



**FACILITY COMPLIANCE AUDIT REPORT**  
**Division of Waste Management**  
**Solid Waste Section**

<b>UNIT TYPE: (check all that apply to this audit with same Permit number)</b>											
Lined MSWLF	<input checked="" type="checkbox"/>	LCID		YW		Transfer		Compost		SLAS	<b>COUNTY: Cherokee</b> <b>PERMIT NO.: 20-02</b> <b>FILE TYPE: COMPLIANCE</b>
Closed MSWLF		HHW		White goods		Incineration		T&P		FIRM	
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF	

Date of Audit: July 10, 2008Date of Last Audit: May 6, 2008**FACILITY NAME AND ADDRESS:**

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

**GPS COORDINATES: (Decimal Degrees) N 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:**

Jeff Clark, Assistant Solid Waste Director, Cherokee County  
 Robert Allen, Solid Waste Director, Cherokee County  
 Troy Harrison, Environmental Senior Specialist, Solid Waste Section NCDENR  
 Deb Aja, Western District Supervisor, Solid Waste Section NCDENR

**STATUS OF PERMIT:**

Original Permit to Construct issued July 15, 1997  
 Permit to Construct (Phase 2) issued February 19, 2004  
 Current Active-Permit to Operate issued April 1, 2005

**PURPOSE OF AUDIT:**

Follow-up: Audit: Follow-up of Landfill

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

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

1. 15A North Carolina Administrative Code 13B .1626 (8)(d) observed on December 18, 2007 and March 7, 2008. In order to achieve compliance, Cherokee County was required to:

a. Assure leachate is contained on site or properly treated prior to discharge, and

**At the time of inspection, work was ongoing to address this violation. A large amount of soil was placed at the edge of the liner and this area was not visible.**

b. Assess the impact of the leachate release outside of the waste cell.

**The Division received the report on the impact of the leachate release outside of the waste cell on July 3, 2008 and is being reviewed by a hydrogeologist with the solid waste section. Please refer to Section 18 in the comments section of this audit for additional comments.**

2. **15A North Carolina Administrative Code 13B .1626 (7)(a)** states: Adequate sediment control measures (structures or devices), shall be utilized to prevent silt from leaving the MSWLF facility. In order to achieve compliance, Cherokee County was required to: Immediately implement the approved erosion control plan as approved by the North Carolina Land Quality Section. **Cherokee County is working with the Land Quality Section to correct these sedimentation issues and is implementing the approved erosion and sedimentation plan. They are currently constructing erosion control features. Land Quality requested a revised plan.**

3. **15A North Carolina Administrative Code 13B .1626 (8)(c)** states: Surface water shall not be impounded over or in waste. In order to achieve compliance, Cherokee County was required to: Submit a plan to the Solid Waste Section describing what action has been taken to prevent ponding of water on top of the landfill. **On June 10, 2008 an e-mail was received from Mr. Clark that stated: "The plan is to find all low spots where water stands and fill with soil, then seed. Any questions or any other ideas please let me know." During the audit, no standing water was observed on top of the landfill after a rain the previous day. The violation appears to be corrected; however staff will need to maintain the top of the landfill to prevent ponding of water.**

**AREAS OF CONCERN AND COMMENTS:**

**MSW Landfill Observations**

1. This facility is a MSW landfill. The service area is Cherokee County.

2. The weather was overcast at the time of audit with recent rain.

3. New markers were observed around the edge of the landfill to delineate the liner. The markers were appropriately spaced and clearly visible. Photos were taken.

4. The ditch observed during the 3/07/08 audit and the 5/06/08 audit had been filled in. There was a concern that the ditch was located within the liner during the audit on 5/06/08. Based on photographs taken on 7/10/08 with the edge of the landfill clearly marked and comparing with those taken on 5/06/08, it appears the ditch was located outside of the liner.

5. The sediment basin below the service road had been cleaned out and the stone dam repaired. The slope below the road had been seeded but was very steep. The access road in this location was built up to prevent runoff over the bank. **Cherokee county should continue working with the North Carolina Land Quality Section on sedimentation issues.**

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6. Equipment and other stockpiled materials that were observed parked or placed on the landfill next to the maintenance shed were removed.
8. A fence had been erected next to the service road to catch windblown debris.
9. The leachate collection pond was observed with some leachate at the bottom. According to landfill staff, leachate is pumped out every night. The cloth that provides a UV protective layer was gathered and twisted up. **This needs to be spread out to prevent damage to the leachate pond liner.**
10. An electrical contractor was hired to inspect the leachate pump system and found to be working properly. A periodic inspection of the leachate collection system is required by 15A North Carolina Administrative Code 13B .1626 (12). The leachate collection lines have never been inspected. Landfill staff said this is because they have always been working. **An inspection of the entire system (including lines) is also required and must be done.**
11. Cherokee County needs to mow and remove woody vegetation/brush from areas with intermediate cover. There is woody vegetation near the pump house.
12. The slopes of the landfill have been recently seeded. The weather has been very dry until very recently. Conditions are improving; however, there are areas where the grass has died. The DOT hydro seeder is still used with hand seeding in between. **These areas need to be reseeded immediately with appropriate ground cover.**
13. Several areas were observed where there was erosion on the daily cover. Uneven grading of the surface may have contributed to the erosion as well as spotty growth of vegetative cover. **These areas must be repaired immediately to prevent possible exposure of buried waste and becoming a more serious issue. Landfill staff needs to make sure that the cover is spread in a way that prevents channeling of the runoff and sheds more evenly. Several areas that have been seeded will also need to be recontoured and reseeded to prevent channeling of runoff and further erosion.**
14. The county has received a quote for a hydro seeder, according to Mr. Allen.
15. A new access road has been constructed using fabric as a base and stone. Fabric is used to aid in moving the stone when the road is moved. This also protects the cap of the landfill.
16. A new sediment pond was observed under construction. This is located next to the LCID/YW storage area. It appears that this area has been graded with dump loads of soil and not excavated. The soil berms have not been compacted. Landfill staff indicated that this will be done before completion. In addition, the sediment basin should not be constructed over the liner system. During the audit, soil was placed over the liner system for the construction of the sediment basin berm. The engineering firm is scheduled to come to the landfill this week to provide technical assistance, according to landfill staff. **Changes to construction plans must be approved by the Solid Waste Section Regional Permitting Engineer.**
17. The top of the landfill appears to be shedding water much better as there was no standing water and it had rained the day before. Landfill staff said that they have been working to prevent ponding of water on the surface.

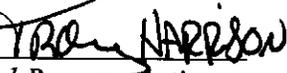
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18. The facility was asked to assess the impact of the leachate release outside of the waste cell in the December 18, 2007 audit report sent on December 19, 2007. Soil and groundwater samples were taken on February 18 & 19, 2008 by Municipal Engineering Services, PA (MESCO). They were received by Environmental Conservation Laboratories, INC. (ENCO) on February 20, 2008. ENCO reported their findings to MESCO on February 28, 2008. On July 3, 2008, MESCO reported the findings to NC DENR Division of Waste Management-Solid Waste Section Hydrogeologist via e-mail. The sampling location shown on the map was at a sediment basin that either was never built or was previously filled in and was not at the area observed on December 18, 2007. Since that time, the original area that had the ponding of leachate over and beyond the landfill liner edge has been re-graded and filled. The compliance hydrogeologist will be responding to the assessment report.

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

*Troy Harrison*



Phone: 828 296-4701

*Regional Representative*

Delivered on : <u>July 18, 2008</u> by	X	hand delivery	X	e-mail	Certified No. [ ]
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Cc Mark Poindexter, Field Operations Branch Head  
 Deb Aja, Western District Manager  
 David Badger, Cherokee County Manager