



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

<b>UNIT TYPE:</b>										
Lined MSWLF		LCID	<b>X</b>	YW		Transfer		Compost	SLAS	<b>COUNTY: Halifax</b> <b>PERMIT NO.: 42-A</b> <b>FILE TYPE: COMPLIANCE</b>
Closed MSWLF		HHW		White goods		Incin		T&P	FIRM	
CDFL		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO	SDTF	

**Date of Site Inspection:** August 15, 2012    **Date of Last Inspection:** Unknown

**FACILITY NAME AND ADDRESS:**

John M. Rightmyer Demo Landfill  
 US Hwy 301  
 Weldon, NC

**GPS COORDINATES:** N: 36.40303    E: 077.59910

**FACILITY CONTACT NAME AND PHONE NUMBER:**

Name: John Rightmyer  
 Telephone: 252-537-3223  
 Email address: jrightmyer@rightmyer.com  
 Fax: 252-537-3223

**FACILITY CONTACT ADDRESS:**

497 Highway 48  
 Roanoke Rapids, NC 27870

**PARTICIPANTS:**

Mary Whaley, NCDENR, Solid Waste Section  
 Walt Gibbs, Facility Manager

**STATUS OF PERMIT:**

Active. Permit issued.

**PURPOSE OF SITE VISIT:**

Partial Inspection

**STATUS OF PAST NOTED VIOLATIONS:**

NONE

**OBSERVED VIOLATIONS:**

**15A NCAC 13B .0562 BENEFICIAL FILL**

*A permit is not required for beneficial fill activity that meets all of the following conditions:*

- (1) The fill material consists only of inert debris strictly limited to concrete, brick, concrete block, uncontaminated soil, rock, and gravel.*
- (3) The purpose of the fill activity is to improve land use potential or other approved beneficial reuses.*
- (4) The fill activity is not exempt from, and must comply with, all other applicable Federal, State, and Local laws, ordinances, rules, and regulations, including but not limited to zoning restrictions, flood plain restrictions, wetland restrictions, mining regulations, sedimentation and erosion control regulations. Fill activity shall not contravene groundwater standards.*

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## Division of Waste Management Solid Waste Section

Page 2 of 3

There is some painted concrete, block and brick that must be removed and disposed of properly. The unpainted concrete, block and brick and the asphalt at the site is not to be just piled up. If it is to be considered beneficial fill it must abide by the above rules. At this point, it appears that the material is being disposed of, not being used as beneficial fill. The area of beneficial fill shown on the site plan submitted with the permit application, must be clearly marked and only beneficial fill is to be put in these areas. **The site plan is to be followed. The area of piled up unpainted concrete, block and brick and asphalt must be graded in order for the fill activity to be considered beneficial use, within two weeks of receipt of this report.**

**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."

**All exposed waste including the side walls must be covered within two weeks of receipt of this inspection.**

The item(s) listed above were observed by Section staff and require action on behalf of the facility in order to come into or maintain compliance with the Statutes, Rules, and/or other regulatory requirements applicable to this facility. Be 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 Laws, Regulations, Conditions of a Permit, or Order under Article 9 of Chapter 130A of the N.C. General Statutes. Further, the facility and/or all responsible parties 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.

### **ADDITIONAL COMMENTS**

1. There is to be no vegetative material disposed of within 100' of any property line. Inert debris may be disposed of within this setback if being used for beneficial fill **where the submitted plan shows beneficial fill**. Beneficial fill is not to be placed anywhere else (within the 100 foot buffer) than where it is shown to be placed on the submitted site drawing. **Clearly visible markers must be placed at the site to show the approved locations of beneficial fill and all setbacks must be met within two weeks of receipt of this report.**
2. The edge of waste limit must be clearly and permanently marked. This has been stated in a previous inspection. Markers were not observed at the time of this inspection. **The edge of waste boundaries must be clearly marked within two weeks of receipt of this report.**
3. **Solid waste shall be restricted to the smallest area feasible and compacted as densely as practical into cells.**  
This did not appear to be occurring at the site. Piles were spread around the site and not compacted.
4. Make sure sediment basins are clear of brush and excess silt.
5. The facility is not open to the public. The gate must be kept locked when trucks are not on site or an attendant must be on duty at all times the landfill is open to prevent unauthorized wastes.
6. The sign at the gate must have an emergency contact number posted and easily seen.
7. The side slopes shall not exceed three to one (3:1).
8. Steel / metal is not considered inert debris. Steel must be cut flush with the concrete.
9. There was plastic, some painted block and concrete, painted wood, OSB, plywood, and other trash in some of the piles, these are not acceptable wastes. Drivers need to ensure that only acceptable materials are off loaded at this site. **The unacceptable items must be removed within two weeks of receipt of this inspection.**

**CORRECTIVE ACTIONS ARE NEEDED AT THIS FACILITY. If all issues are not corrected within the time limit given compliance action may be started.**

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



Phone: 919-693-5742

Environmental Senior Specialist  
*Regional Representative*



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## Division of Waste Management Solid Waste Section

<b>Sent on:</b> <u>September 4, 2012</u>	X	Email	Hand delivery	US Mail	Certified No. [ ]
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Copies: Dennis Shackelford, Eastern District Supervisor  
 Jessica Montie, Compliance Officer



Stacked concrete, block and brick and uncovered land clearing debris



Uncovered land clearing debris- over one month on site. and over one acre in size.



Pile of concrete, block, brick and asphalt.



Uncovered land clearing debris- over one month on Site.