



July 8, 2010

Ms. Mary Whaley
Environmental Senior Specialist
North Carolina Dept. of Environment and Natural Resources
Division of Waste Management - Solid Waste Section
P.O. Box 59
Oxford NC, 27565

Re: Site Inspection Closure Report
Stump Dump LCID Landfill (Solid Waste Permit No. 51-E)
Johnston County, North Carolina

Dear Ms. Whaley:

On behalf of Stump Dump, Inc., Richardson Smith Gardner & Associates, Inc. (RSG) is providing this report to document site closure activities as outlined in correspondence dated June 10, 2010 (**Attachment 1**). As you outlined in your letter, to complete closure we have included this letter of certification and documentation of verification activities. We have also included the certified letter of closure (**Attachment 2**), recorded with the Johnston County Register of Deeds.

Background

The Stump Dump, Inc. originally submitted a two (2) acre notification to the Division of Waste Management (DWM) on June 15, 1997. On June 15, 1998 the Stump Dump LCID Landfill (SD) was permitted by the DWM as Permit No. 51-E (**Attachment 3**). The site is operated by Larry and Kay Boyette of Clayton, NC. As the Section is aware, on February 27, 2010, a fire occurred at SD triggering several violations summarized in a Compliance Order With Administrative Penalty letter dated April 13, 2007 (**Attachment 4**). The compliance order was closed by a Facility Compliance Audit Report dated January 3, 2008 (**Attachment 4**) and since the issuance of the order, the site has ceased taking waste and is pursuing closure.

Verification Activities

The site entrance is off of Loop Road, north of downtown Clayton, NC. As the Section is aware, SD contains areas of beneficial fill, a LCID area affected by fire and re-covered, and a historically vegetated area that was not affected by the fire, shown on the attached **Figure 1**. Subsequent to conversations with SD and the Section, only the area affected by the fire and re-covered required verification. The slopes appear to be graded properly and vegetation is established. There appears to be no off-site erosion.

To begin the verification process, RSG created a 100'x100' numbered grid (shown on **Figure 1**) to cover all disposal areas. RSG then performed a site visit on June 17th and 18th to place numbered flags across the site, corresponding with the grid numbers. Mr. Boyette augered or dug holes at each flag location and left open for verification.

RSG conducted another site visit on June 28th to perform cover verification. Mr. Boyette informed RSG that he had used three (3) methods to excavate the verification holes. He had begun using a motorized auger, but the ground was too hard and caused auger refusal. Most of the holes were dug with a mini excavator bucket. Locations that were not accessible by the excavator were dug by post-hole digger. RSG proceeded to measure the depth of the holes or the depth to waste to verify at least 12 inches of soil cover. These measurements were recorded with their associated grid numbers and are summarized in the **attached Table 1**. While verifying the cover depth, RSG delineated the separate disposal areas of the landfill, and verified only the required areas (shown on **Figure 1**)

It is the opinion of RSG that all test (hole/pit) locations confirmed a minimum of 12 inches of cover or greater in accordance with 15A NCAC 13B .0566 at all verification locations. Please note this verification does not include the areas of beneficial fill or the historically vegetated area not affected by fire.

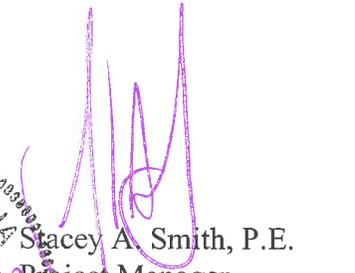
We appreciate the Division's assistance in this matter. Should you have any questions or require clarification, please contact us at (919) 828-0577 by email.

Sincerely,

Richardson Smith Gardner & Associates, Inc.



Don Misenheimer
Project Scientist
don@rsgengineers.com
ext. 224



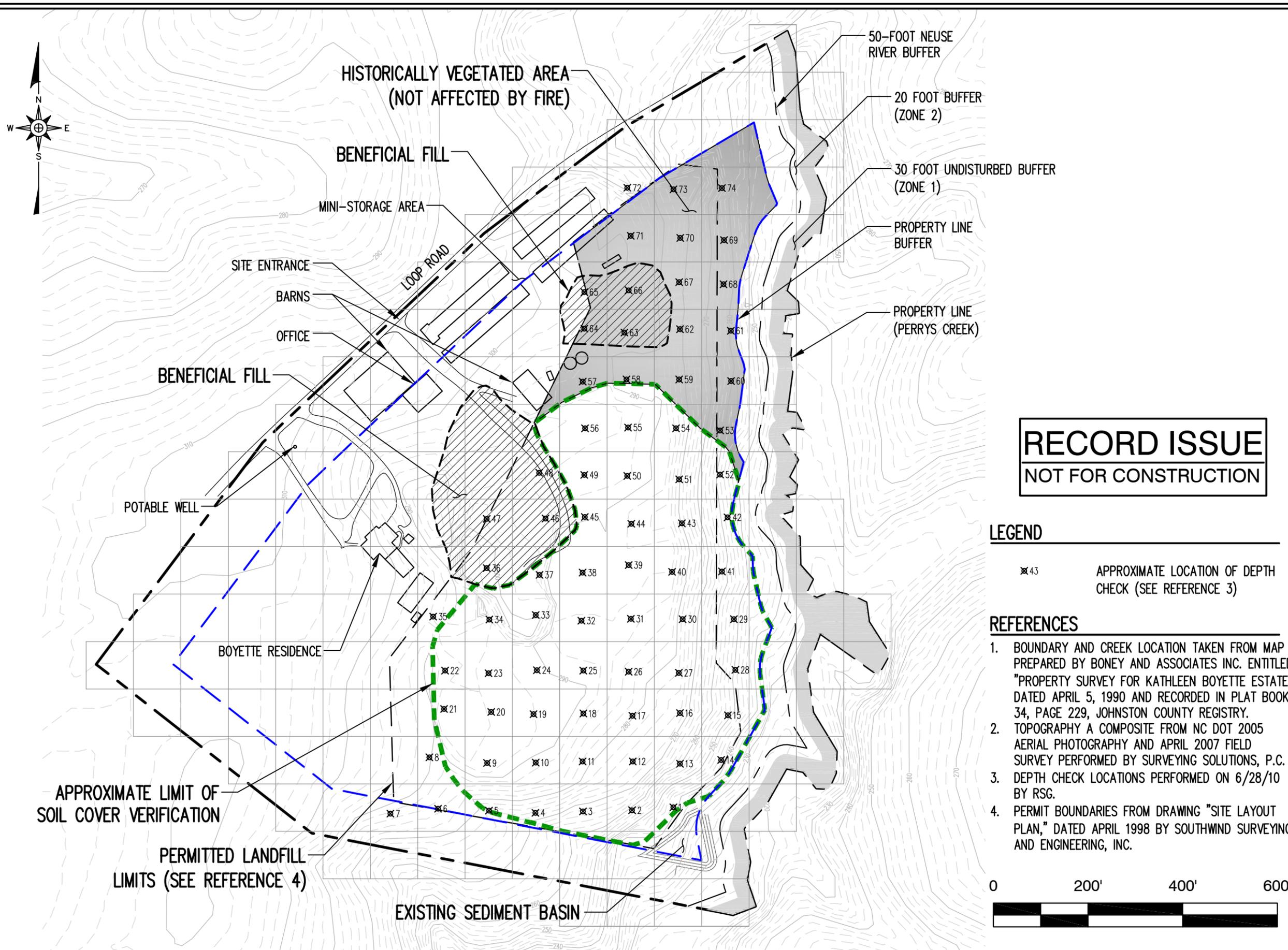
Stacey A. Smith, P.E.
Project Manager
stacey@rsgengineers.com
ext. 127

Att.

Cc: Mr. and Mrs. Larry Boyette, Stump Dump, Inc.
Mr. Ed Mussler III, P.E., NCDENR
Mr. Mark Poindexter, NCDENR
File

FIGURE

G:\CAD\Stump Dump Inc\Stump 07-1\sheet\STUMP_B0017.dwg - 7/6/2010 5:33 PM



HISTORICALLY VEGETATED AREA
(NOT AFFECTED BY FIRE)

BENEFICIAL FILL

MINI-STORAGE AREA

SITE ENTRANCE

BARNs

OFFICE

BENEFICIAL FILL

POTABLE WELL

BOYETTE RESIDENCE

APPROXIMATE LIMIT OF
SOIL COVER VERIFICATION

PERMITTED LANDFILL
LIMITS (SEE REFERENCE 4)

EXISTING SEDIMENT BASIN

50-FOOT NEUSE
RIVER BUFFER

20 FOOT BUFFER
(ZONE 2)

30 FOOT UNDISTURBED BUFFER
(ZONE 1)

PROPERTY LINE
BUFFER

PROPERTY LINE
(PERRYS CREEK)

RECORD ISSUE
NOT FOR CONSTRUCTION

LEGEND

⊗ 43 APPROXIMATE LOCATION OF DEPTH
CHECK (SEE REFERENCE 3)

REFERENCES

1. BOUNDARY AND CREEK LOCATION TAKEN FROM MAP PREPARED BY BONEY AND ASSOCIATES INC. ENTITLED "PROPERTY SURVEY FOR KATHLEEN BOYETTE ESTATE" DATED APRIL 5, 1990 AND RECORDED IN PLAT BOOK 34, PAGE 229, JOHNSTON COUNTY REGISTRY.
2. TOPOGRAPHY A COMPOSITE FROM NC DOT 2005 AERIAL PHOTOGRAPHY AND APRIL 2007 FIELD SURVEY PERFORMED BY SURVEYING SOLUTIONS, P.C.
3. DEPTH CHECK LOCATIONS PERFORMED ON 6/28/10 BY RSG.
4. PERMIT BOUNDARIES FROM DRAWING "SITE LAYOUT PLAN," DATED APRIL 1998 BY SOUTHWIND SURVEYING AND ENGINEERING, INC.



RICHARDSON SMITH GARDNER & ASSOCIATES
www.regengineers.com
14 N. Boylan Ave.
Raleigh, N.C. 27603
ph: 919-826-0577
fax: 919-826-3899

FIGURE NO.	1	FILE NAME	STUMP-B0017
SCALE:	AS SHOWN	PROJECT NO.	STUMP 07-1
CHECKED BY:		DATE:	Jul. 2010
DRAWN BY:	J.A.L.		

TITLE:
**DEPTH CHECK LOCATIONS
THE STUMP DUMP, INC.
LCID LANDFILL
CLAYTON, NORTH CAROLINA**

TABLE

**Stump Dump, Inc.
 LCID Landfill
 Table 1
 Verification Check Locations**

Grid Number	Cover Depth (inches)	Grid Number	Cover Depth (inches)
1	18	38	21
2	18	39	17
3	16	40	12
4	17	41	23
5	14	42	12
6	---	43	15
7	---	44	17
8	12	45	13
9	14	46	---
10	17	47	---
11	12	48	---
12	16	49	20
13	14	50	15
14	12	51	12
15	20	52	15
16	16	53	14
17	22	54	16
18	13	55	12
19	12	56	17
20	14	57	19
21	13	58	13
22	14	59	---
23	12	60	---
24	19	61	---
25	25	62	---
26	14	63	---
27	16	64	---
28	24	65	---
29	16	66	---
30	20	67	---
31	14	68	---
32	13	69	---
33	14	70	---
34	20	71	---
35	14	72	---
36	---	73	---
37	14	74	---

Notes:

- Grid numbers correspond with numbers on Figure 1.
- Data was gathered on June 28, 2010 by RSG.

ATTACHMENT 1



North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

June 10, 2010

Certified Mail No. 7007 2680 0001 7995 6746

Mr. Larry Boyette and Mrs. Kay Boyette
611 Loop Road
Clayton, NC 27520-6958

Subject: Closure of Land Clearing and Inert Debris Landfill
Permit Number 51-E
Johnston County

Dear Mr. and Mrs. Boyette,

The landfill must be closed in accordance with the conditions of Section .0510 and .0566 of the Solid Waste Management Rules. When a disposal site/facility has been closed any future disposal operations will require a new permit. Any activities not associated with the maintenance or monitoring of the closed site/facility may be viewed as operation of the facility, therefore violating North Carolina Solid Waste Management Rules.

In order to complete closure, within 20 days of receipt of this letter, submit a letter of certification, signed by a North Carolina licensed professional engineer, that a minimum of one foot of suitable soil cover has been placed over the entire landfill (utilizing at least 4 random test holes per acre). Within 20 days of receipt of this letter, submit the attached certified copy of the Letter of Closure recorded by the Register of Deeds and indexed in the grantor index under the name of the land owner for this property. The certified copy of the Letter of Closure affixed with the Register's seal and the date, book, and page number of the recording shall be returned to the Solid Waste Section at the following address:

Division of Waste Management
Solid Waste Section
P.O. Box 59
Oxford, NC 27565
Attn: Mary Whaley

Proof of recordation of Permit Number 51-E as required by 15A NCAC 13B .0204, must also be submitted.

POST-CLOSURE MAINTENANCE CONDITIONS

Post-closure maintenance and monitoring for this facility shall consist of whatever measures, procedures, and activities required to maintain this facility in compliance with the following closure conditions specified below. The Owner/Operator shall follow post closure maintenance and monitoring of the above referenced Land Clearing and Inert Debris Landfill in accordance with 15A NCAC 13B .0510 CLOSURE CONDITIONS, 15A NCAC 13B .0564 SITING CRITERIA, and 15A NCAC 13B .0566 OPERATIONAL REQUIREMENTS which require in part:

1. Any future disposal at the site shall require a new permit.
2. A buffer of 100 feet shall be maintained from the disposal area to property lines, residential dwellings, commercial or public buildings, and wells. A buffer of 50 feet shall be maintained from the waste boundary to all surface waters of the state as defined in G.S. 143-212.
3. The disposal area shall be maintained with a minimum of one foot of suitable soil cover sloped to allow surface water runoff in a controlled manner and maintained with ground cover sufficient to restrain erosion. Trees and other woody vegetation will not be allowed to grow on top of the disposal area.
4. Adequate erosion control measures, structures, or devices shall be utilized to prevent silt from leaving the site and to prevent excessive on site erosion.
5. Surface water shall not be impounded over waste.
6. Leachate shall be properly managed on site through the use of current best management practices.
7. The facility shall be adequately secured by means of gates, chains, berms, fences, etc. to prevent unauthorized access.
8. The Division may require further action in order to correct any condition which is or may become injurious to the public health, or a nuisance to the community.
9. Ground water separation of four (4) feet shall be maintained and/or devices utilized to maintain ground water at four (4) feet shall remain.
10. If methane monitoring wells and/or groundwater monitoring wells are required at the site they shall be maintained for the purposes of monitoring.

If you have any questions, please contact me at 919-693-5023.

Sincerely,



Mary Whaley

Environmental Senior Specialist

cc: Mark Poindexter, Field Office Branch Supervisor
Dennis Shackelford, Eastern District Supervisor
Ed Mussler, Permitting Branch Supervisor
Joan Smyth, Richardson Smith Gardner and Associates, Inc.

ATTACHMENT 2



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

SOLID WASTE SECTION

LAND CLEARING AND INERT DEBRIS LANDFILL
LETTER OF CLOSURE
FACILITY PERMIT NUMBER 51-E

Date: July 6, 2010

Larry Boyette and Kay Boyette are hereby issued a LETTER OF CLOSURE for the Land Clearing and Inert Debris Landfill located off of Loop Road on property described in deed recorded in BOOK: 1190 AND PAGE: 794 , in Clayton (Town/city), Johnston County, North Carolina in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this LETTER OF CLOSURE.

For any permit issued by the DWM to be valid it must have been recorded as specified in the Permit. The certification of recordation was received by the Solid Waste Section: Permit Number 51-E is recorded in BOOK: 72 AND PAGE: 881 and MAP CABINET: 52 and PAGE: 256 in the Johnston County Register of Deeds.

POST-CLOSURE MAINTENANCE AND CONDITIONS

Post-closure maintenance and monitoring for this facility shall consist of whatever measures, procedures, and activities required to maintain this facility in compliance with the following closure conditions specified below:

Note: The Facility consists of the disposal unit and 100 feet of buffer or to property line, whichever is less, surrounding the disposal unit.

1. Any future disposal at the site shall require a new permit.
2. The Facility shall not be developed or utilized for residential, commercial, industrial, or institutional purposes, including but not limited to above- or below-ground construction or improvements such as utilities, roads, parking lots and sidewalks, except for any construction and improvements which are approved by DENR.
3. No surface or subsurface native or fill earthen materials may be removed from the Facility without the written permission of DENR or its successor in function. There shall be no alteration, disturbance or removal of the existing soil, landscape and contours, other than DENR-approved erosion control measures, unless approved by DENR.

4. The Facility shall be maintained in accordance with 15A NCAC 13B .0564 SITING CRITERIA, and 15A NCAC 13B .0566 OPERATIONAL REQUIREMENTS which require in part:
 - a. A buffer of 100 feet shall be maintained from the disposal area to property lines, residential dwellings, commercial or public buildings, and wells. A buffer of 50 feet shall be maintained from the waste boundary to all surface waters of the state as defined in G.S. 143-212.
 - b. The disposal area shall be maintained with a minimum of one foot of suitable soil cover sloped to allow surface water runoff in a controlled manner and maintained with ground cover sufficient to restrain erosion. Trees and other woody vegetation will not be allowed to grow on top of the disposal area.
 - c. Adequate erosion control measures, structures, or devices shall be utilized to prevent silt from leaving the site and to prevent excessive on site erosion.
 - d. Surface water shall not be impounded over waste.
 - e. Leachate shall be properly managed on site through the use of current best management practices.
 - f. The facility shall be adequately secured by means of gates, chains, berms, fences, etc. to prevent unauthorized access.
5. The Facility shall not be used for mining, extraction of coal, oil, gas or any other minerals or non-mineral substances unless approved by DENR.
6. Any surface or underground water shall not be used for any purpose. The installation of groundwater wells or other devices for access to groundwater for any purpose other than monitoring groundwater quality or remediation of groundwater contamination in accordance with a DENR approved remediation plan is prohibited.
7. Ground water separation of four (4) feet shall be maintained and/or devices utilized to maintain ground water at four (4) feet shall remain;
Solid waste, vehicles, mobile homes and offices, appliances and other materials, including waste materials, recyclables, and virgin materials, shall not be disposed or stored on the Facility unless they are necessary to implement a DENR approved remediation plan.
8. Activities necessary to remediate contamination at the Facility, maintain the security of the Facility, prevent human exposure to contaminated materials, and to prevent erosion of contaminated soil at the Facility are permitted, if approved in writing in advance by DENR or its successor in function.
9. All other uses and activities at the Facility are prohibited unless approved in writing in advance by DENR or its successor in function.
10. No person conducting environmental assessment or remediation at the property, or involved in determining compliance with applicable land use restrictions, at the direction of, or pursuant to a permit or order issued by, DENR or its successor in function may be denied access to the property for the purpose of conducting such activities.
11. If methane monitoring wells and/or groundwater monitoring wells are required at the site they shall be maintained for the purposes of monitoring.
12. The Division may require further action in order to correct any condition which is or may become injurious to the public health, or a nuisance to the community.

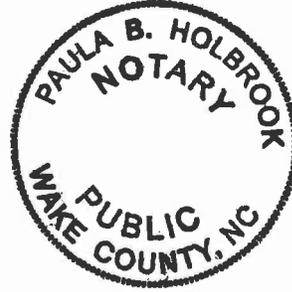
In WITNESS WHEREOF, the owner/operator hereby agrees to the preceding terms, as evidenced by the signatures set forth below.

Yancy Bennett *July 6 - 10*
 Owner / Operator Date

**Land Clearing and Inert Debris Landfill Permit Number 51-E
 State of North Carolina, County of Johnston**

Sworn to and subscribed before me this 6 day of July, 2010.

Paula B. Holbrook
Notary Public



My Commission Expires: ~~My Commission Expires 9-12-2012~~

ATTACHMENT 3

18020
SEND TO:
SOLID WASTE SECTION
225 GREEN ST; SUITE 601
FAYETTEVILLE, NC 28301
ATTN: JIM BOWSER

CERTIFIED COPY OF SOLID WASTE PERMIT

I do hereby certify that the attached permit is an exact and true copy of Permit Number 51-E.

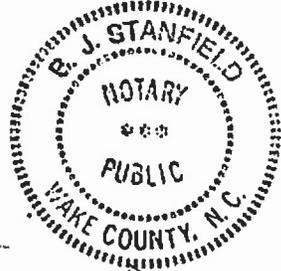
James C. Coffey
James C. Coffey, Supervisor
Permitting Branch
Solid Waste Section

North Carolina

Wake County

I, B. J. Stanfield, a Notary Public for said County and State, do hereby certify that James C. Coffey, Supervisor, Permitting Branch, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal, this the 15 day of July, 1998



B. J. Stanfield
Notary Public

My commission expires DECEMBER 29, 1999.

NORTH CAROLINA — JOHNSTON COUNTY
The foregoing certificate/s of B. J. Stanfield
Notary Public/Notaries Public is/are certified to be correct.
Filed for registration and recorded in this office in Book 1721, Page 881
This 2 day of July, 1998 at 8:15 o'clock A. M.
Phyllis M. Ward Register of Deeds By Clayton W. Patton Asst. Deputy Register of Deeds

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT

June 15, 1998



JAMES B. HUNT JR.
GOVERNOR

WAYNE MCDEVITT
SECRETARY

WILLIAM L. MEYER
DIRECTOR

Mr. Larry Boyette, Landowner
Mrs. Kay Boyette, Landowner
Stump Dump Inc.
611 Loop Road
Clayton, North Carolina 27520

Subject: Stump Dump Inc. Land Clearing and Inert Debris Landfill
Clayton, Johnston County, North Carolina
Permit # 51-E

Dear Mr. & Mrs. Boyette:

Enclosed please find a Solid Waste Permit, Conditions of the Solid Waste Permit, and a Certified Copy of the Solid Waste Permit for the above referenced Land Clearing & Inert Debris(LCID)landfill. This is a PERMIT TO CONSTRUCT and OPERATE Phase 1(Areas 1 & 2), as shown on sheet C1B in the approved plans.

Please note Condition No. 3, which states that this permit shall not be effective unless the certified copy is filed in the Register of Deeds office and the copy is returned to the Solid Waste Section, within thirty (30) working days, from date received, with the page and book number, date of recordation, and Register's seal.

Also note Condition No. 9, which requires that we hold a pre-operative meeting and that outlines the pre-operative conditions that need to be met prior to operation. Please contact Robert Hearn, Environmental Technician when you are ready to schedule a meeting. Mr. Hearn can be reached in our Raleigh Regional Office at (919) 571-4700. If you have questions about your permit, please contact me at (910) 486-1191.

Sincerely,

Jim Barber
Eastern Area Engineer
Solid Waste Section

cc: Jim Coffey
Terry Dover
Robert Hearn
Raleigh Central File: Permit # 51-E : Johnston County file

FAYETTEVILLE REGIONAL OFFICE
225 GREEN STREET, SUITE 801, FAYETTEVILLE, NC 28301-5043
PHONE 910-486-1191 FAX 910-486-1791

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER - 50% RECYCLED/10% POST-CONSUMER PAPER

PERMIT NUMBER: 51-E
DATE ISSUED: 06/15/98

SOLID WASTE PERMIT

STUMP DUMP, INC. - LARRY & KAY BOYETTE

are hereby issued a permit to **CONSTRUCT & OPERATE PHASE 1**(areas 1 & 2) of a

LAND CLEARING AND INERT DEBRIS LANDFILL

located at 611 Loop Road(located on S.R. 1706) in the Archers Lodge community, in Clayton ,
Johnston County, North Carolina in accordance with Article 9, Chapter 130A of the General Statutes
of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this
permit. The facility is located and described by the legal description in the permit application and
the site drawings.


James C. Coffey, Supervisor
Permitting Branch
Solid Waste Section

PERMIT NUMBER: 51-E

PERMIT ISSUED: June 15, 1998

FACILITY NAME: STUMP DUMP, INC. LAND CLEARING & INERT DEBRIS LANDFILL
PHASE 1 (AREAS 1 & 2)

CONDITIONS OF PERMIT

1. This permit is issued for a period not to exceed five years from date of issuance, and shall be reviewed on or before 15 June 2003 in accordance with the rules in effect at that time. This permit is for the construction and operation of the landfill (PHASE 1 - AREAS 1 & 2) according to the approved plans. Any revisions of these approved plans must be approved by the North Carolina Solid Waste Section.
2. Amendments or revisions to the NC Solid Waste Management Rules or any violation of groundwater standards may necessitate modification of the approved plans or closure of the facility.
3. **This permit shall not be effective unless the certified copy is filed in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Division of Solid Waste Management, within THIRTY (30) working days, from date received. Please send the recorded permit copy to:**

SOLID WASTE SECTION
225 GREEN STREET; SUITE 601
FAYETTEVILLE, NORTH CAROLINA 28301
ATTN: JIM BARBER
4. When this property is sold, leased, conveyed, or transferred, the deed or other instrument of transfer shall contain in the deed description section in no smaller type than that used in the body of the deed or instrument a statement that the property has been used as a land clearing and inert debris landfill.
5. This facility is permitted to receive land clearing waste, yard trash, untreated and unpainted wood, and inert debris such as rock, brick, concrete, concrete block, and uncontaminated soil. Waste acceptance requirements may be affected by future revisions and amendments to the NC General Statutes, or to the NC Solid Waste Management Rules.
6. Waste shall be placed a minimum of four (4) feet above the seasonal high water table.
7. This facility shall conform to the operational requirements of the NC Solid Waste Management Rules, 15A NCAC 13B .0566, and to the operational plan required by 15A NCAC 13B .0565(4) prepared by Southwind Surveying and Engineering, Inc..

PERMIT NUMBER: 51-E

PERMIT ISSUED: June 15, 1998

FACILITY NAME: STUMP DUMP, INC. LAND CLEARING & INERT DEBRIS LANDFILL
(PHASE 1 - AREAS 1 & 2)

8. This permit is not transferable.
9. The following requirements shall be met prior to receiving solid waste, at the site:
 - a. A site inspection and pre-operative meeting shall be conducted by a representative of the Solid Waste Section.
 - b. A sign shall be posted at the entrance as required by the NC Solid Waste Management Rules Operational Requirements, 15A NCAC 13B .0566 (16).
10. Ground water quality at this facility is subject to the classification and remedial action provisions of 15 NCAC 2L.
11. An approved sedimentation and erosion control plan shall be obtained prior to the beginning of earth disturbing activities and all such activities shall be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4) along with any other state, federal or local requirements.
12. Excavation, within the footprint of the disposal area(PHASE 1- AREAS 1 & 2), at this facility is prohibited. All earth work shall be in accordance with the approved plan and consistent with the soils included in the permit submittal document by Southwind Surveying and Engineering, Inc..
13. Open burning of land clearing waste is PROHIBITED.

ATTACHMENTS

1. Permit submittal document dated April 1998 and received 24 April 1998.
2. Site plan and Operational drawings dated April 1998 and received 24 April 1998.
3. Addendum package, incorporated into the permit submittal document, dated 26 May 1998 and received 28 May 1998.

STATE OF NORTH CAROLINA Johnston COUNTY
 Filed for Registration at 2:05 P.M. July 1998 in the
 Register of Deeds Office
 Recorded in Book 53 Page 253
Thomas M. Hall BY Donna S. Stallings
 REGISTER OF DEEDS

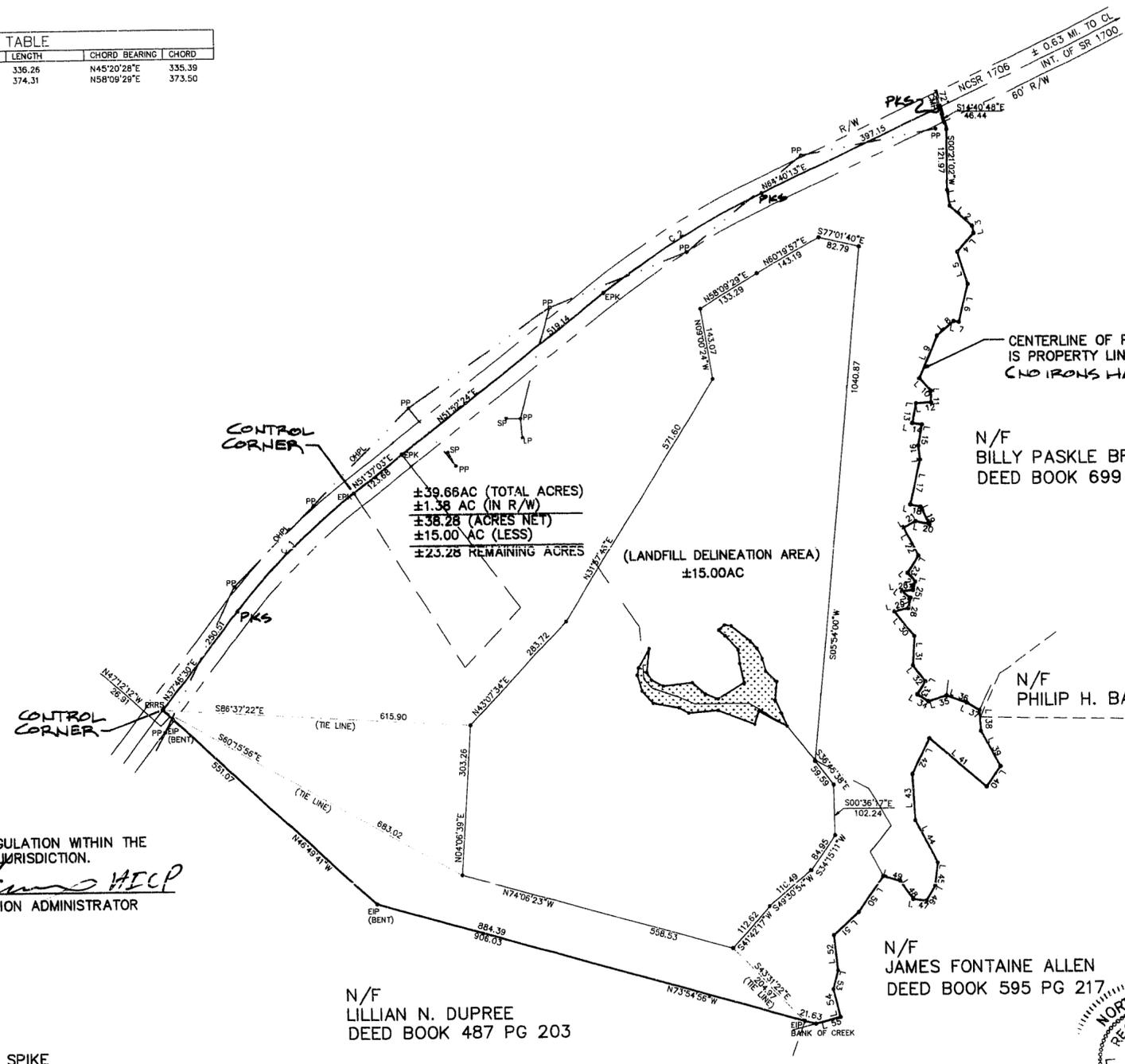
STATE OF NORTH CAROLINA _____ COUNTY,
 I, _____, Review Officer of _____ County,
 certify that the map or plat to which this certification is
 affixed meets all statutory requirements for recording.
 DATE: _____ REVIEW OFFICER: _____

STATE OF NORTH CAROLINA JOHNSTON COUNTY
 I, Thomas M. Hall, certify that this plat was drawn
 under my supervision from an actual survey made under my supervision or deed
 description recorded in Book _____ page _____ that the boundaries
 not surveyed are shown as broken lines plotted from information found in book
 _____ page _____ that the error closure as cal. by lat. and dep. is
 1: _____ that this plat was prepared in accordance with G.S. 47-30 as
 amended.
 Witness my original signature, registration number and seal this 15 day
 of July, A.D., 1998
Thomas M. Hall
 REGISTERED LAND SURVEYOR
 SEAL L-3935



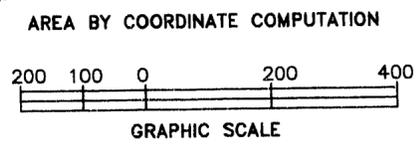
CURVE #	CENTRAL ANGLE	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
1	141°01'	1346.76	169.01	336.26	N45°20'28"E	335.39
2	130°10'0"	1646.52	167.96	374.31	N58°09'29"E	373.50

LINE #	DIRECTION	DISTANCE
1	S08°01'00"E	32.15
2	S48°06'35"E	60.33
3	S11°34'18"E	14.79
4	S41°43'08"E	51.06
5	S17°32'22"E	67.27
6	S141°01'3"W	79.07
7	N80°37'43"W	11.31
8	S49°31'31"W	45.10
9	S22°44'10"W	92.15
10	S40°33'02"E	33.34
11	S00°26'26"W	23.54
12	S86°46'15"W	28.79
13	S11°24'05"W	40.45
14	S80°59'48"E	18.52
15	S08°36'35"W	42.91
16	S05°02'48"E	28.02
17	S12°36'12"W	92.97
18	S77°50'26"E	20.22
19	S24°05'39"E	39.73
20	N75°14'41"W	27.47
21	S61°19'12"W	26.89
22	S26°12'34"E	63.19
23	S32°14'50"W	40.64
24	S39°21'30"E	23.01
25	S16°02'39"W	17.60
26	S83°52'19"W	21.78
27	S50°35'39"E	21.20
28	S11°37'10"W	21.45
29	S78°28'26"W	28.93
30	S37°50'20"E	63.64
31	S03°59'39"W	59.42
32	S35°59'53"E	39.98
33	S31°04'50"W	30.47
34	S55°51'30"E	25.19
35	N72°38'58"E	38.25
36	S70°21'34"E	44.27
37	S56°02'58"E	29.18
38	S02°35'41"E	41.62
39	S27°31'44"E	96.66
40	S34°17'31"W	49.41
41	N49°25'26"W	150.25
42	S25°25'58"W	79.19
43	S02°28'19"E	93.47
44	S26°02'07"E	95.97
45	S07°25'01"W	45.68
46	S29°18'25"W	36.00
47	N81°43'20"W	25.91
48	N33°38'38"W	44.46
49	N73°48'48"W	36.36
50	S34°38'11"W	87.76
51	S48°16'52"W	69.21
52	S05°53'34"E	71.89
53	S14°56'35"W	39.07
54	S13°27'10"E	57.80
55	S74°45'11"W	51.01



EXEMPT FROM SUBDIVISION REGULATION WITHIN THE
 JOHNSTON COUNTY PLANNING JURISDICTION.
 DATE 7/14/98 SUBDIVISION ADMINISTRATOR [Signature]

- LEGEND:
 EIP - EXIST. IRON PIPE
 EPK - EXIST. PK NAIL
 ERRS - EXIST. RAILROAD SPIKE
 PP - POWER POLE
 OHP - OVERHEAD POWER LINE
 CMP - CORRUGATED METAL PIPE



REFERENCE:
 MAP FOR KATHLEEN BOYETTE ESTATE
 PREPARED BY BONEY AND ASSOCIATES, INC.
 ENGINEERING AND SURVEYING
 RALEIGH, NC
 DATED: 4-5-90
 RECORDED IN PLAT BOOK 34 PG 229
 DEED BOOK 1190 PG 794

NOTES:
 LANDFILL DELINEATION MAP NOT
 APPROVED AS A BUILDING LOT BY
 THE JOHNSTON COUNTY HEALTH DEPT.
 NO NCGS MONUMENTS FOUND WITHIN 2000 FT.
 THE SUBJECT PROPERTY IS NOT LOCATED IN A
 SPECIAL FLOOD HAZARD AREA AS DETERMINED BY
 HUD/FIA FLOOD MAPS.
 COMMUNITY PANEL NO. 370138 0020 B
 THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF
 LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN
 EXISTING STREET.

OWNERS:
 LARRY & KAY BOYETTE
 611 LOOP ROAD
 CLAYTON, NC 27520

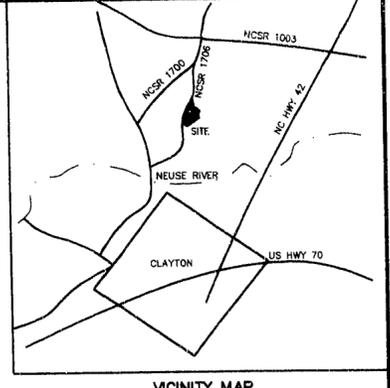
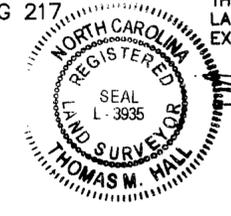
LANDFILL DELINEATION MAP FOR:
LARRY & KAY BOYETTE

TOWNSHIP	WILDERS	COUNTY	JOHNSTON	STATE	NC
SURVEYED BY	JW	DRAWN BY	LRA		
DATE	4-16-98	SCALE	1"=200'	DRAWING NO.	SW970373

SOUTHWIND
 SURVEYING AND
 ENGINEERING, INC.

201 GLEN ROAD
 GARNER, N.C. 27529
 919-773-0183
 919-773-0148 (FAX)

SURVEYING/ENGINEERING/LAND DEVELOPMENT



ATTACHMENT 4

State of North Carolina
Department of Environment
and Natural Resources

Michael F. Easley, Governor
William G. Ross, Jr., Secretary
Dexter R. Matthews, Director



THE DIVISION OF WASTE MANAGEMENT

April 13, 2007

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Stump Dump, Inc.,
c/o Mrs. Kay M. Boyette, Registered Agent
611 Loop Road
Clayton, North Carolina 27520-6958

Mr. Larry Boyette and Mrs. Kay Boyette
611 Loop Road
Clayton, North Carolina 27520-6958

Re: **Compliance Order With Administrative Penalty**
Stump Dump, Inc. Land Clearing and Inert Debris Landfill, Permit #51-E,
Johnston County

Dear Mr. and Mrs. Boyette:

Enclosed is a Compliance Order issued to The Stump Dump, Inc., Mr. Larry Boyette and Mrs. Kay Boyette, jointly and severally, because of certain violations of the North Carolina Solid Waste Management Act (N.C. General Statute 130A, Article 9) and of the North Carolina Solid Waste Management Rules (15A N.C. Administrative Code 13B) which implements the Act. Along with the Compliance Order is an Administrative Penalty in the amount of \$8,750.00 that is imposed pursuant to N.C. General Statute 130A-22(a). This Compliance Order With Administrative Penalty describes the violations of concern and the actions required by you to come into compliance with both the General Statutes and the Administrative Code.

You may appeal this Compliance Order with Administrative Penalty by filing a written petition for an administrative hearing with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714, within thirty (30) days of the receipt of this Compliance Order. Your petition must be submitted in accordance with the provisions of N.C. General Statutes 150B-23(a) and 130A - 22(e). A copy of your petition must also be served on Ms. Mary Penny Thompson, General Counsel, NC Department of Environment and Natural Resources, 1601 Mail Service Center, Raleigh, North Carolina 27699-1601.

If no administrative hearing is requested, the administrative penalty must be paid within sixty (60) days by certified check or money order, made payable to the Division of Waste Management. Payment should be mailed to the Solid Waste Section, Department of Environment and Natural Resources, Attn: Compliance Officer, 1646 Mail Service Center, Raleigh, NC 27699-1646. A fee of \$20.00 will be charged for all returned checks on which the payer bank has refused payment. I encourage you to schedule an informal conference at once with my staff to discuss this Compliance Order. Please contact Ms. Mary Whaley, Environmental Senior Specialist, Division of Waste Management, at the Raleigh Central Office at (919) 508-8496.

Sincerely,



Paul S. Crissman, Chief
Solid Waste Section
Division of Waste Management

Enclosure

cc: Lauren Clemmons, Assistant Attorney General
Mark Poindexter, Field Operations Branch
Mary Whaley, Waste Management Specialist
Central Files, Solid Waste

**NORTH CAROLINA DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION**

Re: The Stump Dump, Inc.,
c/o Mrs. Kay M. Boyette, Registered Agent
611 Loop Road
Clayton, North Carolina 27520-6958

**COMPLIANCE ORDER
WITH ADMINISTRATIVE
PENALTY**

Mr. Larry Boyette and Mrs. Kay Boyette
611 Loop Road
Clayton, North Carolina 27520-6958

PRELIMINARY STATEMENT

This Compliance Order With Administrative Penalty is issued under N.C. General Statutes 130A-22, the Solid Waste Management Act (N.C.G.S. 130A, Article 9), and the Solid Waste Management Rules (15A N.C. Admin. Code 13B). Title 15A of the N.C. Admin. Code, Chapter 13B contains standards and requirements applicable to the proper management of solid waste.

On March 1, 1971, the State of North Carolina, Department of Human Resources, Division of Health Services, Solid Waste Section, implemented a Solid Waste Management Program under the Solid Waste Management Act, N.C.G.S. 130A, Article 9 and Rules codified at 15A N.C. Admin. Code 13B. Solid Waste Management is now regulated under the Solid Waste Section of the Division of Waste Management of the Department of Environment and Natural Resources. Mr. Paul S. Crissman, Solid Waste Section Chief, Division of Waste Management, Department of Environment and Natural Resources, has been delegated the authority to implement both the Act and the Rules. Based upon information available, the Division has determined that The Stump Dump, Inc., Mr. Larry Boyette, and Mrs. Kay Boyette are jointly and severally in violation of certain requirements of the Act and/or Rules, as set forth below.

STATEMENT OF FACTS

1. One June 15, 1998, the Division of Waste Management issued a Permit to Construct and Operate Phase 1 (areas 1&2) of a Land Clearing and Inert Debris (LCID) Landfill to "Stump Dump, Inc. - Larry and Kay Boyette". Larry and Kay Boyette own the property on which the facility is located at 611 Loop Road (on S.R 1706) in the Archers community, in Clayton, Johnston County, North Carolina. Ms. Kay Boyette is the President of The Stump Dump, Inc., and upon information and belief, is in control of making decisions concerning operation of the facility. Mr. Larry Boyette operates the facility. As an LCID Landfill, permitted as Permit #51-E, The Stump Dump, Inc. facility was required to conform with the operational requirements of 15A NCAC 13B .0566, as stated in Condition Number 7 of Permit #51-E. This permit was issued for period not to exceed five years from the date of issuance, and was subject to review on or before June 15, 2003.
2. On December, 31, 2001, Mr. Robert Hearn, Waste Management Specialist with the Solid Waste Section, inspected the Stump Dump, Inc. LCID Landfill (hereafter referred to as "Facility") and observed that over one acre of waste material was exposed. He observed that some of this uncovered waste was located on the slopes of the landfill. Mr. Hearn issued a Notice of Violation pursuant to 15A NCAC 13B .0566(4) for inadequate soil cover. The Notice of Violation required that, within 90 days, The Stump Dump, Inc. consolidate and cover all exposed waste on the top and on the slopes of the landfill with adequate soil cover, apply one foot of soil cover on the permanent slopes and establish vegetation immediately after. On February 15, 2002, Mr. Ben Barnes, Waste Management Specialist for the Solid Waste Section, noted that progress had been made in covering the waste and documented the violation as corrected on December 31, 2002.
3. On May 29, 2003, Mr. Barnes inspected the Facility and observed that a large area of waste, greater than one acre, was exposed on the working face of the landfill. Mr. Barnes noted that the slopes of the landfill contained exposed waste as well. Mr. Barnes issued a Notice of Violation pursuant to 15A NCAC 13B .0566(4). Mr. Barnes sent this letter by certified mail (Certified Mail #70020860000658417565) and Mr. Larry Boyette signed for it. The Notice of Violation required that, within 90 days, The Stump Dump, Inc. consolidate and cover all exposed waste on the top and on the slopes of the landfill with adequate soil cover, apply one foot of soil cover on the permanent slopes and establish vegetation immediately after.
4. On July 16, 2003, Mr. Barnes returned to the Facility and noted on his Facility Audit Compliance Report that most of the waste had been covered and required the Facility to fully comply by August 29, 2003. Mr. Barnes sent the Facility Compliance Audit Report by certified mail (Certified Mail #70012510000117076411) and Mr. Larry Boyette signed for it. Mr. Barnes returned to the site on August 28, 2003, and documented on his audit report that the violation of 15A NCAC 13B .0566(4) had been corrected.

COMPLIANCE ORDER WITH ADMINISTRATIVE PENALTY

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5. Application documents were received in September of 2003. However, because of the application's insufficiencies the renewal of this permit was never issued. The application submitted indicated that operations were outside the approved 1998 plan. The application documents indicated the Facility had exceeded the approved vertical contours, had filled outside of the horizontal limits of the approved plan, had filled wetlands, and had constructed unapproved side slope contours.
6. On April 28, 2006, Ms. Mary Whaley, Waste Management Specialist for the Solid Waste Section, conducted a comprehensive audit at the Facility. Ms. Whaley observed an area of exposed waste at the site that measured approximately one and a half acres in size. A Notice of Violation was issued, for violation of 15A NCAC 13B .0566 (4) and sent by certified mail (Certified Mail #70051160000441855681). Mr. Larry Boyette signed for the NOV on May 11, 2006. The Notice of Violation required that, within 90 days, The Stump Dump, Inc. consolidate and cover all exposed waste on the top and on the slopes of the landfill with adequate soil cover, apply one foot of soil cover on the permanent slopes and establish vegetation immediately after.
7. On December 29, 2006, Ms. Whaley conducted a partial audit at the Facility to check on the status of the existing Notice of Violation. Ms. Whaley observed that the exposed wood debris that was noted on the previous inspection had been covered. However, there was waste material on the side walls of Phase 2 of the landfill that was exposed. Therefore, it was evident to Ms. Whaley that in the completion of Phase 2, the facility did not apply a minimum of one foot of suitable soil cover, sloped to allow surface water runoff in a controlled manner, as required by 15A NCAC 13B .0566(5). In addition, there was new waste material on top of the landfill that was exposed. The total area of exposed waste material measured approximately two and a half acres in size. Ms. Whaley explained to Mr. Boyette that the exposed waste in the side walls was included in the total area of exposed waste and therefore must be adequately covered. Mr. Boyette was given until February 2, 2007, to adequately cover all material, including material on the side walls, so that less than one acre of waste was exposed. It was explained to Mr. Boyette that he must have the side slopes kept at a maximum slope of three foot horizontal to one foot vertical. This report noted that, "COMPLIANCE ACTION WILL BE TAKEN IF THIS IS NOT COMPLETED."
8. On February 27, 2007, mid-morning, Ms. Whaley received a telephone call from Ms. Kim Robertson, Assistant Director of Johnston County Emergency Services. Ms. Robertson informed Ms. Whaley that there was a fire at the Facility. Ms. Whaley and Mr. Bradley Bailey, Environmental Senior Specialist for the Solid Waste Section, arrived at the Facility at approximately 1:30 p.m. Ms. Whaley noted while at the Facility, that the areas that were required to be covered, by the Notice of Violation issued December 29, 2006, had been covered. The side slopes had been brought down to a 3 to 1 grade. With respect to the fire, Ms. Whaley observed that there was a great deal of smoke, but no flames coming from the site. The areas of heaviest smoke were along the edges and side slopes on the eastern edges of the facility. It was observed that there was smoke also

COMPLIANCE ORDER WITH ADMINISTRATIVE PENALTY

Page 4

coming up through cracks approximately 100 feet in from the edges of the slope. There were sink holes in the surface and side slopes where debris had burned and the soil cover had collapsed in. The fire department was putting out hose to pump water onto the hot spots, at the time of the inspection. Ms. Whaley and Mr. Bailey were scheduled to go to the Facility on February 28, 2007, to conduct a follow-up inspection to the December 29, 2006 audit.

9. On March 2, 2007, Ms. Whaley contacted Ms. Robertson to check on the status of the fire and to get information on any nearby possible receptors. Ms. Robertson told Ms. Whaley that the closest house in the Riverwood subdivision was 1888.7 feet away from the center of the Facility. There was also a subdivision across the street from the facility in which the closest house was 959.5 feet away. There were also several older homes in the area that had wells.
10. Covering LCID landfills monthly creates individual cells within the landfill that are separated from each other and fresh air by the soil cover. Decomposition will consume the oxygen in the cells, resulting in anaerobic conditions. This will not prevent a fire on the working face of the landfill, but should a fire occur, the soil layers and the lack of oxygen will virtually eliminate its spread. The Stump Dump Facility, Inc. was not properly covered monthly, as required. This resulted in a large volume of waste with oxygen available to support combustion. Had the waste been covered monthly as required, small anaerobic cells would have existed which would have significantly slowed or eliminated the ability of the fire to spread beyond the working face of the Facility.

STATEMENT OF VIOLATIONS

The above facts constitute a violation of the following:

1. Title 15A NC Admin Code Subchapter 13B Section .0566(1) require that:

Operational plans shall be approved and followed as specified for the facility.

The Stump Dump, Inc., Mr. Larry Boyette and Mrs. Kay Boyette violated this rule by not following the approved site plan. The documentation in the renewal application indicated they had exceeded the approved vertical contours, had filled outside of the horizontal limits of the approved plan, had filled wetlands, and had constructed unapproved side slope contours.

2. Title 15A NC Admin Code Subchapter 13B Section .0566(4) requires that:

Adequate soil cover shall be applied monthly, or when the active area reaches one acre in size, whichever occurs first.

The Stump Dump, Inc., Mr. Larry Boyette and Mrs. Kay Boyette violated this rule by allowing over one acre of waste to be exposed at the LCID Landfill on several occasions, including the

COMPLIANCE ORDER WITH ADMINISTRATIVE PENALTY

Page 5

days of the inspections conducted on December 31, 2001, May 29, 2003, July 16, 2003, April 28, 2006, and December 29, 2006.

3. Title 15A NC Admin Code Subchapter 13B Section .0566(5) provides 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. The Division may require further action in order to correct any condition which is or may become injurious to the public health, or a nuisance to the community.

The Stump Dump, Inc., Mr. Larry Boyette and Mrs. Kay Boyette violated this rule in that they did not place a minimum of one foot of soil cover sloped to allow surface water runoff in a controlled manner when Phase 2 was completed.

4. Title 15A NC Admin Code Subchapter 13B Section .0566(12) provides that:

Open burning of solid waste is prohibited.

The Stump Dump, Inc., Mr. Larry Boyette and Mrs. Kay Boyette violated this rule in that open burning of solid waste began at the facility located at 611 Loop Road, Clayton, Johnston County, North Carolina on February 27, 2007. By failing to properly manage the solid waste management facility and apply adequate daily cover, the facility was more susceptible to catching fire.

5. Title 15A NC Admin Code Subchapter 13B Section .0201(f) requires that:

All solid waste management facilities shall be operated in conformity with these Rules and in such a manner as to prevent the creation of a nuisance, insanitary conditions, or potential public health hazard.

The Stump Dump, Inc., Mr. Larry Boyette and Mrs. Kay Boyette violated this rule in that they improperly managed the facility that caught fire and created a nuisance and potential public health hazard.

CONDITIONS FOR COMPLIANCE

Based on the foregoing, you are hereby ordered to comply with 15A NCAC 13B by taking the following actions:

1. Immediately cease accepting waste at the facility. The facility may only receive clean soil for the sole purpose of covering waste.

COMPLIANCE ORDER WITH ADMINISTRATIVE PENALTY

Page 6

2. Within 30 days, all waste at the facility, including the waste located in the working face of the landfill, shall be adequately covered with soil. Immediately after the waste has been adequately covered with soil, implement erosion control measures by grading and seeding.
3. 120 calendar days has expired since the completion of Phase 2 which was inadequately covered with soil and not sloped to allow surface water runoff in a controlled manner, as required by 15A NCAC 13B .0566(5). Due to the proximity of neighboring houses and the continuing potential health hazard posed by the smoke from the landfill fire, the Division is requiring, in accordance with 15A NCAC 13B .0566(5), that the facility cease accepting all waste until the fire is completely extinguished and all waste is completely covered.

PENALTY IMPOSED

In addition to taking the actions specified above, The Stump Dump, Inc., Mr. Larry Boyette, and Mrs. Kay Boyette are hereby ordered to pay, jointly and severally, in accordance with N.C. General Statute 130A-22(a), a total administrative penalty of \$8,750.00, for violations of 15A NCAC 13B .0566(4) (\$4,750.00) and .0201(f) (\$4,000.00).

The North Carolina Solid Waste Management Penalty Computation Procedure, dated April 10, 1997, was used to determine the amount of the administrative penalty imposed with this order. The factors considered in determining the administrative penalty are found in 15A N.C.A.C. 13 B .0700 et seq. and include the following: the nature of the violations, the potential effect on the public health and environment, the degree and extent of harm caused by the violations, the costs of rectifying any damage, the types and amounts of wastes, the ease and costs of compliance, and any history of non-compliance.

The amount of this penalty shall be paid within sixty (60) days of receipt of this order by certified check or money order made payable to the Division of Waste Management. Payment should be mailed to:

Compliance Officer
Solid Waste Section
Division of Waste Management
1646 Mail Service Center
Raleigh, NC 27699-1646

POTENTIAL CONSEQUENCES OF FAILURE TO COMPLY

You are hereby advised that, pursuant to N.C.G.S. 130A-22, each day of continued violation of any requirement of the act, the rules, or any order issued under the act or rules

constitutes a separate violation for which a penalty of up to \$5,000.00 per day may be imposed. If the violation(s) continue, you may also be subject to further enforcement actions including 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.

OPPORTUNITY TO REQUEST A HEARING

The Stump Dump, Inc., Mr. Larry Boyette, and Mrs. Kay Boyette have the right to request an administrative hearing to contest any matter of law, material fact, requirement, or penalty set forth herein. To exercise this right, you must file a written petition in accordance with N.C.G.S. 150B-23(a) and N.C.G.S. 130A - 22(e) within thirty (30) days of receipt of this Compliance Order With Administrative Penalty.

The petition must be signed by your attorney. It must state facts tending to establish that the agency has deprived you of property, has ordered you to pay a fine or civil penalty, or has otherwise substantially prejudiced your rights, and that the agency has:

1. exceeded its authority or jurisdiction;
2. acted erroneously;
3. failed to use proper procedure;
4. acted arbitrarily or capriciously; or
5. failed to act as required by law or rule.

Your petition must be filed within thirty (30) days with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714, in accordance with N.C.G.S. 150B-23(a). A copy of your petition must also be served on Ms. Mary Penny Thompson, General Counsel, NC Department of Environment and Natural Resources, 1601 Mail Service Center, Raleigh, NC 27699-1601. Failure to complete either of these acts within the thirty-(30) day period may result in denial of any administrative hearing.

Any administrative hearing will be conducted in accordance with applicable rules contained in Title 26 of the North Carolina Administrative Code. If you file a petition for an administrative hearing within thirty (30) days in accordance with the applicable statutes and rules, payment of the penalty is due within sixty (60) days after service of a copy of any final decision affirming the penalty. You may request a copy of the rules by calling the Office of Administrative Hearings at (919) 733-2698.

INFORMAL CONFERENCE

Whether or not you request an administrative hearing, the Division encourages you to schedule an informal conference to discuss this matter and to give you an opportunity to

COMPLIANCE ORDER WITH ADMINISTRATIVE PENALTY

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provide additional information, including any actions you have taken to correct the violation(s). If you desire an informal conference, please contact:

Mary Whaley
Senior Environmental Specialist
NC DENR – Division of Waste Management
Solid Waste Section
401 Oberlin Road, Suite 150
1646 Mail Service Center
Raleigh, NC 27699
(919) 508-8523

Note: The scheduling of an informal conference does not relieve you of the need to file your petition for an administrative hearing within the thirty-(30) day period.

By: 

Paul S. Crissman
Chief, Solid Waste Section
Division of Waste Management
Department of Environment and Natural Resources

CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of the foregoing Compliance Order with Administrative Penalty to be served upon the person designated below, at the last known address, causing said copy to be deposited in the U.S. Mail, First Class (certified mail postage prepaid, and return receipt requested) in an envelope addressed to:

The Stump Dump, Inc.,
c/o Mrs. Kay M. Boyette, Registered Agent
611 Loop Road
Clayton, North Carolina 27520-6958

Mr. Larry Boyette and Mrs. Kay Boyette
611 Loop Road
Clayton, North Carolina 27520-6958

Dated this 13 day of April, 2007



Compliance Officer
Division of Waste Management
Department of Environment and Natural Resources



FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

Permit No.	Date	Doc ID #
BW3	01/03/08	RCO3653

UNIT TYPE:										COUNTY: Johnston PERMIT NO.: 51-E FILE TYPE: COMPLIANCE	
Lined MSWLF		LCID	X	YW		Transfer		Compost			SLAS
Closed MSWLF		HHW		White goods		Incin		T&P			FIRM
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO			SDTF

Date of Audit: 12/10/07Date of Last Audit: 08/03/07**FACILITY NAME AND ADDRESS:**

STUMP DUMP, INC. LCID LANDFILL
 611 LOOP ROAD
 CLAYTON, NC 27520

GPS COORDINATES: N: 35.67975 E: -078.40134**FACILITY CONTACT NAME AND PHONE NUMBER:**

Mr. Larry Boyette – 919 553 7470

FACILITY CONTACT ADDRESS:

Mr. Larry Boyette
 Stump Dump, Inc.
 611 Loop Road
 Clayton, NC 27520

AUDIT PARTICIPANTS:

Bradley W. Bailey, NCDENR, Solid Waste Section
 Dennis E. Shackelford, NCDENR, Eastern District Supervisor
 Larry Boyette, Landfill Operator

STATUS OF PERMIT:

Active, Permit issued June 15, 1998. Due for review on or before June 15, 2003. Permit application documents have been submitted to the Division.

PURPOSE OF AUDIT:

To conduct a follow-up audit of a permitted Land Clearing and Inert Debris Landfill and to check on the status of the previously issued violations.

NOTICE OF VIOLATION:

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.

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

Page 2 of 2

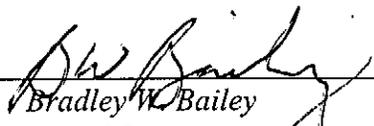
STATUS OF PAST NOTED VIOLATIONS:

The Notice of Violation issued October 01, 2007 has been resolved.
15A NCAC 13B .0566 (5) **Resolved**
15A NCAC 13B .0566 (6) **Resolved**
15A NCAC 13B .0566 (7) **Resolved**
15A NCAC 13B .0566 (14) **Resolved**

AREAS OF CONCERN AND OTHER COMMENTS:

- 1.) On December 10, 2007, an onsite meeting was coordinated with Mr. Boyette to inspect the current conditions for compliance. All waste had been covered. The area of leachate discharge had been fixed, the slopes graded properly and seeded. The seeding had taken root and there did not appear to be any areas of offsite erosion. Digital photographs were taken at the time of the inspection and it appears that all violations have been corrected.

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


Bradley W. Bailey
Regional Representative

Phone: 919-508-8523

Delivered on : <u>January 03, 2008</u> by		hand delivery	X	US Mail	X	Certified No. [70041350000340731965]
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Cc: Mark Poindexter, Field Operations Branch Head
Dennis E. Shackelford, Eastern District Supervisor
Amy Kadrie, Compliance Officer
Nancy Scott, Assistant Attorney General, Department of Justice
Rick Proctor, Solid Waste Director, Johnston County
Christine Dodd, Zoning Enforcement Officer, Johnston County
Stacy Smith, P.E., Project Manager, Richardson, Smith, Gardner & Associates