



# FACILITY COMPLIANCE AUDIT REPORT

## Division of Waste Management Solid Waste Section

**UNIT TYPE:**

Lined MSWLF		LCID		YW		Transfer		Compost		Struct Fill	<b>X</b>	<b>COUNTY:</b> Duplin <b>File NO.:</b> CCB0033 <b>FILE TYPE:</b> COMPLIANCE
Closed MSWLF		HHW		White goods		Incin		T&P		FIRM		
CDFL		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDF		

**Date of Audit:** 6 January 2010

**FACILITY NAME AND ADDRESS:**

JBK Kilpatrick Farms  
S NC Highway 50  
Kenansville, NC

**GPS COORDINATES:** **N:** 34.92868 **E:** 77.96873

**FACILITY CONTACT NAME AND PHONE NUMBER:**

Baird F Kilpatrick  
910.296.2618

**FACILITY CONTACT ADDRESS:**

PO Box 56  
Kenansville, NC 28349

**AUDIT PARTICIPANTS:**

Ray Williams; DENR-Solid Waste

**STATUS OF PERMIT:**

Coal Combustion By-Product Structural Fill Site; no permit required

**PURPOSE OF AUDIT:**

Comprehensive Audit

**NOTICE OF VIOLATION(S):**

None; see comments below.

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 applicable

**AREAS OF CONCERN AND COMMENTS:**

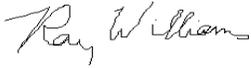
- 1) The coal combustion by-product used for structural fill is located under the concrete floors of hog production houses.
- 2) No migration of the coal combustion by-product was noted during this audit.
- 3) The site was filled with ~30,000 cubic yards of coal combustion by-product Cogentrix Energy Incorporated in Kenansville, North Carolina.

**FACILITY COMPLIANCE AUDIT REPORT**  
**Division of Waste Management**  
**Solid Waste Section**

Page 2 of 2

- 4) Fill activity occurred between 19 April 1995 and 1 April 1997.
- 5) **15A NCAC 13B .1707 (a), (b), and (c)** require owners of all structural fill sites utilizing coal combustion by-products as fill in volumes greater than 1,000 cubic yards to file a statement of recordation with the Register of Deeds in the county where the property is located within 90 days of completion of the project. Deed review did not indicate the recordation of use of coal combustion by-product as structural fill as required for this site.
- 6) Please comply with the requirements of 15A NCAC 13B .1707 by notifying the Duplin County Register of Deeds the volume and location(s) of the fill activities for recordation and indexing in the Grantor Index on the property Deed for this site.
- 7) Digital photographs were taken during this site visit (see below).

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



Ray Williams; Environmental Senior Specialist Phone: 910.796.7342.

***Regional Representative***

Delivered on : <u>7 January 2010</u> by		Hand delivery	<b>X</b>	US Mail		Certified No. [ ]
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cc: Mark Poindexter; Field Operations Branch Head/SWS: mark.poindexter@ncdenr.gov  
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**FACILITY COMPLIANCE AUDIT REPORT**  
**Division of Waste Management**  
**Solid Waste Section**

Page 3 of 3



Area map of JBJ Kilpatrick Farms Coal Combustion By-Products Fill Site in Duplin County



JBK Kilpatrick Farms Coal Combustion By-Products Structural Fill Site in Duplin County