



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	<input checked="" type="checkbox"/>	LCID	<input checked="" type="checkbox"/>	YW	<input type="checkbox"/>	Transfer	<input type="checkbox"/>	Compost	<input type="checkbox"/>	SLAS	<input type="checkbox"/>	COUNTY: Cherokee PERMIT NO.: 20-02 FILE TYPE: COMPLIANCE
Closed MSWLF	<input type="checkbox"/>	HHW	<input type="checkbox"/>	White goods	<input checked="" type="checkbox"/>	Incineration	<input type="checkbox"/>	T&P	<input type="checkbox"/>	FIRM	<input type="checkbox"/>	
CDLF	<input checked="" type="checkbox"/>	Tire T&P / Collection	<input type="checkbox"/>	Tire Monofill	<input type="checkbox"/>	Industrial Landfill	<input type="checkbox"/>	DEMO	<input type="checkbox"/>	SDTF	<input type="checkbox"/>	

Date of Audit: December 18, 2007.

Date of Last Audit: August 9, 2007

FACILITY NAME AND ADDRESS:

Cherokee County Landfill
 10160 US 19/74/129
 Marble, NC 28905

GPS COORDINATES: (Decimal Degrees) N: 35.18103 E: -83.90807

FACILITY CONTACT NAME AND PHONE NUMBER:

Robert Allen, Director
 828/837-2621

FACILITY CONTACT ADDRESS (IF DIFFERENT):

Cherokee County Solid Waste Department
 c/o Cherokee County Courthouse
 75 Peachtree Street Murphy, NC 28906

AUDIT PARTICIPANTS:

Troy Harrison, NCDENR-Division of Waste Management (DWM)/Solid Waste Section (SWS)
 Deb Aja, NCDENR-DWM/SWS
 Jeff Clark, Cherokee County Solid Waste Department

STATUS OF PERMIT:

Active-Permit to Operate issued April 1, 2005

PURPOSE OF AUDIT:

Comprehensive Compliance Audit

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

15A North Carolina Administrative Code 13B .1626 (8)(d) states: leachate shall be contained on site or be treated prior to discharge.

Cherokee Co. was in violation of 15A North Carolina Administrative Code 13B .1626 (8)(d) in that on December 18, 2007; leachate was being collected in a holding pond located at the edge of landfill liner. Standing leachate was observed beyond edge of the liner. The Leachate was ponded over the leachate cleanout line in Phase 1.

In order to achieve compliance, Cherokee County Landfill must immediately:

1. Assure leachate is contained on site or properly treated prior to discharge, and
2. Assess the impact of the leachate release outside of the waste cell.

Further action may be required by the Division.

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15A North Carolina Administrative Code 13B .1626 (8)(b) states: Surface water shall not be impounded over or in waste.

Cherokee Co. was in violation of 15A North Carolina Administrative Code 13B .1626 (8)(b) in that on December 18, 2007; leachate was being contained in two areas at the landfill. One area is a holding pond located at the edge of the landfill liner and another is on the landfill located on top of the waste.

In order to achieve compliance, Cherokee County Landfill must immediately take measures to remove any ponded water over the waste and properly remediate. Further action may be required by the Division.

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.

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

None

AREAS OF CONCERN AND COMMENTS:

Record/File Review

1. A current facility Permit to Operate (No. 20-02, dated 4/1/052) was on file at the site.
2. A Fire Safety Review was conducted by Cherokee Co. Fire Marshall on 8/29/07
3. Scrap tire certifications were reviewed for completeness, forms were filled out correctly. Approximately two semi-trucks are filled each month with approximately 1100 tires per semi. Tire records are maintained by Ms. Wanda Payne at the Landfill Office.
4. Landfill gas migration survey data was recorded and available. The previous monitoring dates being 12/4/07, 9/27/07 and 7/2/07. The data is measured in % gas by volume. No exceedances were noted in wells P-1 through P7.
5. Groundwater sampling reports were observed. This was completed on 11/20/07.
6. The waste screening file was reviewed. This landfill accepts MSW and C&D, which is dumped at the working face by commercial operators and at receptacles on site and at locations throughout the county by private individuals. Mr. Clark said that two loads of waste are checked per week and this is noted in a logbook. The logbook was reviewed. It appears that no banned waste was noted in these checks.

Recycling Activities

7. Tires were observed stacked in a semi-trailer and out of the weather.
8. White goods at located on a concrete pad and standing upright. These items are kept in a separate area from the rest of the metals until the freon is removed. Freon is removed by a contractor then marked with an "x". Landfill employees were observed raking up metal debris leftover after most of the material had been hauled off by a truck earlier that morning.
9. The cardboard, newspaper, aluminum cans are baled on a separate building and sold. There is also an area where salvageable materials are placed and are offered free to the public.
10. Automobile batteries are stored on a pallet, in a separate area and placed upright for collection.
11. Used oil is accepted and picked up by an oil recycling company.

Landfill Observations

12. We observed a small amount of windblown material due to high winds the past two days. Mr. Clark said that this would be removed ASAP.
13. LCID was observed on site but not on the current lined area. Mr. Clark said this material had been there approximately 2.5 years. We spoke about the danger of fire if leaves from yard waste are mixed in with the LCID. Mr. Clark said yard waste is not put on the pile. This activity will need to be included in the operation plan.

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14. A track hoe was being used to place soil over cell one of Phase one of the landfill. There were small amounts of trash on the surface; however Mr. Clark said this would be removed before seeding.
15. We observed the working face of the landfill at cell two of Phase one. An employee was using a dozer on the face to compact the waste as it arrives. Several tires had been picked out when observed to place in the semi-trailer later. The track hoe was placing soil over a portion of the face to keep it as small as possible and tie in cell one with cell two. A tarp is used to cover the material at night. The tarp appeared worn and has been apparently repeatedly repaired. Mr. Clark said that a new tarp has arrived and will be used after the end of the year or sooner if necessary.
16. Standing water was observed on the landfill. There was also standing leachate in a sedimentation basin at the edge of the landfill. The edge of the liner is under the water, possibly allowing leachate to contaminate the groundwater. This is a violation of 15A North Carolina Administrative Code 13B .1626 (8)(d). Standing water was also observed in the lined area of the landfill over Cell three of Phase 1. This is a violation of 15A North Carolina Administrative Code 13B .1626 (8)(b). There is a clean out access to the leachate collection in this area based on blueprint diagrams and further conversation by phone to Mr. Clark on 12/19/07. It also appears that there is nothing to prevent leachate from gathering at this area because it is downhill from the working face. Mr. Clark stated that he had contacted an engineering firm to assist and are pumping the leachate to the collection system
17. The working face of the landfill is very close to the edge of the liner and has been noted in previous audits by the previous inspector.

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

Troy Harrison

_____ (signature) Phone: 828/296-4701

Regional Representative

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

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Cc: David Badger, County Manager
 Jeff Clark, Cherokee County Solid Waste