

FACILITY COMPLIANCE AUDIT REPORT
Division of Waste Management
Solid Waste Section

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|-------------------|--|-----------------------|---|---------------|--|---------------------|--|---------|--|------|---|
| UNIT TYPE: | | | | | | | | | | | |
| Lined MSWLF | | LCID | X | YW | | Transfer | | Compost | | SLAS | COUNTY: Lee PERMIT NO.: N0051 (LCID Notification) FILE TYPE: Compliance |
| Closed MSWLF | | HHW | | White goods | | Incineration | | T&P | | FIRM | |
| CDLF | | Tire T&P / Collection | | Tire Monofill | | Industrial Landfill | | DEMO | | SDTF | |

Date of Audit: January 27, 2010

Date of Last Audit: May 25, 2007

FACILITY NAME AND ADDRESS:

Moldenhauer Landfill
 1957 Lystra Road
 Chapel Hill, North Carolina 27517

G.P.S. COORDINATES: N: 35.831523 E: -79.054366

FACILITY CONTACT NAME AND PHONE NUMBER:

Mark Moldenhauer, Moldenhauer Landscaping, Inc.
 (919) 929-3740

FACILITY CONTACT ADDRESS:

Moldenhauer Landscaping, Inc.
 611 Lystra Estates Drive
 Chapel Hill, NC 27517

AUDIT PARTICIPANTS:

Robert Hearn, Solid Waste Section
 Jason Watkins, Solid Waste Section
 Bern Jelinek, Faulconer Construction Co., Inc.
 Mark Moldenhauer, Moldenhauer Landscaping, Inc.

STATUS OF PERMIT:

LCID Notification N0051 issued January 19, 1995

PURPOSE OF AUDIT:

Partial audit

NOTICE OF VIOLATION:

(none)

You are hereby advised that, pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$5,000 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:

(none)

AREAS OF CONCERN AND COMMENTS:

1. Visited facility with Mr. Watkins and observed current operations at the site. Under approval from Chatham County, reclamation activities are underway at this facility, which is located on the site of a former gravel mine. In an

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area adjacent to the notified LCID landfill cell, we observed clean soil being dumped by Faulconer Constriction Co., Inc. on a "beneficial fill" area as part of the approved reclamation.

Down slope from the active dump area, Mr. Watkins observed some unapproved waste types on the slope of the fill, including plywood and dimensional lumber (e.g., 2x4, 2x6) pieces. Mr. Watkins approached the equipment operator at the site and instructed him to immediately cease operations until the unapproved waste material was removed from the site.

The operator telephoned his supervisor, Mr. Bern Jelinek of Faulconer Construction Co., who arrived at the site shortly. Mr. Watkins explained to Mr. Jelinek the requirements for proper management of beneficial fill material according to Rule .0562 of 15A N.C. Admin. Code 13B. Mr. Watkins pointed out the unapproved waste on the fill slope in and instructed Mr. Jelinek to remove and properly dispose any and all unapproved waste materials before proceeding with fill activities.

Also at this time, an employee of Moldenhauer Landscaping, Inc. arrived on the site and contacted Mark Moldenhauer via two-way radio. I spoke with Mr. Moldenhauer and explained our findings, and directed him to remove and properly dispose of the unapproved waste materials. Mr. Moldenhauer immediately directed his employee on site to begin cleanup and removal of the unapproved waste materials. Mr. Moldenhauer was further instructed to submit landfill receipts to the Solid Waste Section to document proper management of the waste.

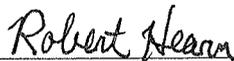
Monitor all loads of waste or beneficial fill material that arrive at this facility and scout for any unapproved waste or fill materials. Any loads containing unapproved waste should be rejected and directed to a proper disposal facility. Any unapproved waste that is dumped at the facility must be immediately removed from the disposal area and properly disposed at a facility that is permitted to accept it. Future discoveries of unapproved waste at this facility may lead to compliance action, potentially including administrative penalties of up to \$15,000 per day, pursuant to N.C.G.S. 130A-22.

2. A receipt documenting disposal of the subject unapproved wastes at Orange Regional Landfill on January 27, 2010 was received by the Solid Waste Section on January 28, 2010.

3. Land-clearing debris was observed on the LCID landfill cell which appeared (due to the weathered appearance of the wood) to have been present at the site for many weeks. 15A N.C. Admin. Code 13B .0566(4) requires that "Adequate soil cover shall be applied monthly, or when the active area reaches one acre in size, whichever occurs first." Take actions at least monthly to adequately cover with soil all exposed waste.

4. This facility is not open to the general public; access is by appointment only.

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



Robert Hearn

Environmental Senior Specialist

Regional Representative

Phone: (919) 508-8525

cc: Mark Poindexter, Field Operations Branch Head
Jason Watkins, Central District Supervisor
Shawn McKee, Compliance Officer

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