



North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

February 21, 2012

CERTIFIED MAIL 7008 0150 0000 7473 4356
RETURN RECEIPT REQUESTED

Mrs. Weyburn Myers
305 Falls Ave
Granite Falls, NC 28630

SUBJECT: **Warning Letter**
 Compliance Inspection Report
 Myers Place Land Clearing and Inert Debris Landfill
 Land Clearing and Inert Debris Landfill Notification N0452
 Caldwell County

Dear Mrs. Myers,

On February 7, 2012, Deborah Aja representing the State of North Carolina, Division of Waste Management Solid Waste Section ("Section"), inspected the above referenced facility for compliance with North Carolina Solid Waste Statues and Rules. Weyburn Myers and Jeff Myers were present and Jeff Myers represented Myers Place Land Clearing and Inert Debris Landfill N0452 during this inspection.

A. 15A NCAC 13B .0566(4) states: *"Adequate soil cover shall be applied monthly, or when the active area reaches one acre in size, whichever occurs first."*

Based upon the foregoing, the activity observed during the February 7, 2012 audit and noted on the inspection report dated February 21, 2012, is a violation of **15A NCAC 13B .0566(4)**. In order to achieve compliance with the rules noted above the facility shall complete the following by June 15, 2012:

"Corrective Actions"

In order to achieve compliance with **15A NCAC 13B .0566(4)**, Weyburn Myers must place adequate soil cover over all waste in the landfill. Prior to placing the soil cover the waste must be compacted and shaped to allow surface water to runoff in a controlled manner. For proper closure of the landfill one foot of soil cover must be placed over the waste. Adequate erosion control measures, structures, or devices shall be utilized to prevent silt from leaving the site and to prevent excessive on site erosion. Ground cover sufficient to restrain erosion must be established over the soil cover.

Failure to comply with this schedule may subject the facility and/or all responsible parties 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. Pursuant to N.C.G.S. 130A-22(a) and 15A NCAC 13B .0701-.0707, an administrative penalty of up to \$15,000.00 per day may be assessed for each violation of the Solid of a Permit, or an Order issued under Article 9 of Chapter 130A of the N.C. General Statutes.

If you have any questions please contact me at (828) 296-4702 or e-mail deborah.aja@ncdenr.gov.

Sincerely,



Deborah Aja
Environmental Senior Specialist
Solid Waste Section

Ec/Cc: Mark Poindexter, Field Operations Branch Head – Solid Waste Section
Jason Watkins, Western District Supervisor – Solid Waste Section
Shawn McKee, Compliance Officer – Solid Waste Section
Jeff Myers, Myers Place Land Clearing and Inert Debris Landfill