



FACILITY COMPLIANCE AUDIT REPORT

Division of Waste Management Solid Waste Section

UNIT TYPE:

Lined MSWLF		LCID	X	YW		Transfer		Compost		SLAS		COUNTY: Durham PERMIT NO.: 32F 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: March 25, 2010**Date of Last Audit:** October 15, 2009**FACILITY NAME AND ADDRESS:**

Fogleman & Fogleman Soils, Inc. LCID Landfill
 Red Mill Road
 Durham, NC 27704

GPS COORDINATES: N: 36.048114E: -78.812471**FACILITY CONTACT NAME AND PHONE NUMBER:**

Kent Fogleman, Owner – 919-682-0068;
 Fax: 919-682-0662

FACILITY CONTACT ADDRESS:

Fogleman & Fogleman Soils, Inc.
 4005 Intermere Road
 Durham, NC 27704

AUDIT PARTICIPANTS:

Chris Marriott – NCDENR, Solid Waste Section
 Kent Fogleman – Fogleman LCID Landfill Owner
 Timmy Ferrell – Fogleman LCID Landfill Operator

STATUS OF PERMIT:

Original Permit: March 16, 1992
 Permit to Operate: December 19, 2006
Permit Review Date: December 19, 2011

PURPOSE OF AUDIT:

Partial Audit

NOTICE OF VIOLATION(S):

None

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

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AREAS OF CONCERN AND COMMENTS:

- 1) Facility is a permitted LCID landfill.
- 2) The operating hours are 7:00 am through 5:00 pm, Monday – Friday.
- 3) This facility also holds a Mining Permit (32-09) issued by the Division of Land Quality.
- 4) The access road is well marked and allows all-weather access to the tipping deck.
- 5) Landfill access is controlled after hours by a double swing gate.
- 6) An attendant is at the facility during all hours the facility is open for accepting waste.
- 7) Observed the waste screening process completed by the entrance attendant at the scalehouse.
- 8) The working face was less than one acre and is being covered.
- 9) Waste is not being disposed of in water. Furthermore, the facility is constructed so that water is diverted down slope, away from the working face.
- 10) According to staff, the landfill has been accepting between 100-200 loads per day for the past couple weeks, which is up from 60-100 loads per day during recent months.
- 11) Uncovered waste observed at the working face included brush and tree debris.
- 12) Facility is stockpiling sediment pond cleanout waste for drying in an area near the working face. This material will be used for cover soil upon drying.
- 13) Reminded Mr. Fogleman and Mr. Ferrell that vegetation needed to be established on the side slopes and any inactive areas as required by rule 15A NCAC 13B .0566(7). Rule 15 A NCAC 13B .0566(7) reads: “Provisions for a ground cover sufficient to restrain erosion must be accomplished within 30 working days of 120 calendar days upon completion of any phase of landfill development”.

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



Phone: 336-771-5090

Chris Marriott
 Environmental Senior Specialist
Regional Representative

Delivered on : <u>April 9, 2010</u> by		Hand delivery	X	US Mail		Certified No. []
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cc: Mark Poindexter, Field Operations Branch Supervisor
 Jason Watkins, Central District Supervisor
 Donald Herndon, Compliance Officer