



## FACILITY COMPLIANCE AUDIT REPORT

### Division of Waste Management Solid Waste Section

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

Lined MSWLF		LCID		YW		Transfer	<input checked="" type="checkbox"/>	Compost		SLAS		COUNTY: Yancey - Mitchell PERMIT NO.: 100-03-T FILE TYPE: COMPLIANCE
Closed MSWLF		HHW		White goods		Incin		T&P		FIRM		
CDFL		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF		

Date of Audit: 10/01/09

Date of Last Audit: 5/05/09

**FACILITY NAME AND ADDRESS**

Yancey-Mitchell Transfer  
 555 Landfill Road (SR-1440)  
 Burnsville, NC 28714

**GPS COORDINATES: (Decimal Degrees) N: 35.93027 E: -82.17825**

**FACILITY CONTACT NAME AND PHONE NUMBER:**

Henry Miller – Landfill Manager  
 828-682-3971

**FACILITY CONTACT ADDRESS (IF DIFFERENT):**

CT Corporation System – Registered Agent for Republic  
 Services of North Carolina, LLC  
 150 Fayetteville St., Box 1011  
 Raleigh, NC 28601

**AUDIT PARTICIPANTS:**

Bill Wagner, NCDENR  
 Paul Crissman, NCDENR – SWS Section Chief

**STATUS OF PERMIT:**

Permit issued to Yancey and Mitchell Counties (Owners) and Republic Services of North Carolina, LLC (Operator).

Permit History

FACILITY PERMIT NO: 100-03-T	ISSUANCE DATE
Original Permit to Construct/Operate	January 31, 1995
Amendment 1 to PTO	September 7, 2000
Amendment 2 to PTO	January 11, 2006
Modification to PTO: Change in Approved Disposal Site	July 30, 2007
Permit to Operate	June 4, 2009

**PURPOSE OF AUDIT:**

Partial audit.

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

1. 15A NCAC 13B .0105(c) requires that “vehicles or containers used for the collection and transportation by whatever means, including but not limited to, highway, rail, and navigable waterway, of garbage, or refuse containing garbage, shall be covered, leak proof, durable, and of easily cleanable construction.”

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**Yancey County, Mitchell County and Republic Services of North Carolina, LLC are in violation of 15A NCAC 13B .0105(c) by failing to ensure that three semi-trailers filled with solid waste from the Yancey-Mitchell transfer station were leak proof. Each of these three semi-trailers was leaking. (See photos #1 and #2 below.)**

*To correct this violation and be in compliance with 15A NCAC 13B .0105(c), within 7 days from receipt of this Notice, Yancey County, Mitchell County and Republic Services of North Carolina, LLC must ensure that all vehicles or containers used for the collection and transportation of garbage, or refuse containing garbage are leak proof.*



1. Leachate leaking from a semi-trailer parked outside of the receiving bay. This leachate is flowing down and across the access road and towards a storm water ditch.



2. Two semi-trailers full of solid waste in the staging area south of the transfer station, leaking leachate onto the ground. This leachate is flowing south east towards woods.

2. 15A NCAC 13B .0203(d) requires that “by receiving solid waste at a permitted facility, the permittee(s) shall be considered to have accepted the conditions of the permit and shall comply with the conditions of the permit.” Item 7(c) in Part I of Attachment 3 of the “Yancey and Mitchell Counties Transfer Station Permit to Operate (#100-03T)” dated June 4, 2009 states: “Waste may be stored on-site, in leak proof transfer trailers, with watertight covers, a maximum of 24 hours except that a minimal amount of waste may be stored for a maximum of 72 hours when the facility is closed during a weekend or holiday. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.”

**Yancey County, Mitchell County and Republic Services of North Carolina, LLC are in violation of 15A NCAC 13B .0203(d) by failing to comply with condition 7(c) in Part I of Attachment 3 of their permit. There were three semi-trailers on site that were filled with solid waste, but did not have watertight covers. All three trailers were leaking leachate.**

*To correct this violation and be in compliance with 15A NCAC 13B .203(d) within 7 days from receipt of this Notice, Yancey County, Mitchell County and Republic Services of North Carolina, LLC must ensure that all on-site trailers that contain waste, are leak proof and have watertight covers.*

3. 15A NCAC 13B .0402(3) requires that “water that comes into contact with solid waste will be contained on-site or properly treated prior to discharge from the site.”

**Yancey County, Mitchell County and Republic Services of North Carolina, LLC are in violation of 15A NCAC 13B .0402(3) by failing to contain water that came into contact with solid waste (leachate) in three open semi-trailers. Two of these semi-trailers were leaking leachate in an un-controlled manner onto bare ground. The third semi-trailer was**

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**leaking leachate in an un-controlled manner onto the asphalt road out side of the transfer station receiving bay and this leachate was running into a storm water ditch. (See photo #4 below.)**

*To correct this violation and be in compliance with 15A NCAC 13B .0402(3), within 7 days from receipt of this Notice, Yancey County, Mitchell County and Republic Services of North Carolina, LLC must ensure that all leachate (any water that comes into contact with solid waste is considered to be leachate) is properly contained on site.*

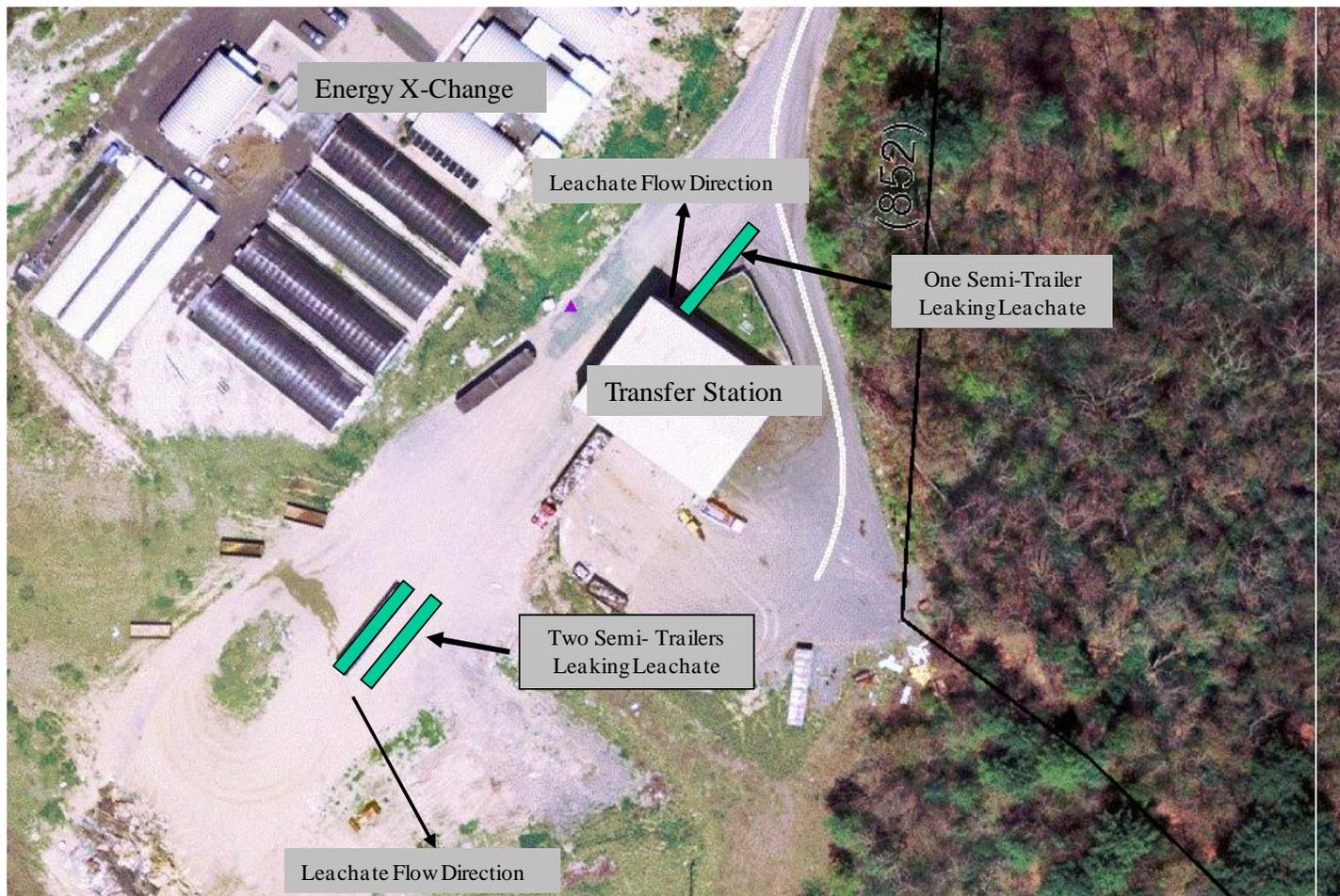


3. One of the three, on-site, semi-trailers filled with solid waste that do not have watertight covers.

You are hereby advised that, pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 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.

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4. Yancey County GIS Aerial photo – annotated to show location of semi-trailers leaking leachate.

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

None.

**AREAS OF CONCERN AND COMMENTS:**

**TRANSFER STATION:**

1. Very little wind-blown trash around the transfer station.
2. The transfer station was receiving waste during the audit. (See photo #4 below.)
3. White goods with CFCs (refrigerant) should be stored upright to prevent any release of the CFCs. (See photo #5 below.)
4. Wastes are screened daily and the records are kept in the office at the transfer station.
5. The tipping floor was clean and well maintained.
6. The drain trench at the entrance to the transfer station was clear of debris.
7. The floor drain in the receiving bay must be cleaned and tested to ensure that any leachate in the bay is collected and diverted to the “lower” leachate tanks.

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4. Waste on the tipping floor.



5. White goods area: Appliances with CFCs (refrigerant) should be stored up right to prevent any release of the CFCs.

- 8. The “upper” leachate tank for the drain trench at the entrance to the transfer station appeared to be approximately less than half full.
- 9. Propane cylinders and automotive gas tanks are segregated for recycling in separate roll-off containers.
- 10. Staff Certifications:

Name	Certification	Expiration Date
Donald Miller	Transfer Operations Specialist	3/13/10
Henry Miller	Transfer Operations Specialist	3/13/10
Teresa Summerlin	Transfer Operations Specialist	2/27/12

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

*Bill Wagner*  
**Bill Wagner**  
*Environmental Senior Specialist*  
*Regional Representative*

Phone: 828-298-4705

<b>Delivered on :</b> 11/12/09 by	hand delivery	US Mail	<b>X</b>	Certified No. 7008 0150 0000 7473 4424  To CT Corporation System – Registered Agent for Republic Services of NC, LLC
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- ec: Mark Poindexter, SWS Field Operations Branch Head  
 Deb Aja, SWS Western District Supervisor  
 Nathan Bennett, Yancey County Manager  
 Charles Vines, Mitchell County Manager  
 Drew Isenhour, Republic Services  
 Ray Hoffman, Republic Services