



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

<b>UNIT TYPE:</b>											
Lined MSWLF		LCID		YW		Transfer		Compost	<b>X</b>	SLAS	<b>COUNTY: CHOWAN</b>  <b>PERMIT NO.: 21-02</b>  <b>FILE TYPE: COMPLIANCE</b>
Closed MSWLF		HHW		White goods		Incin		T&P		FIRM	
CDFL		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF	

**Date of Audit:** 28 August 2009

**Date of Last Audit:** 19 June 2007

**FACILITY NAME AND ADDRESS:**

Bio-Comp, Inc.  
 2116-B Bio-Comp Drive  
 Edenton, NC 27932

**GPS COORDINATES:** N: 36.02133 W: 76.55355

**FACILITY CONTACT NAME AND PHONE NUMBER:**

Dr. Frank J. Regulski (252) 482-8528

**FACILITY CONTACT ADDRESS:**

2116-B Bio-Comp Drive  
 Edenton, NC 27932

**AUDIT PARTICIPANTS:**

Wes Hare, NCDENR- Solid Waste Section  
 Julian Leary, Bio Comp

**STATUS OF PERMIT:**

Permit expired 1 February 2007; application was submitted November 2007 and reissuance is in process.

**PURPOSE OF AUDIT:**

Comprehensive Audit

**NOTICE OF VIOLATIONS:**

1. 15A NCAC 13B .1404 (a)(2) states that “A 100-foot minimum buffer is required between all property lines and compost areas for Type 3 and 4 facilities, 50-foot for Type 1 or 2 facilities”. Material piles and bagged products are within fifty feet of the property boundaries. **Within thirty days of receipt of this Notice, these items need to be moved out of the property buffer.**

2. 15A NCAC 13B .1404 (a)(4) states that “A 100-foot minimum buffer is required between all wells and compost areas, except monitoring wells”. Material piles are within 100 feet of the groundwater well near the stormwater/ fire pond. **Within thirty days of receipt of this Notice, material will need to be moved out of the well buffer.**

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3. 15A NCAC 13B .1404 (a)(8) states that "A 25-foot minimum distance is required between compost areas and swales or berms to allow for adequate access of fire fighting equipment". Material piles and bagged products are stored within twenty-five feet of drainage ways on the site. **Within thirty days of receipt of this Notice, these items need to be moved out of the swale buffer.**

4. 15A NCAC 13B .1406 (4) states that "Leachate shall be contained on site treated to meet the standards of the off-site disposal method". Leachate was documented flowing from the material piles into the swales along either side of the asphalt pad. The southern ditch leads to the stormwater pond and the northern ditch leads perpendicularly off of the north side of the property. **Steps need to be taken to contain leachate and, within thirty days of receipt of this Notice, provide this office with a plan regarding how leachate will be contained during future operations.**

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. For the violation(s) noted here, 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:**

None noted.

**AREAS OF CONCERN AND COMMENTS:**

1. The permit, operations plan, and composting records were not available for review.
2. While this facility has specific haulers and specifications for waste type, there was no signage posted as required in 15A NCAC 13B .1406 (8). Signs need to indicate allowable waste types, operating hours, permit number, and emergency contact information.
3. The access road to the facility is being managed properly.
4. The site is gated and fenced for controlled access.
5. As noted in NOV item #1, all material or product will need to be located more than fifty feet from all property boundaries.
6. As noted in NOV item #2, all material or product will need to be located more than 100 feet from the groundwater well.
7. As noted in NOV item #3, all material or product will need to be located more than twenty-five feet from all berms or drainage ways.
8. As noted in NOV item #4, stop the discharge of leachate.

**Corrective actions are required as a result of this audit.**

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

Phone: 910.796.7405.

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Wes Hare  
Environmental Senior Specialist  
Solid Waste Section  
***Regional Representative***

Delivered on : <u>3 September 2009</u> by		Hand delivery		US Mail	X	Certified No. 70050390000132006295
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**cc: Mark Poindexter, Field Operations Branch Supervisor**  
**Donald Herndon, Compliance Officer**  
**Dennis Shackelford, Eastern District Supervisor**  
**Michael Scott, Septage/Composting Branch Supervisor**