSE OF AUDIT:

Follow up Audit

NOTICE OF VIOLATION(S) (citation and explanation):

(no new violation noted)

You are hereby advised that, pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$5,000 per day may be assessed for each violation of the Solid Waste Statute or Regulations. If the violation(s) noted here continue, you may 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.

STATUS OF PAST NOTED VIOLATIONS (List all noted last audit):

- (1) 15A NCAC 13B .0566 (1) "Operational plans shall be approved and followed as specified for the facility:" **within sixty (60) days of receipt of this report, submit to the Solid Waste Section any information required to update the operations plan or permit to reflect current operations at the facility, including disposal of waste in areas that have been or will be mined;**

Violation corrected in that Mr. Walker, the consulting engineer for the facility, has recently submitted the required information to the Permitting branch, Section will follow up with Mr. Walker and Mr. Fogelman on any further requirements pursuant to permit renewal;

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

Page 2 of 2

(2) 15A NCAC 13B .0566 (12) "Open burning of solid waste is prohibited;" it was observed at the time of inspection that the landfill fire reported in November, 2001 is still smoldering; smoke was observed in five small spots on the working face of the landfill; **take measures as needed to extinguish the landfill fire within thirty (30) days of this inspection.**

Violation corrected: it was observed at the time of inspection that the fire that was underway at previous visit has been controlled; portions of burning material were excavated and extinguished; soil cover was applied to slopes; smoky odor noticeable on working face but no smoke observed emanating from fill.

OTHER COMMENTS /SUGGESTIONS:

1. Met with Jay Fogelman, who will now be facility contact;
2. Continue grading and covering all waste on slopes and seed to establish vegetation; proceed to cover with 1' final soil cover once slopes in accordance with operations plan; final slopes should have a steepness of no greater than 3:1;
3. Grade landfill surface where needed to allow surface water to drain unimpeded from the landfill surface; fill with soil any areas that may have settled to prevent ponding of water in those areas; consider installing slope drains to prevent erosion of existing slopes by water draining from the top;
4. Waste that is currently stockpiled atop the landfill should be covered with soil within 30 days if not able to be moved into the disposal area.

Please contact me if you have any questions or concerns regarding this audit report.

Robert Heaton (signature) Phone: (919) 521-4700 x242
Regional Representative

Distribution: original signed copy to facility – signed copy to compliance officer – e-mail or copy to super

Delivered on _____ by _____	hand delivery <input type="checkbox"/>	<input checked="" type="checkbox"/> US Mail	Certified No. []
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FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section



+UNIT TYPE: (check all that apply to this audit with same Permit number)

Lined MSWLF	LCID	<input checked="" type="checkbox"/>	YW	Transfer	Compost	SLAS	COUNTY: DURHAM PERMIT NO.: 32-F FILE TYPE: COMPLIANCE
Closed MSWLF	HHW		White goods	Incin	T&P	FIRM	
CDLF	Tire T&P/ Collection		Tire Monofill	Industrial Landfill	DEMO	SDTF	

Date of Audit: 12/27/01

Date of Last Audit:

FACILITY NAME AND ADDRESS:

Fogleman Landfill
 Red Mill Road (SR 1632)
 Durham, North Carolina

FACILITY CONTACT NAME AND PHONE NUMBER:

Mr. James Kent Fogleman
 (919) 682-0068

FACILITY CONTACT ADDRESS (IF DIFFERENT):

4005 Intermere Road
 Durham, North Carolina 27704

AUDIT PARTICIPANTS:

Robert Hearn, DENR, Solid Waste Section

STATUS OF PERMIT:

Expired/due for review

PURPOSE OF AUDIT:

Semi-annual Comprehensive Audit

NOTICE OF VIOLATION(S) (citation and explanation):

- (1) 15A NCAC 13B .0566 (1) "Operational plans shall be approved and followed as specified for the facility;" it was observed that disposal of waste continues to occur in portions of the landfill that have been mined, although the approved facility operational plans do not reflect or authorize disposal in mined areas; the Solid Waste Section has been in communication with Mr. Fogleman in the past regarding amendment of the facility operational plans to reflect mining conducted under Division of Land Resources mining permits, but the Section has not received documentation sufficient to satisfactorily amend the permit to reflect current disposal practices and other permit modifications desired by Mr. Fogleman; **within sixty (60) days of receipt of this report, submit to the Solid Waste Section any information required to update the operations plan or permit to reflect current operations at the facility, including disposal of waste in areas that have been or will be mined;** contact Mr. Jim Barber, Eastern Area Permit Engineer, Solid Waste Section at (910) 486-1541 to discuss requirements for making any operational-plan or permit-amendment applications;

- (2) 15A NCAC 13B .0566 (12) "Open burning of solid waste is prohibited;" it was observed at the time of inspection that the landfill fire reported in November, 2001 is still smoldering; smoke was observed in five small spots on the working face of the landfill; **take measures as needed to extinguish the landfill fire within thirty (30) days of this inspection;** discussed the situation with T. J., the landfill attendant; he said

FACILITY COMPLIANCE AUDIT REPORT

Division of Waste Management

Solid Waste Section

Page 2 of 2

a week or so later; he said that the facility will be receiving much soil material this week from a nearby construction job and will immediately proceed to cover the entire working face area with soil sufficient to smother the fire; all incoming waste has been stockpiled temporarily atop the landfill away from the working face/fire area; this material will be pushed into the disposal area once the fire is extinguished completely, according to T. J.

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STATUS OF PAST NOTED VIOLATIONS (List all noted last audit):

(no violations noted)

OTHER COMMENTS /SUGGESTIONS:

1. Finish grading and covering all waste on north slope and seed to establish vegetation; proceed to cover with 1' final soil cover if sloping is complete here; slope the waste to the west along this slope so as to tie-in with the existing slope at a steepness of no greater than 3:1;
2. Grade landfill surface where needed to allow surface water to drain unimpeded from the landfill surface; fill with soil any areas that may have settled to prevent ponding of water in those areas; consider installing slope drains to prevent erosion of existing slopes by water draining from the top;
3. Waste that is currently stockpiled atop the landfill should be covered with soil within 30 days if not able to be moved into the disposal area.

Please contact me if you have any questions or concerns regarding this audit report.

Robert Neenan (signature) Phone: (919)571-4700
Regional Representative

Distribution: original signed copy to facility -- signed copy to compliance officer -- e-mail or copy to super

Delivered on <u>1/23/02</u> by		hand delivery		US Mail	<input checked="" type="checkbox"/> Certified No. <input type="checkbox"/>
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P0430 0036

NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES
Division of Solid Waste Management
Solid Waste Section
SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT

TED

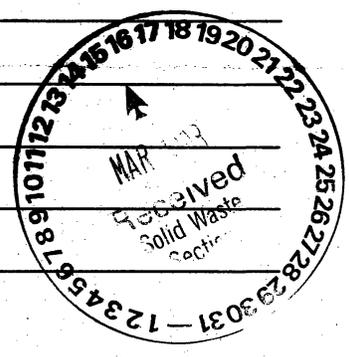
Type of Facility FOGELMAN DEMO. LF Permit # 32-F County DURHAM

Name of Facility LCID LANDFILL Location RED HILL RD. / INTERMORE RD

Date of Last Evaluation 12/19/97

I. Permit Conditions Followed Yes No N/A

A. Specific Condition(s) Violated



II. Operational Requirements Followed Yes No

15A N.C. Admin. Code 138 Section 0566

A. Specific Violation(s) by number and letter.

III. Other Violations of Rule or Law

IV. Evaluator's Comments BUILDING DEMOLITION MATERIAL OBSERVED ON PREVIOUS INSPECTION HAS BEEN REMOVED; RECEIPTS PROVIDED; SITE IS IN GOOD SHAPE.

V. Continuation Page Required? Yes No Receiving Signature James K Fogelma

Evaluation Date 3/5/98 Solid Waste Section Robert Hearn

Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

Instructions: Solid Waste Section personnel shall complete the evaluation form each time they conduct official evaluations. The form shall be signed by the person(s) receiving the report.

Distribution: Part I White: facility copy
Part II Canary: Raleigh central office file copy
Part III Pink: Regional office file copy

Disposition: This form may be retained in accordance with the Record Retention and Disposition Schedule of the Solid Waste Section, Solid Waste Management Division of the Department of Environment, Health and Natural Resources.

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NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES
Division of Solid Waste Management
Solid Waste Section
SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT

Type of Facility LCID LANDFILL Permit # 32-F County DURHAM

Name of Facility FOGLEMAN DEMOLITION LANDFILL Location RED MILL RD.

Date of Last Evaluation 2/28/97

I. Permit Conditions Followed Yes No N/A

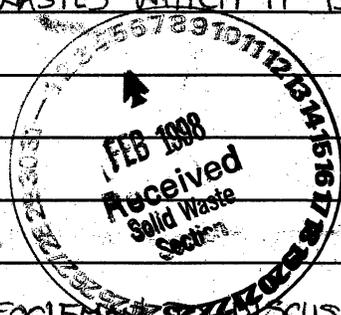
A. Specific Condition(s) Violated (4) "...SITE IS PERMITTED TO RECEIVE YARD WASTE, LAND-CLEARING DEBRIS, AND INERT DEBRIS..." BUILDING DEMOLITION WASTES, INCLUDING BUT NOT LIMITED TO PAINTED WOOD, METALS, PLASTICS, PARTICLE BOARD, HOT WATER HEATER, ROOFING MATERIALS, PAPER, CARPET WERE OBSERVED AT TIME OF INSPECTION; ALSO NOTED MISCELLANEOUS UNPERMITTED MATERIALS (E.G., HIGHWAY CAUTION MARKER, ROAD SIGNS, TIRE) ON SITE;

II. Operational Requirements Followed Yes No

15A N.C. Admin. Code 138 Section .0566

A. Specific Violation(s) by number and letter.

(2) "FACILITY SHALL ONLY ACCEPT THOSE SOLID WASTES WHICH IT IS PERMITTED TO RECEIVE;"



III. Other Violations of Rule or Law NET WITH MR. KENT FOGLEMAN TO DISCUSS COMPLIANCE WITH SITING CRITERIA PURSUANT TO 15A NCAC 13B .0563(6)(c);

IV. Evaluator's Comments UN- REMOVE PERMITTED WASTES AS NOTED ABOVE TO PERMITTED FACILITY (SUCH AS CITY OF DURHAM LANDFILL) AND SAVE RECEIPTS TO DOCUMENT PROPER DISPOSAL.

V. Continuation Page Required? Yes No Receiving Signature Jane K Fogleman
Evaluation Date 12/18/97 Solid Waste Section Robert Hearn

Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

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NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES

Division of Solid Waste Management

Solid Waste Section

SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT

P0430

036

Type of Facility LCID LANDFILL Permit # 32-F County DURHAM

Name of Facility FOGELMAN DEMOLITION LANDFILL Location RED MILL RD @ I-85

Date of Last Evaluation 4/18/96

I. Permit Conditions Followed Yes No N/A

A. Specific Condition(s) Violated _____

II. Operational Requirements Followed Yes No

15A N.C. Admin. Code 138 Section .0566

A. Specific Violation(s) by number and letter.

III. Other Violations of Rule or Law _____

IV. Evaluator's Comments CONTINUE TO WORK AND COVER SLOPES AS SOON AS POS-

SIBLE ; ALSO, PROMPTLY SEGREGATE AND REMOVE FOR PROPER DISPOSAL

ANY UNPERMITTED WASTE TYPES THAT ARE DISCOVERED AT SITE.

V. Continuation Page Required? Yes No Receiving Signature Tony Joe Clark

Evaluation Date 2/28/97 Solid Waste Section Robert Hearn

Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

Instructions: Solid Waste Section personnel shall complete the evaluation form each time they conduct official evaluations. The form shall be signed by the person(s) receiving the report.

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Part III Pink: Regional office file copy

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NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES

Division of Solid Waste Management

Solid Waste Section

SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT

11
P0430

Type of Facility LCID LANDFILL Permit # 32-F County DURHAM

Name of Facility FOGLEMAN'S DEMOLITION LANDFILL Location RED MILL RD. @ I-85

Date of Last Evaluation 12/19/95

I. Permit Conditions Followed Yes No N/A

A. Specific Condition(s) Violated 4) "SITE IS PERMITTED TO RECEIVE YARD WASTE, LAND-CLEARING DEBRIS, AND INERT DEBRIS"; ONCE AGAIN, MISCELLANEOUS UNPERMITTED WASTES OBSERVED PUSHED OVER AND/OR PARTIALLY COVERED; ALSO, IT IS EVIDENT THAT DEMOLISHED BUILDING DEBRIS CONTAINING PAINTED WOOD, ROOFING MATERIAL, ETC. HAS BEEN ACCEPTED AND PUSHED OVER.

II. Operational Requirements Followed Yes No

15A N.C. Admin. Code 138 Section .0506

A. Specific Violation(s) by number and letter.

- *** 1) PERMIT AMENDMENT APPLICATION TO UPDATE OPERATIONS PLAN HAS NOT YET BEEN SUBMITTED; COMPLETE AND SUBMIT A.S.A.P.!
- 2) REMOVE BUILDING DEMOLITION WASTE AND OTHER ASSORTED UNPERMITTED WASTE IMMEDIATELY: PAINTED WOOD, METALS, ROOFING MATERIAL, FABRIC + CARPET, PLASTICS, ETC. (OVER)

III. Other Violations of Rule or Law

IV. Evaluator's Comments PLEASE REMOVE UNPERMITTED WASTES AND FIX EAST SLOPE ASAP; OLDER AREA OF EAST SLOPE NEEDS SMOOTHING AND ESTABLISHMENT OF VEGETATIVE COVER.

V. Continuation Page Required? Yes No Receiving Signature Jane K Fogelman

Evaluation Date 4/18/96 Solid Waste Section Robert S. Heary 026

Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

Instructions: Solid Waste Section personnel shall complete the evaluation form each time they conduct official evaluations. The form shall be signed by the person(s) receiving the report.

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**FACILITY EVALUATION REPORT
CONTINUATION PAGE**

TD
P0436

Permit # 32-F

Evaluation Date 4/18/96

I. Permit Condition(s) Violated:

A. Specific Condition(s) Violated _____

II. Operational Requirements Followed

A. Specific Violation(s) by number and letter.

4) CONSOLIDATE AND COVER EXPOSED WASTE ON EAST SLOPE AFTER
REMOVING UNPERMITTED WASTES WHICH ARE STRAWN OVER THE
AREA ; ALSO REMOVE WASTE FROM DRAINAGE DITCH ON EAST
SIDE AND RE-ESTABLISH BUFFER TO PROPERTY LINE.

III. Other Violations of Rules or Law _____

IV. Evaluator's Comments _____

Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

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7-10-430

Division of Solid Waste Management

Solid Waste Section

SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT

Type of Facility LCID LANDFILL Permit # 32-F County DURHAM

Name of Facility FOGLEMAN DEMOLITION LANDFILL Location RED MILL RD.

Date of Last Evaluation 3/14/95

I. Permit Conditions Followed Yes No N/A

A. Specific Condition(s) Violated 4) "SITE IS PERMITTED TO RECEIVE YARD WASTE, LAND-CLEARING DEBRIS, AND INERT DEBRIS;" MISCELLANEOUS UNPERMITTED WASTES OBSERVED PUSHED OVER AND/OR PARTIALLY COVERED AT SITE; PAINTED WOOD, CARPET, METALS, SHEET PLASTIC, ETC.; ANY UNPERMITTED WASTES SHOULD BE SEGREGATED AWAY FROM WORKING FACE AND REMOVED AS SOON AS POSSIBLE;

II. Operational Requirements Followed Yes No

15A N.C. Admin. Code 138 Section .0560

A. Specific Violation(s) by number and letter.

* 1); NEED TO UPDATE OPERATIONS PLAN; SUBMIT PERMIT AMENDMENT APPLICATION ASAP.; ALSO, REMOVE WASTE FROM DRAINAGE WAY;
2); REMOVE UNPERMITTED WASTES ASAP, AND PROMPTLY AND REGULARLY REMOVE THOSE WHICH ARRIVE SURREPTITIOUSLY;
4) AND 5); NEED TO COMPLETE SLOPE COVERAGE AND ESTABLISH COVER; ^{VEG.}

III. Other Violations of Rule or Law

IV. Evaluator's Comments PLEASE SUBMIT RECEIPTS DOCUMENTING PROPER DISPOSAL OF UNPERMITTED WASTES; COMPLETE SLOPE COVER AND STABILIZATION A.S.A.P.

V. Continuation Page Required? Yes No Receiving Signature James L Fogleman

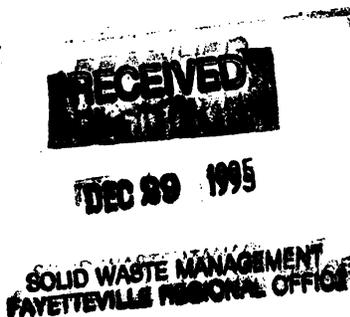
Evaluation Date 12/19/95 Solid Waste Section Robert S. Hearn

Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

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NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES

TED

Division of Solid Waste Management

Solid Waste Section

SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT

DDA03
PO430

Type of Facility LCID Permit # 32-F County DURHAM

Name of Facility FOGLEMAN'S DEMOLITION LANDFILL Location RED MILL RD.

Date of Last Evaluation 11/23/94

I. Permit Conditions Followed Yes No N/A

A. Specific Condition(s) Violated 4: "...SITE IS PERMITTED TO RECEIVE YARD WASTE, LAND-CLEARING DEBRIS, AND INERT DEBRIS;" MISCELLANEOUS UNPERMITTED WASTES OBSERVED AT SITE, INCLUDING METALS, PLASTICS, CARPET, PAINTED WOOD; PLEASE REMOVE AS SOON AS POSSIBLE;

II. Operational Requirements Followed Yes No

15A N.C. Admin. Code 138 Section .0566

A. Specific Violation(s) by number and letter.

- 1) NEED TO UPDATE OPERATIONS PLAN; SUBMIT PERMIT AMENDMENT APPLICATION AS SOON AS POSSIBLE;
- 2) UNPERMITTED WASTES OBSERVED AS DESCRIBED ABOVE;
- 4) APPLY COVER MONTHLY OR WHEN ACTIVE PORTION REACHES ONE ACRE; TOP AND SIDES NEED COVERING AS SOON AS POSSIBLE;

III. Other Violations of Rule or Law

IV. Evaluator's Comments PLEASE SEND RECEIPTS DOCUMENTING PROPER DISPOSAL OF UNPERMITTED WASTES; COMPLETE COVER AND SLOPE STABILIZATION AS SOON AS WEATHER PERMITS.

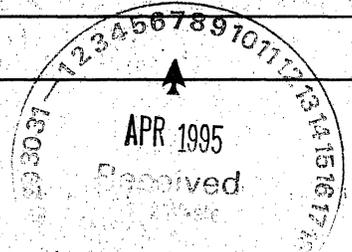
V. Continuation Page Required? Yes No Receiving Signature James Kent Fogler

Evaluation Date 3/14/95 Solid Waste Section Robert S. Neuman

DEHMR 3793

(Part I White: Facility Part II Canary: Central Office Part III Pink: Regional Office)

Solid Waste Section (Review 7/94)



Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

Instructions: Solid Waste Section personnel shall complete the evaluation form each time they conduct official evaluations. The form shall be signed by the person(s) receiving the report.

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Part III Pink: Regional office file copy

Disposition: This form may be retained in accordance with the Record Retention and Disposition Schedule of the Solid Waste Section, Solid Waste Management Division of the Department of Environment, Health and Natural Resources.

TFD

NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES

Division of Solid Waste Management

Solid Waste Section

SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT

P0430

Type of Facility LCID Permit # 32-F County DURHAM

Name of Facility FOGLEMAN'S DEMOLITION LANDFILL Location RED MILL RD. @ I-85

Date of Last Evaluation 12/2/93

I. Permit Conditions Followed Yes No N/A

A. Specific Condition(s) Violated _____

II. Operational Requirements Followed Yes No

15A N.C. Admin. Code 138 Section 0566

A. Specific Violation(s) by number and letter.

III. Other Violations of Rule or Law _____

IV. Evaluator's Comments AS SOON AS POSSIBLE (BEFORE IT GETS WET), PULL BACK WASTE WHICH HAS FALLEN INTO BUFFER AREA AND DRAINAGE DITCH, REWORK AND COVER SLOPES, AND REMOVE INCIDENTAL UNPERMITTED WASTES.

V. Continuation Page Required? Yes No Receiving Signature Jedd Hopkins

Evaluation Date 11/23/94 Solid Waste Section Robert S Hearn

DEHMR 3793 (Part I White: Facility Part II Canary: Central Office Part III Pink: Regional Office)

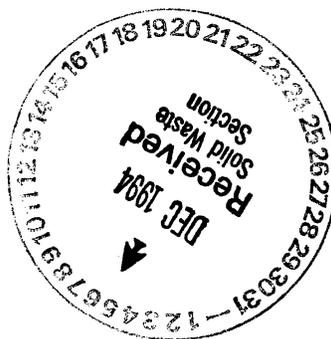
Solid Waste Section (Review 7/94)

Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

Instructions: Solid Waste Section personnel shall complete the evaluation form each time they conduct official evaluations. The form shall be signed by the person(s) receiving the report.

Distribution: Part I White: facility copy
Part II Canary: Raleigh central office file copy
Part III Pink: Regional office file copy

Disposition: This form may be retained in accordance with the Record Retention and Disposition Schedule of the Solid Waste Section, Solid Waste Management Division of the Department of Environment, Health and Natural Resources.



State of North Carolina
Department of Environment,
Health and Natural Resources
Raleigh Regional Office

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
Boyce A. Hudson, Regional Manager



DIVISION OF SOLID WASTE MANAGEMENT

December 8, 1993



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James Kent Fogleman
Fogleman Demolition Landfill
Route 5, Box 170
Durham, North Carolina 27704

RE: Notice of Violation
Compliance Inspection
Fogleman Demolition
Landfill, Permit No. 32-F
Durham County

Dear Mr. Fogleman:

Pursuant to N.C.G.S. 130A-22(a) and to 15A N.C. Admin. Code 13B, I conducted an inspection on December 2, 1993 of the Fogleman Demolition Landfill, Permit No. 32-F, located off Red Mill Road in Durham County, North Carolina. The inspection found the Fogleman Demolition Landfill to be in violation of certain requirements contained in the North Carolina Solid Waste Management Rules, codified at 15A N.C. Admin. Code 13B; specifically:

15A N.C. Admin. Code 13B .0566 (1) requires that operational plans be approved and followed as specified for the facility; at the time of inspection, excavation of soil was occurring at this facility, although no excavation is called for on the operational plan.

Waste Management Specialist Mark Fry inspected this facility on May 12, 1993 and instructed you on the Facility Evaluation Report to submit an application to the Solid Waste Section within 30 days for an amendment to Permit No. 32-F to provide for excavation of soil on this site. I checked with Eastern Area Field Engineer Jim Barber on December 2, 1993 and he indicated that no such application has been submitted.

Mr. James Kent Fogleman
Notice of Violation
December 8, 1993
Page 2

Based on the foregoing, the Fogleman Demolition Landfill is hereby ordered to take the following actions by January 8, 1994 to correct all violations as stated in this Notice of Violation, and otherwise be in compliance with the North Carolina Solid Waste Management Rules, codified at 15A N.C. Admin. Code 13B:

Comply with 15A N.C. Admin. Code 13B .0566 (1) by submitting an application to the Solid Waste Section within 30 days for an amendment to Permit No. 32-F to provide for excavation of soil on this site. Mail the application to:

Mr. James C. Coffey, Supervisor
Permitting Branch
Department of Environment,
Health, and Natural Resources
Division of Solid Waste Management
Solid Waste Section
P.O. Box 27687
Raleigh, North Carolina 27611.

Pursuant to N.C.G.S. 130A-22(a) and to 15A N.C. Admin. Code 13B, an administrative penalty of up to \$5,000.00 per day may be assessed for violations of the North Carolina Solid Waste Management Laws or Regulations.

Please contact me at (919) 571-4700 if you have any questions regarding this matter.

Sincerely,



Robert S. Hearn
Environmental Technician
Solid Waste Section

cc: Dexter Matthews
Terry Dover
Mark Fry
Boyce Hudson
Central Files/Durham County/32-F

TFP

NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES
Division of Solid Waste Management
Solid Waste Section
SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT



Type of Facility DEMOLITION (LC10) Permit # 32-F County DURHAM
Name of Facility FOGELMAN DEMOLITION LANDFILL Location RED HILL RD.
Date of Last Evaluation 5/12/93

I. Permit Conditions Followed Yes No N/A

A. Specific Condition(s) Violated 5(9) SURFACE WATER IMPOUNDED (STANDING)
OVER WASTE AT TIME OF INSPECTION IN TWO PLACES; ADD MORE
COVER SOIL OR REGRADE TO DIVERT ALL SURFACE WATER
FROM WASTE

II. Operational Requirements Followed Yes No

15A N.C. Admin. Code 138 Section .0566

A. Specific Violation(s) by number and letter.

(1) OPERATIONAL PLANS DO NOT PROVIDE FOR EXCAVATION; MAINTAIN
50' BUFFER ON SOUTHWEST SLOPE; PULL WASTE BACK AND SLOPE
(10) SURFACE WATER IMPOUNDED OVER WASTE AS NOTED ABOVE

III. Other Violations of Rule or Law

IV. Evaluator's Comments NOTICE OF VIOLATION WILL FOLLOW FOR FAILURE TO
SUBMIT ~~EXISTING~~ APPLICATION FOR AMENDMENT WITHIN 30 DAYS
FROM 5/12/93 AS REQUESTED BY MARK FRY ON THAT DATE

V. Continuation Page Required? Yes No Receiving Signature MAILED TO MR. FOGELMAN ON 12/7/9

Evaluation Date 12/2/93 Solid Waste Section Robert S. Heason

Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

Instructions: Solid Waste Section personnel shall complete the evaluation form each time they conduct official evaluations. The form shall be signed by the person(s) receiving the report.

Distribution: Part I White: facility copy
Part II Canary: Raleigh central office file copy
Part III Pink: Regional office file copy

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NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES

Division of Solid Waste Management

Solid Waste Section

SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT

112

Type of Facility LCID Landfill Permit # 32-15 County Durham

Name of Facility Eagleman Demolition Landfill Location 40 Mill St, Durham, NC

Date of Last Evaluation 5-20-92

I. Permit Conditions Followed Yes No N/A

A. Specific Condition(s) Violated Condition # 5 d. = Cause a soil slope
Condition # 5 g. = Waste being disposed of in one area
causing water to run through the waste. Divert all surface
water away from waste.

II. Operational Requirements Followed Yes No

15A N.C. Admin. Code 13B Section NEW SECTION .0566 - GAVE COPY TO MR. FOLLOMAN

A. Specific Violation(s) by number and letter.

(1) Operational plans do not show any excavations.
(2) Divert all surface water from waste.



III. Other Violations of Rule or Law

IV. Evaluator's Comments Within 30 days submit application to this Section
for amendment to excavate soil. Other work may
be being permitted.

V. Continuation Page Required? Yes No Receiving Signature [Signature]

Evaluation Date 5-2-92 Solid Waste Section [Signature]

Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

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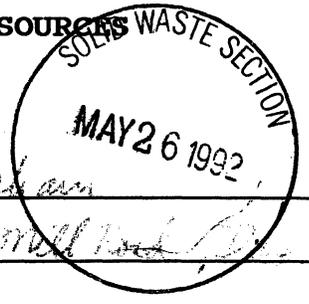
TFD

NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES

Division of Solid Waste Management

Solid Waste Section

SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT



Type of Facility Demolition Landfill Permit # 32-F County Durham

Name of Facility Fogleson Demolition Landfill Location Red Mill Road, Durham, NC

Date of Last Evaluation This is initial evaluation

I. Permit Conditions Followed Yes No N/A

A. Specific Condition(s) Violated (4)

II. Operational Requirements Followed Yes No

15A N.C. Admin. Code 138 Section 0507

A. Specific Violation(s) by number and letter.

(2)

III. Other Violations of Rule or Law

IV. Evaluator's Comments This landfill is permitted to receive only stumps, limbs, staves, brick, concrete, ~~stumps~~ untreated wood and uncontaminated soil & rubble.

V. Continuation Page Required? Yes No Receiving Signature James H. Fogleson

Evaluation Date 5-20-92 Solid Waste Section Mark S. Fisher

Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

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