



FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:											
Lined MSWLF	<input checked="" type="checkbox"/>	LCID		YW	<input checked="" type="checkbox"/>	Transfer		Compost		SLAS	COUNTY: Stanly PERMIT NO.: 84-01 FILE TYPE: COMPLIANCE
Closed MSWLF		HHW		White goods	<input checked="" type="checkbox"/>	Incin		T&P		FIRM	
CDLF	<input checked="" type="checkbox"/>	Tire T&P / Collection	<input checked="" type="checkbox"/>	Tire Monofill		Industrial Landfill		DEMO		SDTF	

Date of Audit: 3/18/10 & 3/30/10

Date of Last Audit: 1/13/10

FACILITY NAME AND ADDRESS:

City of Albemarle MSW Landfill Facility
 40592-B Stony Gap Road
 Albemarle, North Carolina

GPS COORDINATES: N: 35.31004 W: 80.15046

FACILITY CONTACT NAME AND PHONE NUMBER:

Raymond Allen, City Manager
 City of Albemarle
 (704) 984-9408

FACILITY CONTACT ADDRESS:

Post Office Box 190
 Albemarle, North Carolina 28002

AUDIT PARTICIPANTS:

Nina Underwood, Assistant Public Works Director (3/18/10 & 3/30/10)
 Mike Lambert, Public Works Director (3/30/10)
 Darren Preslar, Specials Projects Officer (3/30/10)
 Jan Borgman, Crew Leader (3/30/10)
 Teresa Bradford, NCDENR-SWS

STATUS OF PERMIT:

A modification to the Permit to Operate the Phase 1 and 2 of the MSW Landfill was issued on June 12, 2009. The permit shall expire on June 12, 2014.
 A modification to the Permit to Operate Fill Plan 1st through 4th years of the CDLF Unit was issued on November 1, 2005 and will be valid until January 1, 2007. Information as been submitted to the Solid Waste Section, Permitting Branch, and is under review.

PURPOSE OF AUDIT:

Complaint Investigation/Operational Audit

NOTICE OF VIOLATION(S):

15A NCAC 13B .0542(l)(4) states: Leachate must be contained on-site or treated prior to discharge, and
15A NCAC 13B .0505(7)(c) states: Leachate shall be contained on site or properly treated prior to discharge.

The City of Albemarle Landfill is in violation of 15A NCAC 13B .0542(l)(4) and 15A NCAC 13B .0505(7)(c) in that on March 18, 2010, several leachate outbreaks were observed on the southern side of the Construction and Demolition Landfill unit operating over a closed, unlined municipal solid waste landfill. The leachate from the outbreaks was

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

Page 2 of 2

observed to have flowed onto and across the access road (photos #1, 2, 3, 5). From the access road, the leachate flowed to the west into two drainage ditches (photos #4, 5 and 6), through two culverts under the haul road (photos #4 and 5) and into two ditches that lead to the sediment basin (photos #6, 7 and 8). The sediment basin discharges from an outlet located on the downstream side of the basin (photo #10). On March 30, 2010, a follow-up inspection was conducted. All but one of the leachate outbreaks previously observed on March 18, 2010, had been repaired. The leachate from this area was still outside the disposal unit along the access road but did not cross the access road. Jan Borgman was made aware of the existing leachate outbreak that was not repaired.



3/18/10: Photo #1 - View looking west, of easternmost leachate outbreak on the southern side of the CDLF over the closed MSWLF, flowing west toward vehicle.



3/18/10: Photo #2 - View looking west of leachate outbreak on the southern side of the CDLF over the closed MSWLF.



3/18/10: Photo #3 - View of leachate flowing from CDLF over the closed MSWLF and across access road to the second drainage ditch.



3/18/10: Photo #4 - View of leachate in the first drainage ditch flowing towards vehicle.

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section



3/18/10: Photo #5 - View of leachate in access road entering second drainage ditch.



3/18/10: Photo #6 - View of first (right) and second (left) drainage ditches leading to the sediment basin located in the background.



3/18/10: Photo #7 - View of second drainage ditch leading to the sediment basin located in the background.



3/18/10: Photo #8 - View of leachate entering the sediment basin.



3/30/10: Photo #9 - View of the sediment basin.



3/30/10: Photo #10 - View of the outlet on the downstream side of the sediment basin.

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

Page 4 of 4

In order to achieve compliance, the City of Albemarle Landfill must:

1. Properly determine the edge of waste and install permanent markers around all disposal units, including the closed, unlined municipal solid waste landfill;
2. Assure leachate is contained within the boundary of the disposal unit or properly treated prior to discharge; and
3. Assess the impact of the leachate release outside of the landfill area. Please contact Ervin Lane, Compliance Hydrogeologist with the SWS, at (919) 508-8516 or Ervin.Lane@ncdenr.gov regarding the assessment. Within 30 days of receipt of this audit report, submit the results of the assessment to Mr. Lane at:

NCDENR-Division of Waste Management
Solid Waste Section
410 Mail Service Center
1646 Mail Service Center
Raleigh, North Carolina 27699-1646

15A NCAC 13B .1626(2)(a) states: Except as provided in (2)(b) of this paragraph, the owners or operators of all MSWLF units must cover disposed solid waste with six inches of earthen material at the end of each operating day, or at more frequent intervals if necessary, to control disease vectors, fires, odors, blowing litter, and scavenging.

The City of Albemarle Landfill is in violation of 15A NCAC 13B .1626(2)(c) in that on March 18 and March 30, 2010, waste was observed with inadequate soil cover in the area where the trench was excavated on the south/southwest side slope on Phase 1 of the MSWLF (photos #12, 13 and 16).

Anonymous voicemails were received by Teresa Bradford on March 16, 2010 and Paul Crissman on March 17, 2010. The anonymous caller alleged that the City of Albemarle, during waste excavation, had penetrated the landfill liner. Teresa Bradford contacted Mr. Preslar by phone on March 16, 2010. Mr. Preslar stated that the excavation did not puncture the liner.

On March 18, 2010, in response to the complaint, Teresa Bradford conducted a facility audit and observed an excavated area containing leachate on the northwest side slope of Phase 1 of the MSWLF (photo #14). The excavated area was filled with leachate and the condition of the liner could not be determined. According to Nina Underwood, the excavation of the waste was performed in order to repair a leachate outbreak. Teresa Bradford observed a hose that ran from the excavated area into a trench that was excavated for the purposes of correcting leachate outbreaks. According to Darren Preslar, the excavated area on the northwest side of Phase 1 was left open to monitor the leachate level. During the inspection on March 30, 2010, the leachate in the excavated area was observed to have been pumped out (photo #15). Also on March 18, 2010, Teresa Bradford observed another area of uncovered waste adjacent to an excavated area near the sump located on the southern side of Phase 1 (photo #16). According to Darren Preslar, the excavated area was left open to monitor the level of leachate during the pumping of impounded leachate from Phase 2 to Phase 1 leachate collection system.

During the follow-up inspection on March 30, 2010, facility personnel had started adding additional soil cover and borrow material to reinforce the soil berm at the toe of the slope on the southern side of Phase 1 (photo #17). Uncovered waste that was removed from the excavated area near the Phase 1 sump located on the southern side slope that was observed on March 18, 2010, was observed to be still uncovered on March 30, 2010 (photo #16). Facility personnel had applied a plastic tarp over the waste that had been excavated from the Phase 1 sump area. The tarp had blown off and had not been reapplied.

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

Page 5 of 5



3/18/10: Photo #12 - View looking north of inadequate cover on the south/southwestern side slope of Phase 1 of the MSWLF.



3/18/10: Photo #13 - View looking east of inadequate cover on the southern side slope of Phase 1 of the MSWLF.



3/18/10: Photo #14 - View of leachate in the excavated area on the northwest side of Phase 1.



3/30/10: Photo #15 - View of the excavated area on the northwest side of Phase 1. Note: Leachate has been pumped from area into the trench.

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

Page 6 of 6



3/30/10: Photo #16 - View of waste removed from the excavated area prior to 3/18/10 visit, located near the sump on the southern side slope of Phase 1.



3/30/10: Photo #17 - View looking west of the southern side slope of Phase 1. Note: Facility applying additional soil cover and reinforcing the soil berm.

In order to achieve compliance at the lined MSWL facility, within 2 weeks, the City of Albemarle must:

1. Provide the Section a demonstration that the liner was not penetrated in the excavation on the northwest side slope of Phase 1;
2. Fill all excavated areas; and
3. Cover all exposed waste with at least 6 inches of soil.

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:

15A North Carolina Administrative Code 13B .1626(8)(d). The Limited Soil and Surface Water Assessment Report required in the previous audit report and subsequent Compliance Order with Administrative Penalties has been reviewed by Mr. Ervin Lane, Compliance Hydrogeologist. This violation has been resolved.

15A North Carolina Administrative Code 13B .1626(2)(a); 15A North Carolina Administrative Code 13B .1626(8)(a) and 15A North Carolina Administrative Code 13B .1626(8)(b). The impounded water in Phase 2 of the MSWLF has not been removed.

To achieve compliance, the City of Albemarle must remove all impounded water in Phase 2 within 3 weeks; and immediately upon removal of the impounded water, cover all waste in accordance with 15A NCAC 13B .1626(2)(a).

Additional measures may be required by the Division.

AREAS OF CONCERN AND COMMENTS:

1. The facility consists of a MSWLF, yardwaste area, white goods area, scrap tire collection, battery collection and a drop-off area for residential waste.
2. The service area for the facility is Stanly County.

Municipal Solid Waste Landfill:

3. At the time of the inspection, the facility was disposing of waste in Phase 1 of the MSWLF.
4. Take measures to ensure that pallets are not disposed of in the MSWLF.

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

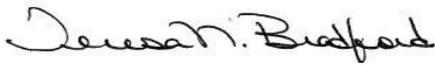
Page 7 of 7

5. **15A NCAC 13B .1626(2)(c)** states: Areas which will not have additional wastes placed on them for 12 months or more, but where final termination of disposal operations has not occurred, shall be covered with a minimum of one foot of intermediate cover. Please note, in areas of Phase I where slope materials were disturbed, one foot of soil cover is required in areas which will not have additional waste placed on them for 12 months or more, but where final termination of disposal operations has not occurred.

Construction and Demolition Landfill:

6. On March 30, 2010, the waste removed after the leachate outbreaks were repaired, was taken to an inactive portion on top of the CDLF. Measures must be taken to ensure that the waste is covered by adequate soil cover within 14 days of receipt of this audit report.

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



Phone: (704) 235-2160 .

 Teresa N. Bradford
 Environmental Senior Specialist
Regional Representative

Delivered on : <u>4/12/10</u> by		Electronic Correspondence		US Mail	X	<u>Certified Mail To: Raymond Allen, City Manager. No. 7008 1140 0002 2716 2944</u>
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- cc: Mark Poindexter, Field Operations Branch Supervisor
 Deb Aja, Western District Supervisor
 Donald Herndon, Compliance Officer
 Mike Lambert, Public Works Director
 Ervin Lane, Hydrogeologist, Environmental Compliance Unit