



# FACILITY COMPLIANCE AUDIT REPORT

## Division of Waste Management Solid Waste Section

**UNIT TYPE:** (check all that apply to this audit with same Permit number)

Lined MSWLF	<input checked="" type="checkbox"/>	LCID		YW		Transfer		Compost		SLAS		COUNTY: Wilkes PERMIT NO.: 97-04 FILE TYPE: COMPLIANCE
Closed MSWLF		HHW		White goods	<input checked="" type="checkbox"/>	Incin		T&P		FIRM		
CDFL		Tire T&P / Collection	<input checked="" type="checkbox"/>	Tire Monofill		Industrial Landfill		DEMO		SDTF		

Date of Audit: 1-14-08Date of Last Audit: 11-6-07**GPS COORDINATES:** (Decimal Degrees) **N:** 36.20761 **W:** 80.98981**FACILITY NAME AND ADDRESS:**

Wilkes County MSWLF  
 NC Highway 268 East  
 Roaring River, NC 28669

**FACILITY CONTACT NAME AND PHONE NUMBER:**

Thomas D. Livingston, Director-Solid Waste  
 (336) 696-3867

**FACILITY CONTACT ADDRESS (IF DIFFERENT):**

Department of Solid Waste  
 P.O. Box 389  
 9219 Elkin Highway  
 Roaring River, NC 28669

**AUDIT PARTICIPANTS:**

Jason Watkins, NCDENR-Solid Waste Section  
 Melissa White, Office Manager  
 Phil Greene, Landfill Supervisor

**STATUS OF PERMIT:**

Permit to Operate Phase II was up for review on April 20, 2005  
 Permit to construct Phase III was issued on June 17, 2005  
 Permit to Operate Phase III was issued June 30, 2006

**PURPOSE OF AUDIT:**

Follow-up Audit

**NOTICE OF VIOLATION(S) (citation and explanation):**

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. If the violation(s) noted here continue, 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 (List all noted last audit):**

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**1. 15A NCAC 13B .1626(11)(c) states “Appropriate methods such as fencing and diking shall be provided within the area to confine solid waste subject to be blown by the wind. At the conclusion of each day of operation, all windblown material resulting from the operation shall be collected and returned to the area by the owner or operator.”**

*A small section (approx 10-12ft wide) of fence was in an area of phase 3, however it was not being used. Wind blown waste were on the slope of phase 2 and outside the boundary of phase 3.*

**2. 15A NCAC 13B .1626(2)(a) states that “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.”**

*Operations are shifting back and forth from phase 2 to phase 3. The cover in both locations is less than adequate and areas are not being covered daily. There is uncovered waste in phase 2, which according to staff has not been active in about 2 weeks. Areas in phase 3 that are not the active working face have little to no cover in place.*

*Remains unchanged since 11-6-07 inspection.*

**3. 15A NCAC 13B .1626(7)(b) states “Adequate sediment control measures (structures or devices), shall be utilized to prevent excessive on-site erosion.”**

The berm along the lower side of Phase 3 had breached during a recent rain event and allowed waste material to migrate via storm water and sediment into a sediment basin outside of the current liner system. Trash mixed with soil is approximately 4-6” inches deep in half of the basin.

*The berm had been repaired and the waste has been removed from the sediment basin.*

**4. 15A NCAC 13B .1626(8)(d) states “Leachate shall be contained on site or properly treated prior to discharge. An NPDES permit may be required prior to the discharge of leachate to surface waters.”**

Due to the waste materials leaving the lined area and entering the sediment basin, the storm water is then considered leachate. Recent rains have potentially activated the riser system in the basin, thus allowing leachate to be discharged off-site.

*According to an email dated December 7, 2007, Tommy Livingston stated that the water in the sediment pond had been pumped out and placed into the leachate collection pond.*

**5. 15A NCAC 13B .1107(2)(c) states “Whole and sliced scrap tires, and other scrap tires capable of holding water shall be covered upon receipt with a water shedding material or disposed of, processed or removed from the site within ten days of receipt.”**

According to facility staff, the grinding of tires stopped in late July or Early August because a contract had not been agreed upon between the county and the contractor. There were 3 trailers full of tires and approximately 10-12 trailer loads of tires being stockpiled on the ground. Corrective actions should be taken within 10 days to address this matter by either removing or processing of these tires.

*Scrap tires remain on the ground and uncovered.*

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**AREAS OF CONCERN AND COMMENTS:**

1. Wilkes County MSW Landfill is permitted to accept waste from Wilkes County only.
2. Current disposal operations are occurring in Phase 2 to fill remaining air space as well as Phase 3.
3. The certified personnel at this facility are:
  - Tommy Livingston – MOLO – expires 2008**
  - Phil Greene – Landfill Ops Spec – expires August 2010**
  - Randy Johnson - Landfill Ops Spec – expires February 2009**
  - Olen Nester – Landfill Ops Spec – expires February 2009**
4. A section of the landfill liner in Phase 3 has been torn. It is located on the slope above the existing disposal area. An email from Joyce Engineering to the contractor dated 1-16-07 outlined the repair of the tear by work crews and suggested they be on site as soon as possible.
5. The on-site convenience center, as well as the white goods area, was clean and well maintained.
6. All tire certification record and waste screening records were well kept. Groundwater and Methane monitoring reports reviewed.
7. Throughout the site, there are minor sediment and erosion control items that need to be addressed. They include maintenance of sediment ponds, repair of silt fence, and the providing of permanent groundcover of all slopes and other areas that are not part of the daily activities of the landfill.
8. The leachate pond remains about half full. Discussions with Mr. Livingston during the 11-6-07 inspection suggested that the pond would be drained completely to allow for inspection.
9. Mr. Livingston called on 1-16-07 to ask about the inspection and what items needed to be addressed. It was outlined that both cover and windblown waste continue to be a problem at the facility. Mr. Livingston stated that he had tried a small piece of fencing to see if it would work and was looking at having a contractor price installing fence along the access road.

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

\_\_\_\_\_ (signature) Phone: 336-771-5092

*Jason M. Watkins*  
*Regional Representative*

**Distribution: original signed copy to facility -- signed copy to compliance officer – e-mail or copy to super**

<b>Delivered on :</b> <u>1-17-07</u> by		hand delivery	<b>X</b>	US Mail		Certified No.
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cc: Mark Poindexter, Field Operations Supervisor  
 Gary Page, County Manager