



FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:											
Lined MSWLF		LCID		YW		Transfer		Compost		SLAS	COUNTY: HENDERSON PERMIT NO.: 45-05TP FILE TYPE: COMPLIANCE
Closed MSWLF		HHW		White goods		Incin		T&P	X	FIRM	
CDFL		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF	

Date of Audit: 9/9/10, 12/21/10, 5/13/11 **Date of Last Audit:** 07/15/10

FACILITY NAME AND ADDRESS:

Les's Mulch Plus
 2630 Asheville Highway
 Hendersonville, NC 28792

GPS COORDINATES: **N:** 35.353059 **E:** -82.470845

FACILITY CONTACT NAME AND PHONE NUMBER:

Leslie or Linda Erickson, owner/operators
 (828) 628-0350
 (828) 243-4537
 Linda Erickson cell: (828) 329-0329
brushrat2003@yahoo.com

FACILITY CONTACT ADDRESS:

PO Box 1783
 Fairview, NC 28730

AUDIT PARTICIPANTS:

Andrea Keller – NCDENR Solid Waste Section
 Leanna Erickson, operator

STATUS OF PERMIT:

Active – November 2, 2006
Expires – November 2, 2011

PURPOSE OF AUDIT:

Comprehensive

NOTICE OF VIOLATION(S):

None

STATUS OF PAST NOTED VIOLATIONS:

15A NCAC 13B .0203 (d): ONGOING

In order to achieve compliance, Les's Mulch Plus must mark and maintain the 50-foot buffer requirement between all property lines and the mulching/material storage operations; and must mark and maintain the 100-foot buffer requirement between all on site wells and surface waters and the mulching/material storage operations.

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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.

AREAS OF CONCERN AND COMMENTS:

1. On-site for comprehensive site inspection and follow-up to previous Notice of Violation. Present: Leanna Erickson, site operator.
2. During the September 9, 2010 site inspection the facility was attempting to manage a facility fire. The Permit to Operate (PTO) Operation Condition #21 stated that fires and *fires and non-conforming waste incidents shall be reported to the Solid Waste Section within 24 hours, and a written notification submitted within 15 days.* The fire was not notified to the Section at the time of the incident, nor was written notification received. Please submit the written notification regarding this incident. (See attached form).
3. The Notice of Violation (NOV) dated July 15, 2010 was with regard to maintaining buffer requirements. The Operations Plan required that mulch or other material be stored 100-feet from all surface waters and the on-site well (not in use). Follow-up inspections (9/9/10, 12/21/10, and 5/13/11) verified the facility's progress at maintaining these buffers.



Surface water

Please continue to work to remove the remaining material piles from within 100-feet from surface waters, and contact the Section when work is complete in order to resolve the NOV.

4. According to the approved site plan, there is limited available space on site for the storage of materials. This issue may require further discussion with the Section permitting engineer (Larry Frost, 828-296-4704; larry.frost@ncdenr.gov) during permit renewal activities. **NOTE: the Permit to Operate expires on November 2, 2011. It is strongly recommended that the renewal process begin four months in advance of the expiration, July 1, 2011.** Please contact Mr. Frost to discuss this process.
5. The current PTO Operational Condition #11 states that a minimum of 75% of acceptable materials received shall be treated or processed and distributed within 12 months of receipt. During the original site inspection it was stated that both grinders were inoperative (7/15/10). Large amounts of material had been stockpiled in the processing area during this period. It was stated (Ms. Erickson) during the current 5/13/11 site inspection that the grinder would be operational by the end of the month. Please note that the facility is coming up on a year of operation without grinding having occurred on site.
6. The product pile (mulch) appeared to be of acceptable materials (land clearing wood wastes). The facility appears to sort unacceptable materials out of the product piles for proper disposal. Note that the facility

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screening plan states that *no unacceptable materials are stored at the site. They are reloaded into trucks and immediately sent for proper disposal.*

7. The PTO Operational Condition #22 discusses the annual reporting requirements. **Reports are due on August 1st** of each year for the previous July 1 through June 30. The report is located on-line at the link <http://portal.ncdenr.org/web/wm/sw/annualreports> "Annual Reporting," Treatment and Processing Facility.

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



Phone: (828) 296-4700.

Andrea Keller
Environmental Senior Specialist
Regional Representative

Mailed on : <u>06/22/11</u> by		Hand delivery		US Mail		Certified No. [7008 0150 0000 7473 4325]
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ec: Deb Aja, Western District Supervisor
Donald Herndon, Compliance Officer
Larry Frost, Permit Engineer