



FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:											
Lined MSWLF		LCID		YW		Transfer		Compost		SLAS	COUNTY: Durham PERMIT NO.: 32-05 FILE TYPE: COMPLIANCE
Closed MSWLF		HHW		White goods		Incin		T&P	<input checked="" type="checkbox"/>	FIRM	
CDFL		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF	

Date of Audit: November, 14, 2007

Date of Last Audit: December 11, 2006

FACILITY NAME AND ADDRESS:

B&B Topsoil Mine, Inc.
 1800 Hamlin Road
 Durham, North Carolina 27704

GPS COORDINATES: N: 36.03724 W: 78.85285

FACILITY CONTACT NAME AND PHONE NUMBER:

Billy Andrews 919-477-6328

FACILITY CONTACT ADDRESS:

B&B Topsoil Mine, Inc.
 Attn: Billy Andrews
 1800 Hamlin Road
 Durham, North Carolina 27704

AUDIT PARTICIPANTS:

Dennis E. Shackelford, NCDENR - Solid Waste Section
 Mary Whaley, NCDENR – Solid Waste Section
 Drew Hammonds, NCDENR – Solid Waste Section
 Michael Scott, NCDENR – Solid Waste Section

Mike Andrews, B&B Soil
 George Andrews, B&B Soil

STATUS OF PERMIT:

Permit expired August 13, 2006

PURPOSE OF AUDIT:

Comprehensive Audit and scheduled visit

NOTICE OF VIOLATION:

15A NCAC 13B .0302 (1) states that “Operational plans shall be approved and followed as specified for the facility;” The operational plan indicated that use of equipment access routes located between the piles of material. The facility had a pile of waste 100 wide and 500 feet long that had no access as indicated on the approve plan.

15A NCAC 13B .0302 (2) states that “A facility shall only accept waste which it is permitted to receive.” A copy of the annual report indicated that waste was received during the months of March, April, May and June and as indicated during the Audit, was from the City of Durham Yard Waste Facility. The facility is not permitted to receive Yard Trash.

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:

15A NCAC 13B .0201 (a) dated September 15, 2006 **Resolved**
 Correspondence from Paul Crissman dated November 6, 2006 to cease operating.
 15A NCAC 13B .0201 (a) dated December 11, 2006 **Unresolved NOV**
 15A NCAC 13B .0201 (a) dated March 28, 2007 **Unresolved Compliance Order**
The facility has not stopped receiving waste.

OTHER COMMENTS /SUGGESTIONS:

1. A meeting was scheduled to review the proposed permit application and to perform a comprehensive audit.
2. The owner stated that he had received the compliance order requiring that the facility stop receiving waste but refused to stop while the state reviewed the permit.
3. During the facility audit, 2 trucks were noted dumping at the facility.
4. The large pile in the center of the facility measuring 100' wide and 500 feet long and 40 feet tall at the tallest point needs to be reduced to a manageable height as to prevent the creation of a nuisance, unsanitary conditions, or a potential public health hazard.
5. The erosion control measures need to be maintained. The temporary sediment pond, as indicated on the erosion control plan, needs to be restored to plan dimension and filter stone placed at the outlet of the ponds. A rock dam is needed at the outlet of the sediment pond. No off-site sedimentation was noted during the audit.
6. A perimeter road needs to be established around the entire facility for fire control and as a means of controlling sediment that can be produced from runoff from the operational areas.
7. A copy of the Treatment and Processing Facility Annual Report was provided.
8. Digital photos were taken during the Audit.

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

Phone: (919)-693-5023

 Mary Whaley
 Environmental Senior Specialist
 Solid Waste Section
Regional Representative

Delivered on: <u>November 20, 2007</u> by		Hand delivery	<input checked="" type="checkbox"/>	US Mail	<input checked="" type="checkbox"/>	Certified No
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Cc: Mark Poindexter, Field Operations Branch Head
Dennis Shackelford, Eastern District Supervisor
Drew Hammonds, Environmental Senior Specialist
Amy Kadrie, Compliance Office

Patrick Baker, City Manager
City of Durham
101 City Hall Plaza
Durham, North Carolina 27701