



# FACILITY COMPLIANCE AUDIT REPORT

## Division of Waste Management Solid Waste Section

**UNIT TYPE:**

Lined MSWLF		LCID		YW		Transfer		Compos t		SLAS		<b>COUNTY:</b> Halifax <b>PERMIT NO.:</b> CCB 0023 No Permit Required <b>FILE TYPE:</b> COMPLIANCE
Closed MSWLF		HHW		White goods		Incin		T&P		FIRM		
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF		

**Date of Audit:** December 30, 2009 and January 5, 2010**Date of Last Audit:** Initial Audit**FACILITY NAME AND ADDRESS:**

Family Dollar Store #7138  
 210 E 2<sup>nd</sup> St.  
 Weldon, North Carolina 27890

**GPS COORDINATES:** N: 36.43146E: 77.618473**FACILITY CONTACT NAME AND PHONE NUMBER:**

Charles A. Thomas, President, Eastern Pride, Inc

**FACILITY CONTACT ADDRESS:**

HP Weldon FDLLC  
 P.O. Box 19669  
 Raleigh, North Carolina 27619

Eastern Pride, Inc.  
 2405 F West Nash Street  
 Wilson, NC 27896

**AUDIT PARTICIPANTS:**

Ben Barnes, NCDENR, Solid Waste  
 Mary Whaley, NCDENR, Solid Waste

**STATUS OF PERMIT:**

CCB structural fill site, no permit required

**PURPOSE OF AUDIT:**

Comprehensive Audit

**NOTICE OF VIOLATION(S):****15A NCAC 13B .1705 DESIGN, CONSTRUCTION, AND OPERATION FOR STRUCTURAL FILL FACILITIES**

*(a) The structural fill facility must be designed, constructed, operated, closed, and maintained in such a manner as to minimize the potential for harmful release of constituents of coal combustion by-products to the environment or create a nuisance to the public.*

*(j) All structural fills shall be covered with a minimum of 12 inches compacted earth, and an additional surface six inches of soil capable of supporting native plant growth.*

The site has exposed ash on the west side of the store. There are gullies and rutted out areas from vehicular traffic on the east side of the parking lot, with exposed coal ash. There is only 6 inches of soil cover. There must be a minimum of 12 inches of compacted soil and 6 inches of additional soil, capable of supporting native growth as cover over all of the coal ash. The area where the vehicles have disturbed the cover must be repaired and maintained in such a manner as to minimize the potential for harmful release of constituents of coal combustion by-products to the environment or create a nuisance to the public. All soil areas are to

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have natural vegetation established. **These corrections are to be completed within 30 days of receipt of this Notice of Violation.**

**15A NCAC 13B .1707 RECORDATION OF STRUCTURAL FILL FACILITIES**

*(a) The owners of land where coal combustion by-products have been utilized in volumes of more than 1,000 cubic yards shall file a statement of the volume and locations of the coal combustion by-products with the Register of Deeds in the county or counties where the property is located. The statement shall identify the parcel of land according to the complete legal description on the recorded deed, either by metes and bounds, or by reference to a recorded plat map. The statement shall be signed and acknowledged by the landowners(s) in the form prescribed by G.S. 47-38 through 47-43.*

*(b) Recordation shall be required within 90 days after completion of coal combustion by-product fill project.*

*(c) The Register of Deeds in accordance with G.S. 161-14 shall record the notarized statement and index it in the Grantor Index under the name of the owner(s) of the land. The original notarized statement with the Register's seal and the date, book and page number of recording shall be returned to the Division after recording.*

The site does not appear to have been recorded. **15A NCAC 13B .1707(a)(b)( c ) must be completed within 30 days of receipt of this Notice of Violation.**

**15A NCAC 13B .1706 CLOSURE OF STRUCTURAL FILL FACILITIES**

*(d) The constructor or operator shall submit a certification to the Division signed and sealed by a registered professional engineer or signed by the Secretary of the Department of Transportation or his designee certifying that all requirements in the Rules of this Section have been met. The report shall be submitted within 30 days of application of the final cover.*

There is no Certification of Closure for this site. **Within 5 days of the correction of the above compliance issues, a Certification of Closure shall be submitted to Mary Whaley, PO Box 59, Oxford, NC 27565.**

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:**

NONE

**AREAS OF CONCERN AND COMMENTS:**

1. The site is near the intersection of Hwy 301 and Bypass 158, Weldon, NC.
2. Eastern Pride Inc. is the owner and developer for Family Dollar.
3. The engineering firm constructing the site is Plumblin Engineering, P.A., 121 Washington Street, Weldon, NC 27890.
4. A letter from the Solid Waste Section dated May 8, 2006, acknowledged the receipt of all of the documentation required for the Notification of the site. The proposed amount of coal ash to be deposited at the site was 10,000 cubic yards.
5. The coal ash was coming from Roanoke Valley Energy, PO Box 351, Weldon, NC 27890. The contact person at the power plant was Doug Henshaw, tel. 252-536-3200.
6. The estimated date of completion was August 30, 2006.
7. There is a Family Dollar store and a paved parking lot constructed on the site. There is a grassy area to the east of the store and parking lot.

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



Mary Whaley  
Environmental Senior Specialist  
**Regional Representative**

Telephone: 919-693-5023



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## Division of Waste Management

### Solid Waste Section

Delivered on : <u>January 11, 2009</u> by		Hand delivery	<b>X</b>	US Mail		Certified No. [ ]
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cc: Mark Poindexter, Field Operations Branch Supervisor  
Dennis Shackelford, Eastern District Supervisor  
Donald Herndon, Compliance Officer



East side of Family Dollar



West side of Family Dollar



East side of Family Dollar



East side of Family Dollar