NCDENR
NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:												
Lined MSWLF		LCID		YW		Transfer		Compost		SLAS		COUNTY: FORSYTH
Closed MSWLF		HHW		White Goods		Incin		T&P		FIRM		PERMIT NUMBER: 34-90-05
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO	X	SDTF		FILE TYPE: COMPLIANCE

Date of Audit: November 5, 2004 Date of Last Audit: June 25, 2004

FACILITY NAME AND ADDRESS:
H.G. Myers/M.L. Myers Demolition Landfill
7775 Shallowford Road
Lewisville, NC

LCID N34-90-05 Com H.G. Myers Landfill

FACILITY CONTACT NAME AND PHONE NUMBER:
Herbert G. Myers
(336) 766-6887

FACILITY CONTACT ADDRESS:
820 Ellington Drive
Winston-Salem, NC 27104

AUDIT PARTICIPANTS:
Herbert G. Myers, Landfill Operator//H.G. Myers/M.L. Myers Demolition Landfill
Brent S. Rockett, Western Area Supervisor/SWS
James B. Bealle III, Environmental Technician/SWS

STATUS OF PERMIT:
Demolition Landfill Permits
Expired on January 1, 1998

PURPOSE OF AUDIT:
Follow-up Landfill Audit

NOTICE OF VIOLATION(S) (citation and explanation):
No violation(s).

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:
Reference – "Facility Compliance Audit Report, Notice of Violation(s), Status of Past Noted Violations, Other Comments/Suggestions" dated April 3, 2003; and "Facility Compliance Audit Report, Status of Past Noted Violations, Other Comments/Suggestions" dated July 9, 2003, and June 25, 2004:

1. *15A N.C.A.C. 13B, Section .0566(14)* – **RESOLVED**; A 4" PVC pipe has been installed in this area to minimize spring water contact with waste.

OTHER COMMENTS/SUGGESTIONS:

1. The landfill side slope (existing fill area) located on the North end of the property may need future maintenance to include reseeding in Spring, 2005.

2. The H.G. Myers/M.L. Myers Demolition Landfill has been properly closed; and the Landfill Closure Certification correspondence dated September 28, 2004 has been received.

Please contact me if you have any questions or concerns regarding this Audit Report.

_____(signature) Phone: (704) 663-1699

Regional Representative

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

Delivered on: November 17, 2004 **by**		Hand Delivery	X	US Mail		Certified Mail [ ]

NCDENR
NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:												
Lined MSWLF		LCID		YW		Transfer		Compost		SLAS		COUNTY: FORSYTH
Closed MSWLF		HHW		White Goods		Incin		T&P		FIRM		PERMIT NUMBER: 34-90-05
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO	X	SDTF		FILE TYPE: COMPLIANCE

Date of Audit: July 9, 2003 Date of Last Audit: April 3, 2003

FACILITY NAME AND ADDRESS:
H.G. Myers/M.L. Myers Demolition Landfill
Shallowford Road
Lewisville, NC

FACILITY CONTACT NAME AND PHONE NUMBER:
Herbert G. Myers
(336) 766-6887

FACILITY CONTACT ADDRESS:
820 Ellington Drive
Winston-Salem, NC 27104

AUDIT PARTICIPANTS:
Brent S. Rockett, Western Area Supervisor/SWS
James B. Bealle III, Environmental Technician/SWS

STATUS OF PERMIT:
Demolition Landfill Permits
Expired on January 1, 1998

PURPOSE OF AUDIT:
Follow-up Landfill Audit

NOTICE OF VIOLATION(S) (citation and explanation):
No *additional* violation(s).

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:
Reference – "Facility Compliance Audit Report, Notice of Violation(s), Status of Past Noted Violations, Other Comments/Suggestions" dated April 3, 2003:

1. *15A N.C.A.C. 13B, Section .0566(14)* – Landfill leachate was observed running out one of the landfill side slopes and into the surface water feature located on the North end of the property. Landfill Operators have been advised to address the leachate problem. Brent S. Rockett, Western Area Supervisor/SWS stated during the meeting intended to provide clarification on the permit application requirements on March 14, 2003, and again during the inspection that

an additional amount of soil cover *must* be placed on top of the landfill to prevent water infiltration. Cover should be sloped properly to prevent standing water in this area.

2. *15A N.C.A.C. 13B, Section .0563(6)(c)* – Landfill Operators are currently working toward obtaining Land Clearing and Inert Debris Landfill and Land Clearing Treatment and Processing Permits to continue operation. LCID Landfill and LC T & P Permit Applications have been resubmitted and are in the process of review.

3. *15A N.C.A.C. 13B, Section .0201(a)* – Landfill Operators are currently working toward obtaining LCID Landfill and LC T & P Permits to continue operation. LCID Landfill and LC T & P Permit Applications have been resubmitted and are in the process of review.

4. *15A N.C.A.C. 13B, Section .0566(2)* – **RESOLVED**; Unacceptable waste materials within the fill area(s) as noted, and along the fence bordering the Southeast property line has been addressed. Verification that the waste was properly disposed has been provided.

5. *15A N.C.A.C. 13B, Section .1105(a)* – **RESOLVED**; Scrap tires have been removed from the property. Verification that the tires were properly disposed has been provided.

6. *15A N.C.A.C. 13B, Section .0564(9)(a)* – The diversion of, and filling in over the surface water feature located on the North end of the property with Beneficial Fill materials continues to be an unresolved issue. The unacceptable waste in this area has been addressed, and the remaining Beneficial Fill Site is now considered to be separate from the existing Demolition Landfill. However, no written correspondence from the *Division of Water Quality* has been received to indicate that a 401 Water Quality Certification has been approved, *or* that less than 150 linear feet of the feature has been disturbed (culverted). Landfill Operators have been advised to obtain and submit applicable written approval from the DWQ regarding the work performed on this issue.

OTHER COMMENTS/SUGGESTIONS:

1. Soil cover *must* be placed on top of the landfill to prevent water infiltration. Cover should be sloped properly to prevent standing water in this area.

2. Many of the landfill side slopes continue to appear to be steeper than 3:1. Landfill Operators are continuing to address the landfill side slopes.

3. The current filling activity consisted of placement of Beneficial Fill materials over the surface water feature located on the North end of the property, separate from the existing Demolition Landfill. Landfill Operators plan to continue to maintain a separation of materials (Beneficial Fill only) in this area to establish proper grades for continued landfill development. Obtain and submit applicable written approval from the DWQ regarding the work performed on this issue.

Please continue to keep me informed of your progress. Upon completion, a Follow-up Landfill Audit is required. Thank you in advance for your cooperation.

Please contact me if you have any questions or concerns regarding this Audit Report.

_____ (signature) Phone: (704) 663-1699
Regional Representative

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

Delivered on: September 5, 2003 **by**		Hand Delivery	X	US Mail		Certified Mail [ ]

NCDENR
NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:											
Lined MSWLF		LCID		YW		Transfer		Compost		SLAS	
Closed MSWLF		HHW		White Goods		Incin		T&P		FIRM	
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO	X	SDTF	

COUNTY: FORSYTH
PERMIT NUMBER: 34-90-05
FILE TYPE: COMPLIANCE

Date of Audit: April 3, 2003 Date of Last Audit: January 30, 2003

FACILITY NAME AND ADDRESS:
H.G. Myers/M.L. Myers Demolition Landfill
Shallowford Road
Lewisville, NC

FACILITY CONTACT NAME AND PHONE NUMBER:
Herbert G. Myers
(336) 766-6887

FACILITY CONTACT ADDRESS:
820 Ellington Drive
Winston-Salem, NC 27104

AUDIT PARTICIPANTS:
Herbert G. Myers, Landfill Operator//H.G. Myers/M.L. Myers Demolition Landfill
Marty L. Myers, Landfill Operator//H.G. Myers/M.L. Myers Demolition Landfill
James B. Bealle III, Environmental Technician/SWS

STATUS OF PERMIT:
Demolition Landfill Permits
Expired on January 1, 1998

PURPOSE OF AUDIT:
Follow-up Landfill Audit

NOTICE OF VIOLATION(S) (citation and explanation):
15A N.C.A.C. 13B, Section .0566(14) – "Leachate shall be properly managed on site through the use of current best management practices." You are in violation of *Section .0566(14)*.

Address the leachate problem by **May 31, 2003**.

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:
Reference – "Landfill Inspection Report, Violations Noted" dated April 20, 2001; "Facility Compliance Audit Report, Notice of Violation(s)" dated August 1, 2002; "Facility Compliance Audit Report, Other Comments/Suggestions" dated August 27, 2002, and January 30, 2003:

1. *15A N.C.A.C. 13B, Section .0563(6)(c)* – Landfill Operators are currently working toward obtaining Land Clearing and Inert Debris Landfill and Land Clearing Treatment and Processing Permits to continue operation.

2. *15A N.C.A.C. 13B, Section .0201(a)* – Landfill Operators are currently working toward obtaining LCID Landfill and LC T & P Permits to continue operation.

3. *15A N.C.A.C. 13B, Section .0566(2)* – Unacceptable waste materials within the fill area(s) as noted has been addressed. Verification that the waste was properly disposed has been provided.

4. *15A N.C.A.C. 13B, Section .1105(a)* – Scrap tires have been removed from the property. However, the Solid Waste Section has not received verification that the tires have been properly disposed.

5. *15A N.C.A.C. 13B, Section .0564(9)(a)* – The diversion of, and filling in over the surface water feature located on the North end of the property with Beneficial Fill materials continues to be an unresolved issue. The unacceptable waste in this area has been addressed, and the remaining Beneficial Fill Site is now considered to be separate from the existing Demolition Landfill. However, no written correspondence from the Division of Water Quality has been received to indicate that a 401 Water Quality Certification has been approved, *or* that less than 150 linear feet of the feature has been disturbed (culverted). Landfill Operators have been advised to obtain and submit applicable written approval from the DWQ regarding the work performed on this issue.

OTHER COMMENTS/SUGGESTIONS:

1. Landfill leachate was observed running out one of the landfill side slopes and into the surface water feature located on the North end of the property. Landfill Operators were advised to address the leachate problem. The SWS recommends that an additional amount of soil cover may be placed in this area to prevent leachate from seeping out of the side slope and into the surface water feature.

2. Many of the landfill side slopes continue to appear to be steeper than 3:1. Landfill Operators agreed to continue to address the landfill side slopes.

3. The current filling activity consisted of placement of Beneficial Fill materials over the surface water feature located on the North end of the property, separate from the existing Demolition Landfill. Landfill Operators plan to continue to maintain a separation of materials (Beneficial Fill only) in this area to establish proper grades for continued landfill development.

4. Unacceptable waste as noted was in the process of being removed along the fence bordering the Southeast property line. Landfill Operators agreed to continue address the unacceptable waste in this area.

5. A meeting took place to provide clarification on the permit application requirements on March 14, 2003.

Please continue to keep me informed of your progress. Upon completion, a Follow-up Landfill Audit is required. Thank you in advance for your cooperation.

Please contact me if you have any questions or concerns regarding this Audit Report.

_____ (signature) Phone: (704) 663-1699
Regional Representative

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

Delivered on: April 17, 2003 **by**		Hand Delivery		US Mail	X	Certified Mail [7001 2510 0004 8287 7538]

NCDENR
NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:												
Lined MSWLF		LCID		YW		Transfer		Compost		SLAS		COUNTY: FORSYTH
Closed MSWLF		HHW		White Goods		Incin		T&P		FIRM		PERMIT NUMBER: 34-90-05
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO	X	SDTF		FILE TYPE: COMPLIANCE

Date of Audit: January 30, 2003 Date of Last Audit: August 27, 2002

2003

FACILITY NAME AND ADDRESS:
H.G. Myers/M.L. Myers Demolition Landfill
Shallowford Road
Lewisville, NC

FACILITY CONTACT NAME AND PHONE NUMBER:
Herbert G. Myers
(336) 766-6887

FACILITY CONTACT ADDRESS:
820 Ellington Drive
Winston-Salem, NC 27104

AUDIT PARTICIPANTS:
Herbert G. Myers, Landfill Operator//H.G. Myers/M.L. Myers Demolition Landfill
Marty L. Myers, Landfill Operator//H.G. Myers/M.L. Myers Demolition Landfill
Jim Bryan, Environmental Health Supervisor/Forsyth County
Jeff Vaughn, Zoning Inspector//Winston-Salem/Forsyth County
Wendy Simmons, Waste Management Specialist/SWS
Timothy A. Jewett, Western Area Engineer/SWS
Brian N. Polk, Safety Consultant//HWS/SWS
James B. Bealle III, Environmental Technician/SWS

STATUS OF PERMIT:
Demolition Landfill Permits
Expired on January 1, 1998

PURPOSE OF AUDIT:
Follow-up Landfill Audit

NOTICE OF VIOLATION(S) (citation and explanation):
No *additional* violations(s).

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:

Reference – "Landfill Inspection Report, Violations Noted" dated April 20, 2001; "Facility Compliance Audit Report, Notice of Violation(s)" dated August 1, 2002; and "Facility Compliance Audit Report, Other Comments/Suggestions" dated August 27, 2002:
Landfill Operators are currently in the process of addressing *all* violations as noted in the aforementioned reports.

OTHER COMMENTS/SUGGESTIONS:

All operations (compliance related) appear to be progressing forward:

1. Landfill Operators agreed to discontinue acceptance of waste until all compliance issues are resolved; and schedule a meeting through Timothy A. Jewett, Western Area Engineer/SWS, to include the consultant representing H.G. Myers/M.L. Myers Demolition Landfill. The meeting will be an effort to provide clarification on the permit application requirements in relation to the new proposed plan of operation as per discussion on January 30, 2003, and modification of the existing proposed Operational Plan as previously submitted.

2. Unacceptable waste as noted was in the process of being removed from within the fill area, and along the fence bordering the Southeast property line.

3. Many of the landfill side slopes appeared to be steeper than 3:1. Landfill Operators agreed to continue to address the landfill side slopes. Landfill leachate was observed running out one of the landfill side slopes in close proximity to the surface water feature located on the North end of the property. Landfill Operators agreed to continue to address the leachate problem.

Please continue to keep me informed of your progress. Upon completion, a Follow-up Landfill Audit is required. Thank you in advance for your cooperation.

Please contact me if you have any questions or concerns regarding this Audit Report.

_____(signature) Phone: (704) 663-1699
Regional Representative

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

Delivered on: February 10, 2003 **by**		Hand Delivery	X	US Mail		Certified Mail [ ]

NCDENR
NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:

Lined MSWLF		LCID		YW		Transfer		Compost		SLAS	
Closed MSWLF		HHW		White Goods		Incin		T&P		FIRM	
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO	X	SDTF	

COUNTY: FORSYTH
PERMIT NUMBER: 34-90-05
FILE TYPE: COMPLIANCE

Date of Audit: August 27, 2002 Date of Last Audit: August 1, 2002

FACILITY NAME AND ADDRESS:
H.G. Myers/M.L. Myers Demolition Landfill
Shallowford Road
Lewisville, NC

FACILITY CONTACT NAME AND PHONE NUMBER:
Herbert G. Myers
(336) 766-6887

FACILITY CONTACT ADDRESS:
820 Ellington Drive
Winston-Salem, NC 27104

AUDIT PARTICIPANTS:
Herbert G. Myers, Landfill Operator//H.G. Myers/M.L. Myers Demolition Landfill
Jim Bryan, Environmental Health Supervisor/Forsyth County
Jeff Vaughn, Zoning Inspector//Winston-Salem/Forsyth County
Timothy A. Jewett, Western Area Engineer/SWS
James B. Bealle III, Environmental Technician/SWS

STATUS OF PERMIT:
Demolition Landfill Permits
Expired on January 1, 1998

PURPOSE OF AUDIT:
Follow-up Landfill Audit

NOTICE OF VIOLATION(S) (citation and explanation):
No violations(s).

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:

Reference – "Landfill Inspection Report, Violations Noted" dated April 20, 2001; and "Facility Compliance Audit Report, Notice of Violation(s)" dated August 1, 2002:
Landfill Operators are currently in the process of addressing *all* violations as noted in the aforementioned reports.

OTHER COMMENTS/SUGGESTIONS:

All operations (compliance related) appear to be progressing forward:

1. Landfill Operators have been working diligently to address violations as noted with guidance from Mr. Bryan, for a return to compliance. The work accomplished so far is greatly appreciated!

2. Many of the landfill side slopes appeared to be steeper than 3:1. Landfill Operators agreed to address the landfill side slopes.

3. Landfill leachate was observed running out one of the landfill side slopes in close proximity to the surface water feature located on the North end of the property. Landfill Operators agreed to address the leachate problem.

Please continue to keep me informed of your progress. Upon completion, a Follow-up Landfill Audit is required. Thank you in advance for your cooperation.

Please contact me if you have any questions or concerns regarding this Audit Report.

_____(signature) Phone: (704) 663-1699
Regional Representative

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

Delivered on: November 25, 2002 **by**		Hand Delivery	X	US Mail		Certified Mail [ ]

NCDENR
NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:												
Lined MSWLF		LCID		YW		Transfer		Compost		SLAS		COUNTY: GUILFORD
Closed MSWLF		HHW		White Goods		Incin		T&P		FIRM		PERMIT NUMBER: 34-90-05
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO	X	SDTF		FILE TYPE: COMPLIANCE

Date of Audit: August 1, 2002 Date of Last Audit: April 20, 2001

FACILITY NAME AND ADDRESS:
H.G. Myers/M.L. Myers Demolition Landfill
Shallowford Road
Lewisville, NC

FACILITY CONTACT NAME AND PHONE NUMBER:
Herbert G. Myers
(336) 766-6887

FACILITY CONTACT ADDRESS:
820 Ellington Drive
Winston-Salem, NC 27104

AUDIT PARTICIPANTS:
Herbert G. Myers, Landfill Operator//H.G. Myers/M.L. Myers Demolition Landfill
Wendy Simmons, Waste Management Specialist/SWS
James B. Bealle III, Environmental Technician/SWS

STATUS OF PERMIT:
Demolition Landfill Permits
Expired on January 1, 1998

PURPOSE OF AUDIT:
Semi-annual Comprehensive Landfill Audit

NOTICE OF VIOLATION(S) (citation and explanation):
15A N.C.A.C. 13B, Section .0563(6) – "Landfills that are currently permitted as demolition landfills are required to comply with the following: *(c)* Existing demolition landfills must comply with the siting criteria requirements of these Rules as of January 1, 1998 or cease operations and close in accordance with these Rules." You are in violation of *Section .0563(6)(c)*. A Land Clearing and Inert Debris Landfill Permit Application has been received and is in the process of review.

15A N.C.A.C. 13B, Section .0201(a) – "No person shall establish or allow to be established on his land, a solid waste management facility, or otherwise treat, store, or dispose of solid waste unless a permit for the facility has been obtained from the Division." You are in violation of *Section .0201(a)*. A Land Clearing Treatment and Processing Permit Application has been received and is in the process of review.

15A N.C.A.C. 13B, Section .0566(2) – "The facility shall only accept those solid wastes which it is permitted to receive." You are in violation of *Section .0566(2)*.

15A N.C.A.C. 13B, Section .1105(a) – "No person, other than a person exempted by *N.C.G.S.§130A-309.57(d)*, shall establish, operate or maintain, or allow to be established, operated or maintained upon his land, a scrap tire collection site or scrap tire disposal site unless a permit for the site has been obtained from the Division." You are in violation of *Section .1105(a)*.

15A N.C.A.C. 13B, Section .0564(9) – "The facility shall meet the following minimum buffer requirements: *(a)* 50 feet from the waste boundary to all surface waters of the state as defined in *N.C.G.S.§143-212*." You are in violation of *Section .0564(9)(a)*.

Address the following:
1. Cease all landfill operations until an LCID Landfill Permit has been issued by the Division.

2. Cease all grinding operations until an LC T & P Permit has been issued by the Division. As per discussion, modify the existing mulch stockpile as to minimize the potential for fire recurrence (ie. store in windrows) by **October 31, 2002**.

3. Remove all unacceptable waste materials (ie. construction and demolition waste, scrap tires, gas tanks, etc.) by **October 31, 2002**. Verification that the unacceptable waste materials have been properly disposed of at a State Permitted Solid Waste Management Facility will be required. Please submit receipts and any related correspondence.

4. Obtain approval for the diversion of, and filling in over the surface water feature located on the North end of the property.

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:

Reference – "Landfill Inspection Report, Violations Noted" dated April 20, 2001:

A. *15A N.C.A.C. 13B, Section .0201(a)* – LCID Landfill and LC T & P Permit Applications have been received and are in the process of review.

B. *15A N.C.A.C. 13B, Section .0566(2)* – Unacceptable waste noted has not been removed. Additional unacceptable waste was observed on August 1, 2002.

C. *15A N.C.A.C. 13B, Section .1105(a)* – All scrap tires noted were still present on August 1, 2002.

D. *15A N.C.A.C. 13B, Section .0564(9)(a)* – Approval for the diversion of, and filling in over the surface water feature located on the North end of the property was not obtained prior to the work being performed.

OTHER COMMENTS/SUGGESTIONS:

Please keep me informed of your progress. Upon completion, a Follow-up Landfill Audit is required. Thank you in advance for your cooperation. Please contact me if you have any questions or concerns regarding this Audit Report.

_____(signature) Phone: (704) 663-1699
Regional Representative

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

Delivered on: August 15, 2002 **by**		Hand Delivery		US Mail	X	Certified Mail [7001 2510 0005 0287 9474]

Compliance

LANDFILL INSPECTION REPORT

Facility Information: Land Clearing and Inert Debris Landfill
Shallowford Road
Lewisville, NC
Permit No. 34-90-05

Facility Contact: Herb Myers, Property Owner

Facility Components and Permit Status:
Operations at the site include a land clearing and inert debris landfill. This facility was originally permitted as a demolition landfill February 23, 1990.

Inspection Participants: Wendy Simmons, NC Solid Waste Section
Herb Myers, Property Owner

Inspection Date: April 20, 2001

Purpose of Inspection: To audit the land clearing and inert debris landfill

Violations Noted:

A. 15A North Carolina Administrative Code 13B .0201(a) states that "No person shall establish or allow to be established on his land, a solid waste management facility, or otherwise treat, store, or dispose of solid waste unless a permit for the facility has been obtained from the Division." Land clearing debris is being treated and processed at your facility, and the Division has not issued a permit that allows for this activity.

B. 15A NC Admin. Code 13B .0566(2) requires LCID landfills to "only accept those solid wastes which it is permitted to receive." Materials other than land clearing and inert debris (e.g. carpet, basketball hoop, painted wood, painted blocks, plastic buckets, etc.) were observed to be mixed in with the land clearing and inert debris. Additionally, several piles of gas tanks and scrap tires were observed beyond the landfill boundary at the back of the property.

C. 15A NC Admin. Code 13B .1105(a) states that "No person, other than a person exempted by G.S. 130A-309.57(d) shall establish, operate or maintain, or allow to be established, operated or maintained upon his land, a scrap tire collection site or scrap tire disposal site unless a permit for the site has been obtained from the Division." Several piles of scrap tires were observed at the back of the property.

D. 15A NC Admin. Code 13B .0564(9)(a) requires LCID facilities to maintain a minimum buffer requirement of "50 feet from the waste boundary to all surface

waters of the state as defined in G.S. 1443-212." Permission was never given allowing for the piping of the spring that crosses the property or the filling of the area over the spring with inert debris. Discussions in November 1997 with the Division's Winston-Salem Regional Office made it clear that the spring could only be piped with concrete and covered with uncontaminated soil, maintaining 50 feet buffers on each side of the spring.

Comment/Suggestions:

1. Cease production of mulch until a permit is issued by the Division for the treatment and processing of land clearing debris.

2. Remove all unacceptable solid waste and transport to an approved solid waste disposal facility by May 31, 2001.

3. Provide verification that the waste was taken to an approved facility. Receipts of disposal will be required.

4. All waste must be 50 feet from the spring. All waste within the buffer should be removed and taken to an approved facility. Only uncontaminated soil may be used within the 50 feet buffers.

RECORD OF COMMUNICATION

☐ PHONE CALL ☐ DISCUSSION ☐ FIELD TRIP ☐ CONFERENCE
☐ OTHER (SPECIFY)

(Record of item checked above)

TO: Brent B/ Rockett

FROM: Hugh Jernigan

DATE 7/7/97

TIME

SUBJECT Mr: A.C. Quate called Complaint

SUMMARY OF COMMUNICATION

Forsyth Co:

~~Shallowford~~ Rd just west of Lewisville
Shallowford

Herb Myres operator of a Landfill and Mr Quate says it is in bad condition

Stated he has talked to Brent B.

He would like for someone to call him and inspect site → 945-4435

7/8/97 Spoke w/Mr. Rockett re: Myers LF - looked at it on 6/29/97 no violation.

CONCLUSIONS, ACTION TAKEN OR REQUIRED

INFORMATION COPIES

TO:

EPA Form 1300-6 (7-72)

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 Permit # 34-90-05 County FORSYTH

Name of Facility HERB & MARTY MYERS Location SHALLOWFORD RD. CLEMMONSVILLE N.C.

Date of Last Evaluation —

I. Permit Conditions Followed ✓ Yes ____ No ____ N/A

A. Specific Condition(s) Violated

II. Operational Requirements Followed ✓ Yes ____ No

15A N.C. Admin. Code 13B Section

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

III. Other Violations of Rule or Law

IV. Evaluator's Comments SITE IN VERY GOOD CONDITION TODAY. OPERATOR TOLD TO CLEAN OUT SEDIMENT BASIN BEFORE TO LONG. 25% OF BASIN CAPACITY IS FILLED IN WITH SEDIMENT AT THIS TIME.

V. Continuation Page Required? ____ Yes ✓ No Receiving Signature

Evaluation Date 2-17-94 Solid Waste Section [signature], R.S.

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

Solid Waste Section (Review 7/94)

Division of Environmental Health and Laboratory

Fred G. Overstreet
DIRECTOR

Health Department

Dr. Thomas R. Dundon
DIRECTOR

December 17, 1990

Herb Myers
Lewisville Motors
5600 Country Club Road
Lewisville, N. C. 27023

RE: Notice of Violation 05
Permit Number: 34-90-~~N~~

Dear Mr. Myers:

Please respond in writing to the items marked on the attached inspection sheet within (10) days of receipt of this notice of violation. Failure to respond appropriately shall be reason to suspend/revoke your operating permit.

Please call 727-2272 weekdays between 7:00-4:00.

Sincerely,

DIVISION OF ENVIRONMENTAL HEALTH

Jim Bryan, R.S.

Jim Bryan, R.S.
Environmental Health Supervisor

JB:jk

Cool / FAIR 55-60°F
WEATHER CONDITIONS

N. DEPARTMENT OF HUMAN RESOURC
DIVISION OF HEALTH SERVICES
INSPECTION FOR S~~ANITARY~~ LANDFILLS
Demolition

34-90-05
PERMIT NUMBER

NAME OF SITE	COUNTY
HERB MYERS	FORSYTH
LOCATION	SIGNATURE OF PERSON(S) RECEIVING REPORT
SHALLOWFORD RD, LEWISVILLE, N.C.	

SIR: AN INSPECTION OF YOUR LAND DISPOSAL SITE HAS BEEN MADE THIS DATE AND YOU ARE NOTIFIED OF THE VIOLATIONS, IF ANY, MARKED BELOW WITH A CROSS (X).

(1) PLAN AND PERMIT REQUIREMENTS
- ____ (a) Construction plans shall be approved and followed.
- ____ (b) Specified monitoring and reporting requirements shall be met.

(2) SPREADING AND COMPACTING REQUIREMENTS
- ____ (a) Solid waste shall be restricted into the smallest area feasible.
- ____ (b) Solid waste shall be compacted as densely as practical into cells.

(3) COVER REQUIREMENTS
- ____ (a) Solid waste shall be covered after each day of operation, with a compacted layer of at least six inches of suitable cover or as specified by the division.
- ____ (b) Areas which will not have additional wastes placed on them for 12 months or more shall be covered with a minimum of one foot of intermediate cover.
- ____ (c) After final termination of disposal operations at the site or a major part thereof or upon revocation of a permit, the area shall be covered with at least two feet of suitable compacted earth.

(4) EROSION CONTROL REQUIREMENTS
- ____ (a) Adequate erosion control measures shall be practiced to prevent silt from leaving the site.
- ____ (b) Adequate erosion control measures shall be practiced to prevent excessive on-site erosion.

(5) DRAINAGE CONTROL REQUIREMENTS
- ____ (a) Surface water shall be diverted from the operational area.
- ____ (b) Surface water shall not be impounded over or in waste.
- ____ (c) Completed areas shall be adequately sloped to allow surface water runoff in a controlled manner.

(6) VEGETATION REQUIREMENTS
- ____ (a) Within six months after final termination of disposal operations at the site on a major part thereof or upon revocation of a permit, the area shall be stabilized with native grasses.
- ____ (b) Temporary seeding will be utilized as necessary to stabilize the site.

(7) WATER PROTECTION REQUIREMENTS
- ____ (a) The separation distance of four (4) feet between waste and water table shall be maintained unless otherwise specified by the division in the permit.
- ____ (b) Solid waste shall not be disposed of in water.
- ____ (c) Leachate shall be contained on site or properly treated prior to discharge. An NPDES permit may be required prior to the discharge of leachate to surface waters.

(8) ACCESS AND SECURITY REQUIREMENTS
- ____ (a) The site shall be adequately secured by means of gates, chains, berms, fences, and other security measures approved by the division, to prevent unauthorized entry.
- ____ (b) An attendant shall be on duty at the site at all times while it is open for public use to ensure compliance with operational requirements.
- ____ (c) The access road to the site shall be of all-weather construction and maintained in good condition.
- ____ (d) Dust control measures shall be implemented where necessary.

(9) SIGN REQUIREMENTS
- ____ (a) Signs providing information on dumping procedures, the hours during which the site is open for public use, the permit number and other pertinent information shall be posted at the site entrance.
- ____ (b) Signs shall be posted stating that no hazardous or liquid waste can be received without written permission from the division.
- ____ (c) Traffic signs or markers shall be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.

(10) SAFETY REQUIREMENTS
- ____ (a) Open burning of solid waste is prohibited.
- ____ (b) Equipment shall be provided to control accidental fires or arrangements shall be made with the local fire protection agency to immediately provide fire-fighting services when needed.
- ____ (c) Fires that occur at a sanitary landfill shall be reported to the division within 24 hours and a written notification shall be submitted within 15 days.
- ____ (d) The removal of solid waste from a sanitary landfill is prohibited unless the owner/operator approves and the removal is not performed on the working face.
- ____ (e) Barrels and drums shall not be disposed of unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein.

(11) WASTE ACCEPTANCE AND DISPOSAL REQUIREMENTS
- ____ (a) A site shall only accept those solid wastes which it is permitted to receive.
- ____ (b) No hazardous, liquid, or infectious waste shall be accepted or disposed of in a sanitary landfill except as may be approved by the division.
- ____ (c) Spoiled foods, animal carcasses, abattoir waste, hatchery waste, and other animal waste delivered to the disposal site shall be covered immediately.
- ____ (d) Asbestos waste that is packaged in accordance with 40 CFR 61, as amended through January 1, 1985, may be disposed of separate and apart from other solid wastes at the bottom of the working face or in an area not contiguous with other disposal areas, in either case, in virgin soil. Separate areas shall be clearly marked so that asbestos is not exposed by future land-disturbing activities. The waste shall be covered immediately with soil in a manner that will not cause airborne conditions. Copies of 40 CFR 61 may be obtained and inspected at the Solid and Hazardous Waste Management Branch, Division of Health Services, P. O. Box 2091, Raleigh, NC, 27602.

(12) MISCELLANEOUS REQUIREMENTS
- ____ (a) Effective vector control measures shall be applied to control flies, rodents, and other insects or vermin when necessary.
- ____ (b) Appropriate methods such as fencing and diking shall be provided within the area to confine solid waste subject to be blown by the wind. At the conclusion of each day of operation, all windblown material resulting from the operation shall be collected and returned to the area by the owner or operator.

REMARKS: AT THE TIME OF THIS INSPECTION I FOUND THE SITE IN SATISFACTORY CONDITION. THANK YOU

DATE: 12-06-90 NAME: Jim Bryan, E.H.S., R.S.
Solid and Hazardous Waste Management Branch

DHS 1709 (Revised 4/85)
Solid & Hazardous Waste Management Branch (Review 4/86) (white — Raleigh Office yellow — Facility green — Preparer)

75°F & Sunny
WEATHER CONDITIONS

N.C. DEPARTMENT OF HUMAN RESOURCES
DIVISION OF HEALTH SERVICES
INSPECTION FOR SANITARY LANDFILLS

34-90-05
PERMIT NUMBER

NAME OF SITE: Herb Myers	COUNTY: Forsyth
LOCATION: Shallowford Rd	SIGNATURE OF PERSON(S) RECEIVING REPORT: Jeffrey Myers

SIR: AN INSPECTION OF YOUR LAND DISPOSAL SITE HAS BEEN MADE THIS DATE AND YOU ARE NOTIFIED OF THE VIOLATIONS, IF ANY, MARKED BELOW WITH A CROSS (X).

(1) PLAN AND PERMIT REQUIREMENTS
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REMARKS: Site construction thus far excellent. site access control very good.

DATE: 5-11-90 NAME: Jim Bryan
Solid and Hazardous Waste Management Branch

DHS 1709 (Revised 4/85)
Solid & Hazardous Waste Management Branch (Review 4/86) (white — Raleigh Office yellow — Facility green — Preparer)