

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:

Lined MSWLF	LCID	YW	Transfer	Compost	SLAS	COUNTY: Gaston PERMIT NO.: 36-11TP FILE TYPE: COMPLIANCE
Closed MSWLF	HHW	White goods	Incineration	T&P	X FIRM	
CDLF	Tire T&P / Collection	Tire Monofill	Industrial Landfill	DEMO	SDTF	

Date of Audit: August 4, 2010

Date of Last Audit: October 14, 2009

FACILITY NAME AND ADDRESS:

BMWNC, Inc
 148 Boxwood Lane
 Gastonia, North Carolina 28054

GPS COORDINATES: N: 35.28163 W: 81.18219

FACILITY CONTACT NAME AND PHONE NUMBER:

Mary McIntosh, Facility Manger (704) 200-2040
mmcintosh@hwsusa.com

FACILITY CONTACT ADDRESS:

Same

AUDIT PARTICIPANTS:

Mary McIntosh, Facility Manager
 Charles Gerstell, NCDENR-Solid Waste Section
 Deb Aja, NCDENR-Solid Waste Section

STATUS OF PERMIT:

On June 28, 2007, permission was granted to BMWNC, Inc to begin operations in accordance with the approved operations plan and permit to construct. A Permit to Operate will be issued at a later date.

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.

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STATUS OF PAST NOTED VIOLATIONS:

15A North Carolina Administrative Code 13B .1207(2)(d) states: Monitoring under conditions of full loading for effectiveness of treatment shall be performed no less than once per week through the use of biological indicators or other methods approved by the Division.

During the previous inspection performed on October 14, 2009, it was found that efficacy tests were performed once every six months. Test results from a January 2009 efficacy test was observed during the inspection, but no additional results were provided for subsequent tests. Therefore, BMWNC, Inc was found in violation of 15A NCAC 13b .1207(2)(d).

To achieve compliance, BMWNC, Inc. must perform monitoring under conditions of full loading for effectiveness of treatment no less than once per week through the use of biological indicators or other methods approved by the Division.

15A North Carolina Administrative Code 13B .1207(2)(f) states: A log of each test of effectiveness of treatment performed shall be maintained and shall include the type of indicator used, date, time, and result of test.

During the October 14, 2009 inspection, test results for a January 2009 efficacy test were observed. However, no additional results were provided for subsequent tests. Therefore, BMWNC, Inc. was found in violation of 15A NCAC 13B .1207(2)(f).

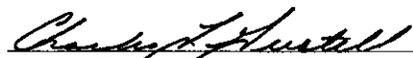
To achieve compliance, BMWNC, Inc. was directed to maintain a log of each test of effectiveness of treatment which shall include the type of indicator used, date, time, and result of test. These records must be available to the Division upon request.

No waste has been treated at the facility since the October 14, 2009 inspection. Therefore, the Notice of Violation(s) will remain unresolved until the facility resumes treatment of waste and efficacy tests can be performed.

AREAS OF CONCERN AND COMMENTS:

- 1.) Facility is currently operated on a limited basis. The facility has not processed any waste since June 2, 2009.
- 2.) All treated waste is disposed of that the BFI-Charlotte Motor Speedway Landfill (Permit #13-01)
- 3.) Reviewed the Permit to Construct and the Operations Plan. These documents were current and available for review.
- 4.) No untreated waste was located within the facility at the time of inspection.
- 5.) The floor of the facility was maintained in a clean condition.
- 6.) A new electrical system was being installed on the autoclave.
- 7.) Recalibration has recently been completed on the autoclave.

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


Charles T. Gerstell
Environmental Senior Specialist
Regional Representative

Phone: (704) 235-2144.

Delivered on : <u>8/13/10</u> by	X	Electronic correspondence		US Mail		Certified No.
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cc: Mark Poindexter, Field Operations Branch Supervisor
Deb Aja, Western District Supervisor