NCDENR
North Carolina Department of Environment and Natural Resources
Division of Water Quality

Beverly Eaves Perdue
Governor

Coleen H. Sullins
Director

Dee Freeman
Secretary

COPY

November 2, 2010

RECEIVED NOV - 8 2010 SOLID WASTE SECTION

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7009 1680 0000 7514 8246
Clearwater Well Drilling
547 Upper Shut-in Road
Hot Springs, North Carolina 28743
Attn.: Mr. Rex Meadows
NC Certification No. 2113

Reference: **NOTICE OF VIOLATIONS of the NORTH CAROLINA WELL CONSTRUCTION STANDARDS**
NOV-2010-2C-0018
BIMS Incident 200902510
Well Located on PIN 9716-66-9635
Madison County, N.C.

Dear Mr. Meadows:

The Aquifer Protection Section of the Division of Water Quality (DWQ) is responsible for the regulation of well construction activities within the State of North Carolina. On October 12, 2009, the Asheville Regional Office (ARO) of DWQ inspected a water supply well located on the property of Joel and Diane Edwards, 79 Long Branch Road, Marshall, N.C. The field inspection verified data submitted to the Solid Waste Section indicating that the subject well was located within 500 ft of a closed, municipal landfill owned by Madison County. The well identification tag indicated that the well was drilled November 30, 2006. The landfill waste cell closest to the subject well stopped receiving waste and was subsequently closed as of December 21, 1995. Although the identification plate on the well indicates a driller registration number of 922, you stated in a conversation with me on October 16, 2009 that in fact, you drilled the subject well. You are also the registered agent for Clearwater Well Drilling, Inc. and Clear Water Well & Pump Corporation.

Therefore the following violation exists:

VIOLATION:
The well was installed at distance less than 500 feet from the landfill boundary, as required by Rule 15A NCAC 2C.0107(a)(2)(J). Based on a site survey, the well is located approximately 300 ft from the nearest waste cell boundary. Because this well is contaminated, you are not required to chlorinate the well prior to abandonment.

REQUIRED CORRECTIVE ACTION for Violation:
Please abandon the well as required by 15A NCAC 2C.0113(b) and submit a well abandonment record (GW-30).

Based on sampling data conducted on behalf of Madison County Solid Waste, the well is contaminated with tetrachloroethene (PCE), and a camera survey performed on behalf of Madison County also suggests the well casing was compromised at the bedrock interface.

Please take the corrective actions for the above violations as necessary to bring said well into compliance. **Please notify this office and the well owner at least 48 hours in advance before you plan to or abandon the well. You must have written approval from the property owner and the owners must be connected to an alternate water source prior to your abandonment activities.** Corrective actions must be taken and reported to the Asheville Regional Office, 2090 US Highway 70, Swannanoa, NC 28778, **within 25 days,** unless otherwise noted in the above corrective actions, from receipt of this Notice to avoid recommendation of civil penalties for **continuing** violations.

Pursuant to North Carolina General Statute 87-91(a), you are hereby notified that you are in violation of the Well Construction Standards indicated in Subchapter 2C, Title 15A, of the North Carolina Administrative Code. These Standards were adopted by the Environmental Management Commission under authority granted by the North Carolina Well Construction Act. This Notice is given in accordance with North Carolina General Statutes 87-93, *et seq.*

Your prompt attention to the items described herein is required. Failure to comply with the State's rules, in the manner and time specified, may result in the assessment of civil penalties and/or the use of other enforcement mechanisms available to the State. Each day that a violation continues may be considered a separate violation.

G. Landon Davidson, L.G.
Aquifer Protection Section Regional Supervisor
Asheville Regional Office

c: Eric Smith – NC DENR DWQ APS Central
Jackie Drummond (Jaclynne) – NC DENR DWM SW Section Raleigh
Drew Morgan WCCC
J. Edwards - 79 Long Branch Road, Marshall, N.C., 28753
Andrea Keller - NC DENR Solid Waste Division ARO
Jamie List – Madison Co. Env. Health Coordinator