



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

UNIT TYPE:											
Lined MSWLF		LCID	X	YW		Transfer		Compost		SLAS	COUNTY: Chatham LCID NOTIFICATION I.D. NO.: N0193 FILE TYPE: Compliance
Closed MSWLF		HHW		White goods		Incin		T&P		FIRM	
CDFL		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF	

Date of Audit: March 17, 2011Date of Last Audit: January 27, 2010**FACILITY NAME AND ADDRESS:**

Moldenhauer Landfill  
 1957 Lystra Road  
 Chapel Hill, North Carolina 27517

**G.P.S. COORDINATES:** N: 35.831523 W: -79.054366**FACILITY CONTACT NAMES AND PHONE NUMBERS:**

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

**FACILITY CONTACT ADDRESSES:**

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

**AUDIT PARTICIPANTS:**

Mark Moldenhauer, Moldenhauer Landscaping, Inc.  
 Robert Hearn, Solid Waste Section

**STATUS OF PERMIT:**

LCID Landfill Notification Form filed for recordation at the Chatham Co. Register of Deeds on January 10, 1995  
 LCID Landfill Notification approval letter issued to Mark Moldenhauer on January 19, 1995

**PURPOSE OF AUDIT:**

Comprehensive 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.

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

Page 2 of 3

**STATUS OF PAST NOTED VIOLATIONS:**

(None)

**AREAS OF CONCERN AND COMMENTS:**

1. This facility is operated by Mark Moldenhauer, and the property owners of record are Etta M. Council Couch, et al. Mr. Moldenhauer was present during the inspection. This landfill is not open to the public, and thus does not keep regular operating hours. Moldenhauer Landscaping also has submitted a Yard Waste Treatment & Processing (T&P) Notification for this site, and an approval letter was issued by the Solid Waste Section on January 31, 2011. Mr. Moldenhauer explained that he is awaiting zoning approval from the Chatham County Planning Department for such activities on the property, and thus has not commenced T&P operations.

2. The disposal area of a LCID landfill operating under LCID Notification is limited to two (2) acres in size, as required by 15A N.C. Admin. Code 13B .0563(1)(b). Observed that the limits of the landfill disposal area are not readily identifiable.

Mr. Moldenhauer explained that beneficial filling with clean, inert debris has been conducted adjacent to the northern limits of the landfill disposal area, and that fill material was deposited against the landfill slope. He also indicated that some beneficial materials have been placed adjacent to the eastern limits of the disposal area.

Take actions to mark the limits of the two-acre disposal area using substantial, permanent or semi-permanent markers that are easily visible to site operators, agency representatives, or others that visiting the facility.

3. Observed appropriate waste types at the facility. Also observed that clean soil is stockpiled over a portion of the landfill disposal area.

4. Observed an uncovered, windrowed pile of land-clearing debris and yard waste at the west end of the site. Mr. Moldenhauer explained that this waste has been staged there for several months, but has not been covered with soil because he plans to grind this waste upon obtaining approval for T&P operations from the County. He also explained that this waste is not situated over the landfill disposal area, but sits several feet west of the western limits of the disposal area.

Discussed this situation with Mr. Moldenhauer, and reminded him that Rule 15A N.C. Admin. Code 13B .0566(4) requires that adequate soil cover be applied to exposed waste on monthly basis, or when the active area reaches one acre in size. Mr. Moldenhauer strongly expressed his desire to grind this waste to produce mulch for sale by his landscaping business rather than dispose of it in the landfill disposal area. Mr. Moldenhauer said that he would contact the Chatham County Planning Department regarding the status of his zoning application.

If approval to proceed with T&P operations is not granted by the County in the next thirty (30) days, take actions to move this waste into the disposal area, compact as densely as practical, and apply soil to cover all exposed waste, as required.

**FACILITY COMPLIANCE AUDIT REPORT**  
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Page 3 of 3

5. Observed that the landfill appeared to have adequate soil cover; observed no exposed, uncovered waste in the disposal area during the inspection .
  
6. Observed that landfill surfaces area appear to be satisfactorily graded to divert surface runoff from the active disposal area.
  
7. Observed that most of the inactive portion of the landfill lacks vegetative cover. Take prompt actions to establish ground cover sufficient to restrain erosion over inactive, un-vegetated areas of the landfill, as required by 15A N.C. Admin. Code 13B .0566(7).
  
8. Observed no severe erosion problems at the site during the inspection. Mr. Moldenhauer explained the he holds an approved erosion control plan for activities at the site, and has been working under direction of the NCDENR Land Quality Section to meet applicable requirements.
  
9. Observed that facility access and service roads are well maintained.
  
10. Observed that a steel-bar gate with lock exists at the facility entrance to prevent unauthorized access to the site.
  
11. Observed that a sign with the facility contact name and phone number is in place at the facility entrance, as required.

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



Phone: (919) 508-8525

Robert Hearn  
Waste Management Specialist  
*Regional Representative*

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

Delivered on: 3/21/11 by		Hand delivery	X	US Mail		
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