



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		Incineration		T&P		FIRM	
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF	

Date of Audit: October 26, 2010

Date of Last Audit: March 25, 2010

FACILITY NAME AND ADDRESS:

Fogleman & Fogleman Soils, Inc. LCID Landfill

GPS COORDINATES: N: 36.048114

E: -78.812471

FACILITY CONTACT NAME AND PHONE NUMBER:

Kent Fogleman, Owner – 919-682-0068

FACILITY CONTACT ADDRESS:

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

AUDIT PARTICIPANTS:

Tricia Thompson – Fogleman LCID Administrative Assistant
 Timmy Ferrell – Fogleman LCID Landfill Operator
 Chris Marriott – NCDENR, Solid Waste Section

STATUS OF PERMIT:

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

PURPOSE OF AUDIT:

Comprehensive 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 that operates Monday through Friday. The posted hours of operation are 7:00 am through 5:00.
- 2) The Division of Land Resources has issued a Mining Permit (32-09) to Fogleman Soils for portions the property.
- 3) The facility also holds a mine dewatering permit from the Division of Water Quality.
- 4) The Permit and all conditions were reviewed with Tricia Thompson. The current permit is due to expire on December 19, 2011. A renewal application should be submitted by June 19, 2011.
- 5) Site access is controlled by a site attendant during operating hours and with a double swing gate when the facility is closed.
- 6) All facility roads are well marked and appeared to be in an all-weather condition.
- 7) The working face was well defined and was approximately one-third of an acre at the time of this inspection.
- 8) Observed materials at the working face included asphalt, stumps, and brush.
- 9) According to records in the 'scale-house', the number of loads has decreased to an average of 50 trucks per day. This is down from an average of 100 trucks per day in March 2010.
- 10) The March 26, 2010 inspection noted that side slopes and inactive areas should have vegetation established within 120 calendar days (comment #13 on the audit report mailed on April 9, 2010). During this inspection I observed vegetation established and other areas seeded on the side slopes and inactive areas. Please continue to spread seed to establish ground cover within the required timeframe.

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>November 17, 2010</u> by	Hand delivery	<input checked="" type="checkbox"/>	US Mail	Certified No. []
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cc: Mark Poindexter, Field Operations Branch Supervisor
Jason Watkins, Central District Supervisor
Donald Herndon, Compliance Officer