

**SOLID WASTE SECTION PERMIT APPLICATION
COMPLIANCE REVIEW REQUEST
AND PERMIT FEE INVOICE REQUEST**

Submit to the Field Operations Branch Head (or Compliance Officer) and to Jeff Skabo

Review Requested by:	<u>Zinith Barbee</u>	Date Requested:	2-17-2010 <u>8/2/10</u>
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Name of facility and permit number	<u>Columbus County Landfill LCID Unit / Permit 24-01</u>
Applicant (Owner) Name	<u>Columbus County Landfill</u>
Description of Permit Request	<u>Renewal of LCID Permit</u>
Permit Fee Action	<u>\$500</u>
Date Application Received	_____
Contact Name and Title	<u>Chuck Stanley, Solid Waste Director</u>
Company	<u>Columbus County Lanfill</u>
911 Address	<u>111 Washington Street / Whiteville, NC 28472</u>
Mailing Address	<u>111 Washington Street</u>
City/State/Zip	<u>Whiteville, NC 28472</u>
Parent Company	_____
Known Subsidiaries	_____
Other known names business has operated under	_____
Known Counties of Operation	_____
Does the applicant have a past or current solid waste permit? If Yes:	Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> Facility Type: _____ Permit #: _____
Does the applicant have other DENR permits? If Yes:	Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> Division: _____ Facility Type: _____ Permit #: _____
Did the permit applicant submit Financial Assurance cost estimates?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/> Not Needed <input type="checkbox"/>
Are the cost estimates sufficient?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Other notes	_____



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Dexter R. Matthews

Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

August 3, 2010

Chuck Stanley
Solid Waste Director
Columbus County Landfill
111 Washington Street
Whiteville NC 28472

Re: Compliance History Review, Columbus County LCID, Permit #24-01

Dear Mr. Stanley:

The agency received your application for the amendment of Permit # 24-01. Under N.C.G.S. § 130A-294 (b2)(2) and 295.3 the agency will be conducting a review to determine Columbus County's past compliance with federal and state laws, regulations, and rules, including permit conditions, for the protection of the environment or conservation of natural resources. Enclosed is a preliminary questionnaire for you to complete for all solid waste management facilities that Columbus County has been issued a permit by the Solid Waste Section. Additional follow-up information may be requested. Please be advised that under subsection N.C.G.S. § 130A-294(b3), the agency is not required to review your application until you have satisfied the agency that you have met the requirements of subsection (b2).

Sincerely,

Donald Herndon
Compliance Officer

cc: Paul Crissman, Solid Waste Section Chief
Ed Mussler, Permitting Branch Head
Mark Poindexter, Field Operations Branch Head
Zinith Barbee, Permitting Hydrogeologist
Dennis Shackelford, District Supervisor
Wes Hare, Environmental Senior Specialist
Central File

Compliance Review

The applicant, Columbus County, is requested to provide the following information for all solid waste management facilities that Columbus County has been issued a permit by the Solid Waste Section. For purposes of the questions below, the phrase "within the past five years," means five years prior to the date of this request.

For each question that is marked with an answer other than "not applicable," please provide a written, detailed explanation, including how or if the matter has been resolved.

A. The following question applies to all of the applicant's solid waste management (including hazardous waste management) activities.

1. With respect to the applicant's solid waste management activities, check whether the applicant has been a party to or received any of the following within the past five years:

- a. Compliance Order with a penalty
- b. Compliance order without a penalty
- c. Order to cease operating
- d. Order to abate public health nuisance [130A-19];
- e. Order to abate imminent hazard [130A-20];
- f. Order to abate nuisance scrap tire site [130A-309.60].
- g. Administrative Consent Agreement or Settlement Agreement (e.g., may involve revised permit conditions)
- h. Revocation or suspension of a permit
- i. Denial of a permit application for a solid waste management facility
- j. Penalty Collection lawsuit (lawsuit to collect an unpaid penalty)
- k. Confession of Judgment (for the payment and collection of an unpaid penalty or other monies owed to a special account, such as the scrap tire account or white goods account)
- l. Injunctive relief or law suit for injunctive relief
- m. Lawsuit for forfeiture of gain (N.C.G.S. §130A-28)
- n. Lawsuit for recovery of money (N.C.G.S. §130A-27)
- o. State Criminal action- misdemeanor or felony (N.C.G.S. 130A-25; 130A-26.1 and 26.2; 14-399)
- p. Federal criminal action-misdemeanor or felony

B. **[Note: Questions 2 and 3 cover any type of environmental violation.]**
Check all applicable boxes (**ONE MUST BE CHECKED FOR EACH QUESTION**).

Within the past five years:

2. The applicant has been convicted of, or pled guilty or no contest to, a criminal violation of a statute, regulation, or rule for the protection of the environment or conservation of natural resources.

- a. in state court
- b. in federal court
- c. not applicable

3. A monetary penalty (whether denominated as a civil penalty, an administrative penalty, a judicial penalty, or by some other designation), has been assessed against the applicant for the violation of a state or federal statute, regulation, rule, including a permit condition, or for the protection of the environment or conservation of natural resources.

- a. in a state forum
- b. in a federal forum
- c. not applicable

[Note: Questions 4 and 5 will encompass those situations where a solid waste management facility operated in violation of solid waste management statutes/regulations, as well as water quality, including groundwater and surface water, sedimentation and erosion control, and air quality statutes/regulations, among others.]

4. With respect to any solid waste management facility (including hazardous waste management) owned or operated by the applicant, a lawsuit for injunctive relief has been filed against the applicant for the violation of a statute, regulation or rule for the protection of the environment or conservation of natural resources.

- a. in state court
- b. in federal court
- c. not applicable

5. With respect to any solid waste management facility (including hazardous waste management) owned or operated by the applicant, a judgment, or consent judgment, for injunctive relief has been entered against the applicant for the violation of any statute, regulation or rule for the protection of the environment or conservation of natural resources.

- a. in state court
- b. in federal court
- c. not applicable

6. A permit for a solid waste management facility owned or operated by the applicant has been revoked or suspended.

- a. in a state forum
- b. in a federal forum
- c. not applicable

7. An environmental permit for any undertaking other than a solid waste management facility has been revoked or suspended.

- a. in a state forum
- b. in a federal forum
- c. not applicable

8. The applicant submitted a permit application for the proposed ownership or operation of a solid waste management facility that has been denied.

- a. in a state forum
- b. in a federal forum
- c. not applicable

9. A governmental agency or unit has notified the applicant in writing that the applicant has operated or is operating a solid waste management facility without the requisite permit.

- a. yes
- b. not applicable

10. A governmental agency or unit has notified the applicant in writing that the applicant has operated or is operating a solid waste management facility outside the scope of the permitted activity.

- a. yes
- b. not applicable

11. A governmental agency or unit has notified the applicant in writing that the applicant has operated or is operating a facility or undertaking other than a solid waste management facility without the requisite environmental permit(s).

- a. yes
- b. not applicable

The applicant may be requested to provide a written, sworn statement certifying the status of the matter.

If the applicant certifies that the applicant is now in compliance, the applicant may be asked to submit proof from the agency having jurisdiction over the violation that the applicant is in the process of correcting or has corrected the violation to the satisfaction of the agency.

The applicant will be asked to certify the truth and accuracy of the answers provided to these compliance review questions.

I, _____, hereby certify on behalf of Columbus County as applicant's _____ (title of position with applicant), that I have read the foregoing answers provided to the Compliance Review, that the information and answers contained in the responses to the Compliance Review are true and accurate based on my own knowledge and my review of documents and that I have not omitted any material information or falsified any information contained in the foregoing answers. I am aware that there are significant penalties for making any false statement, representation, or certification including the possibility of a fine and imprisonment.

Signature/printed name and title:

Attest: _____

State of _____
County of _____

Sworn and subscribed to before me this the ____ day of ____, 201_.

notary public

My Commission expires:

SEAL