

LCIDN51 Com Howard's Stump
Dump

Notified LCIDLF
Johnston Co.
NOV



North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor
Dexter Matthews Division
Director

William G. Foss Jr., Secretary

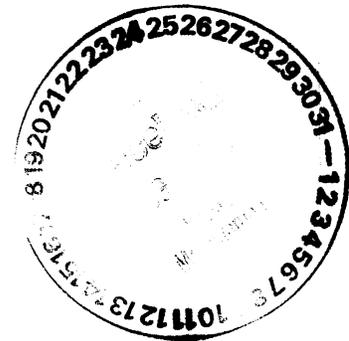
Raleigh Regional Office

DIVISION OF WASTE MANAGEMENT

August 17, 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Certification # 70051160000441855605
Howards Stump Dump
c/o Mr. Frank E. Howard
22 Seven Oaks Drive
Clayton, North Carolina 27520



RE: **Notice of Violation**
Howard's Stump Dump
Notified LCIDLF
Johnston County

Dear Mr. Howard:

Pursuant to North Carolina General Statute 130A-22(a) and to 15A North Carolina Administrative Code 13B, I conducted an inspection on August 9, 2005, of the Howard's Stump Dump Notified LCID Landfill, located at 254 Peele Rd. Clayton, Johnston County, North Carolina. The inspection found the Land Clearing and Inert Debris 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 (5) OPERATIONAL REQUIREMENTS FOR LAND CLEARING AND INERT DEBRIS LANDFILLS which states in part that "120 calendar days after completion of any phase of disposal operations, or upon revocation of a permit the disposal area shall be covered with a minimum of one foot of suitable soil cover sloped to allow surface water runoff in a controlled manner".

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The Howard's Stump Dump is in violation of 15A N.C. Admin. Code 13B in that: the facility was ordered to close by the Johnston Co. Planning and Inspections Dept on January 25, 2005 due to the expiration of the special use permit on that same date. You were instructed to have the waste material covered and seeded within 120 days after this January 25, 2005. During the August 9, 2005 visit I observed that all of the waste is not covered.

Based upon the foregoing, the following actions will bring Howard's Stump Dump into compliance with this Notice of Violation. The actions to be taken by September 30, 2005 are:

- 1. Make sure no waste is dumped within 100 feet of the property line, or residential dwellings, commercial or public buildings and wells.*
- 2. Remove all solid waste except that which is land clearing and inert debris and transport to a solid waste disposal facility permitted to receive that type of waste.*
- 3. Compact the remainder of the waste as densely as possible into a mound leaving 2:1 or lesser slopes along all sides of the waste pile. Cover the waste (top and side slopes) with one foot or more of suitable, compacted earth.*
- 4. Implement erosion control measures by grading and seeding the site.*
- 5. Post signs stating that no dumping is allowed, and prevent unauthorized entry to the site by means of gates, berms, or fences.*

Pursuant to N 13B: N.C.G.S. 130A-22(a) and 15A N.C. Admin. Code 13B, Section .0701 - .0707, an administrative penalty of up to \$5,000.00 per day may be assessed for violations of the Solid Waste Law or Regulations.

If you have any questions concerning this matter, please contact me at (919) 571 4700.

Sincerely,



Ben Barnes
Waste Management Specialist
Solid Waste Section

cc:

Mark Poindexter, Field Operations Branch Head
John Crowder, Eastern District Supervisor