



North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

August 20, 2012

CERTIFIED MAIL: 7006 2150 0005 2458 9365

RETURN RECEIPT REQUESTED

Mr. Leslie Erickson
PO Box 1783
Fairview, NC 28730

SUBJECT: Notice of Deficiency
Annual Facility Report: Les's Mulch Plus (45-05 T&P)
Fiscal Year 2011-2012
Henderson County

Dear Mr. Erickson

North Carolina General Statute 130A-309.09D (b) requires that, on or before 1 August, each solid waste management facility shall report to the Department, for the previous year beginning 1 July and ending 30 June, the amount by weight of the solid waste that was received at the facility and disposed of in a landfill, or recovered for recycling. As of this date, we have not received your *Treatment and Processing Facility* report.

Based upon the foregoing, Mr. Leslie Erickson of Les's Mulch Plus is deficient in meeting North Carolina General Statute 130A-309.09D (b). Please comply by submitting the completed Facility Annual report within 5 days of receipt of this Notice.

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 Waste Laws, Regulations, Conditions of a Permit, or an Order issued under Article 9 of Chapter 130A of the N.C. General Statutes.

You can access an electronic version of the *Treatment and Processing Facility* report at this web site:

<http://portal.ncdenr.org/web/wm/sw/annualreports>

If you have any questions regarding this matter you can reach me by phone at (828-296-4700) or through e-mail (andrea.keller@ncdenr.gov).

If you have any questions please contact me at (828) 296-4700 or e-mail andrea.keller@ncdenr.gov .

Sincerely,



Andrea Keller
Environmental Senior Specialist
Solid Waste Section

ec: Ellen Lorscheider, Planning & Programs Branch Head
Mark Poindexter, Field Operations Branch Supervisor
Jason Watkins, Western District Supervisor
Jessica Montie, Compliance Officer
Ethan Brown, Environmental Senior Specialist