



NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT

April 7, 1998



JAMES B. HUNT JR.
GOVERNOR

WAYNE McDEVITT
SECRETARY

WILLIAM L. MEYER
DIRECTOR

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Roy Joyner
Joyner Wrecking & Grading Company, Inc.
4140 North Patterson Avenue
Winston-Salem, NC 27105

Re: Compliance Order with Administrative Penalty
~~LCIDN34 Com Joyner Wrecking & Grading No286~~

Dear Mr. Joyner:

Enclosed is a Compliance Order issued to you because of certain violations of the North Carolina Solid Waste Management Act (N.C. General Statute 130A, Article 9) and of the North Carolina Solid Waste Management Rules, (15A N.C. Administrative Code 13B) which implement the Act. Along with the Compliance Order is an Administrative Penalty of \$11,500 that is imposed, jointly and severally, upon Mr. Roy Joyner and Joyner Wrecking and Grading Co., Inc. pursuant to N.C. General Statute 130A-22(a). This Compliance Order with Administrative Penalty describes the violations of concern and the actions required by you to come into compliance with both the General Statutes and the Administrative Code.

You may appeal this Compliance Order with the Administrative Penalty by filing a written petition for an administrative hearing with the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, North Carolina 27611-7447, within thirty (30) days of the receipt of the Compliance Order. Your petition must be submitted in accordance with the provisions of N.C. General Statute 150B-23(a) and 130A - 22(e). A copy of your petition must also be served on Daniel McLawhorn, General Counsel, Department of Environment and Natural Resources, P.O. Box 27687, Raleigh, North Carolina 27611-7687.

If no administrative hearing is requested, the administrative penalty must be paid within sixty (60) days by check or money order, made payable to the Division of Waste Management. Payment should be mailed to William L. Meyer, Director, Division of Waste Management, Department of Environment and Natural Resources, P.O. Box 29603, Raleigh, North Carolina 27611-9603. A fee of \$20.00 will be charged for all returned checks on which the payor bank has refused payment.

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I encourage you to schedule an informal conference at once with my staff to discuss this Compliance Order. Please contact Brent Rockett, Waste Management Specialist at (336) 771-4600.

Sincerely,


William L. Meyer, Director
Division of Waste Management

WLM/maf

Enclosure

cc: Mike Kelly, Division of Waste Management Deputy Director
Dexter R. Matthews, Solid Waste Section Chief
Julian Foscue, Western Area Supervisor
Brent Rockett, Waste Management Specialist
Nancy E. Scott, Assistant Attorney General
Central Files

**NORTH CAROLINA DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION**

To: Mr. Roy Joyner
Joyner Wrecking & Grading Company
4140 North Patterson Avenue
Winston-Salem, NC 27105

**COMPLIANCE ORDER
WITH
ADMINISTRATIVE PENALTY**

PRELIMINARY STATEMENT

This Compliance Order with Administrative Penalty is issued under N.C. General Statutes 130A-22, the Solid Waste Management Act (N.C.G.S. 130A, Article 9), and the Solid Waste Management Rules (15A N.C. Admin. Code 13B). Title 15A of the N.C. Admin. Code, Chapter 13B contains standards and requirements applicable to the proper management of solid waste.

On March 1, 1971, the State of North Carolina, Department of Human Resources, Division of Health Services, Solid Waste Section, implemented a Solid Waste Management Program under the Solid Waste Management Act, N.C.G.S. 130A, Article 9 and rules codified at 15A N.C. Admin. Code 13B. Solid Waste Management is now a Division of the Department of Environment and Natural Resources. William L. Meyer, Director, Division of Waste Management, Department of Environment and Natural Resources, has been delegated the authority to implement both the Act and the Rules. Based upon information available, the Director has determined that you are in violation of certain requirements of the Act and/or Rules, as set forth below.

STATEMENT OF FACTS

1. On October 12, 1993, Mr. Jim Bryan, Environmental Health Supervisor with the Forsyth County Division of Environmental Health, issued a Notice of Violation to Mr. Roy Joyner of Joyner Wrecking & Grading Company for the following violations:
 - a. Disposal of unacceptable waste at the Joyner Wrecking & Grading Co. Land Clearing and Inert Debris (LCID) Notification site operated by Mr. Joyner and located at 5669 Davis Road, Winston-Salem, Forsyth County, North Carolina, and;
 - b. Failure to post appropriate signs at the landfill entrance.
2. On July 26, 1994, Mr. Jim Bryan conducted an inspection of the Joyner Wrecking & Grading Co. LCID Notification site and cited the following violations:

COMPLIANCE ORDER WITH ADMINISTRATIVE PENALTY

April 7, 1998

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- a. Unacceptable waste consisting of construction and demolition (C&D) debris was still being disposed of at the site;
 - b. Adequate measures had not been taken to control erosion, and;
 - c. Appropriate signs had still not been posted at the landfill entrance.
3. On October 3, 1996, Mr. Brent S. Rockett, Waste Management Specialist, Solid Waste Section, Division of Waste Management conducted an inspection at the Joyner Wrecking & Grading Co. LCID Notification site operated by Mr. Roy Joyner. He observed construction and demolition debris being disposed in the LCID landfill.
 4. On October 14, 1996, Mr. Brent S. Rockett issued a Notice of Violation to Mr. Roy Joyner of Joyner Wrecking and Grading Company for accepting unapproved waste at the Joyner Wrecking & Grading Co. LCID notification site. The Notice of Violation directed Mr. Joyner to cease disposal of any solid waste, remove all unapproved solid waste, and transport such waste to an approved solid waste disposal facility. He was further requested to submit documentation showing compliance with 15A NC Admin. Code 13B .0564 "Siting Criteria" (9)(b), which requires that the facility meet the minimum buffer requirement of 100 feet from the disposal area to property lines.
 5. On May 2, 1997, Mr. Brent S. Rockett conducted an evaluation at the Joyner Wrecking & Grading Co. LCID Landfill Notification site operated by Roy Joyner of Joyner Wrecking & Grading Company. Mr. Rockett's evaluation revealed that the facility was continuing to dispose of unapproved waste and that the total disposal area was in excess of the two acre limit required by NC Solid Waste Management Rules. A copy of the evaluation report, which cited violations and instructions to cease disposal immediately, was mailed to Roy Joyner.
 6. On May 15, 1997, Mr. Julian Foscoe, Western Area Supervisor and Mr. Brent S. Rockett met with Mr. Eddie Joyner, an employee of Joyner Wrecking & Grading Company, and discussed the violations noted in the evaluation conducted on May 2, 1997. Mr. Joyner agreed to:
 - a. remove and properly dispose of all unacceptable waste;
 - b. remove all waste from the required buffers, and;
 - c. submit a survey of the site demonstrating compliance with Solid Waste Management Regulations.
 7. On July 8, 1997, Mr. Rockett issued a Notice of Intent to Issue Compliance Order with Administrative Penalty to Mr. Roy Joyner, Jr., Joyner Wrecking & Grading Company for failing

COMPLIANCE ORDER WITH ADMINISTRATIVE PENALTY

April 7, 1998

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to correct the cited violations.

8. On September 5, 1997, Mr. Brent S. Rockett conducted a follow-up visit of the LCID landfill which revealed that the top portion of the landfill had been covered with soil and the landfill was no longer accepting waste. However, unapproved waste was still present on the northern slope and the LCID waste had not been removed from the buffer area. All equipment had been removed from the facility.
9. On February 26, 1998, Mr. Brent S. Rockett visited the Joyner Wrecking & Grading Co. LCID Notification site and found that no further measures had been taken to correct the violations since the visit conducted on September 5, 1997. In addition, the facility was cited in violation of 15A NCAC 13B .0566 (5) and (6) for failing to:
 - a. cover the disposal area with a minimum of one foot of suitable soil cover sloped to allow surface runoff in a controlled manner; and
 - b. provide a sufficient ground cover to restrain erosion within 120 calendar days after completion of disposal operations.

STATEMENT OF VIOLATIONS

The above facts constitute a violation of the following section(s) of Title 15A N.C. Admin. Code, Subchapter 13B:

1. Section .0566 (2) requires that Land Clearing and Inert Debris landfills shall only accept those solid wastes which they are permitted to receive. According to 15A NCAC 13B .0563(1)(a), operation of the facility is to be limited to the disposal of land clearing waste, inert debris, untreated wood, and yard trash.
2. Section .0564 (9) requires that the facility shall meet the following minimum buffer requirements: (a) 50 feet from the waste boundary to all surface waters and (b) 100 feet from the disposal area to property lines, residential dwellings, commercial or public buildings, and wells.
3. Section .0566 (5) requires that within 120 calendar days after completion of disposal operations, the disposal area shall be covered with a minimum of one foot of suitable soil cover sloped to allow surface water runoff in a controlled manner. Section .0566 (7) requires that a ground cover sufficient to restrain erosion must be provided within 120

COMPLIANCE ORDER WITH ADMINISTRATIVE PENALTY

April 7, 1998

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calendar days after completion of any phase of the landfill development.

You are in violation of Title 15A, N.C. Admin. Code, Subchapter 13B, Section .0566 (2) in that you have disposed of construction and demolition debris, which is unpermitted waste, in a LCID landfill.

You are in violation of .0564 (9) in that the Joyner Wrecking & Grading Co. LCID Notification site operated by you does not meet buffer requirements. Specifically, LCID waste has been disposed of within 50 feet of surface water and within 100 feet of the property line.

You are in violation of Section .0566 (5) in that you did not cover entire disposal area with a minimum of one foot of suitable soil cover sloped to allow surface water runoff in a controlled manner. You are also in violation of Section .0566 (7) in that you have not provided any ground cover to restrain erosion.

CONDITIONS FOR COMPLIANCE

Based on the foregoing, you are hereby ordered to take the following actions:

1. Contact Mr. Brent Rockett of the Division of Waste Management at (336) 771-4608 ext. 208 to schedule a time for Mr. Rockett or his designee to be present as an observer while you remove soil cover in selected locations on the top of the landfill, allowing the observer to determine whether unacceptable waste is still present. Remove any unacceptable waste detected, and properly dispose of material at a permitted Construction and Demolition (C&D) Landfill or Municipal Solid Waste Landfill.
2. Remove unacceptable waste from the uncovered slope and properly dispose of material at a permitted C&D or Municipal Solid Waste landfill.
3. Retain and submit receipts for disposal of any waste removed from the site to Mr. Brent Rockett at the Division of Waste Management, Winston-Salem Regional Office, 585 Waughtown Street, Winston-Salem, North Carolina 27107-224.
4. Remove all waste from the required buffer area to a distance at least: (a) 50 feet from the waste boundary to all surface waters and (b) 100 feet from the disposal area to property lines.
5. Cover the disposal area with a minimum of one foot of suitable soil cover sloped to allow surface water runoff in a controlled manner and provide a sufficient ground cover to restrain erosion.

COMPLIANCE ORDER WITH ADMINISTRATIVE PENALTY

April 7, 1998

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6. Submit survey map delineating the final disposal area and buffer areas to Mr. Brent Rockett or Mr. Julian Foscue, at the Division of Waste Management, Winston-Salem Regional Office, 585 Waughtown Street, Winston-Salem, North Carolina 27107-224.

PENALTY IMPOSED

In addition to taking the actions specified above, Roy Joyner and Joyner Wrecking and Grading Co., Inc., jointly and severally, are hereby ordered to pay in accordance with N.C. General Statute 130A-22(a), an administrative penalty of \$11,500.

The N. C. Solid Waste Management Penalty Computation Procedure, dated April 10, 1997, was used to determine the amount of the administrative penalty imposed with this order. The factors considered in determining the administrative penalty are found in 15A N.C.A.C. 13B .0700 et seq. and include the following: the nature of the violation(s), the potential effect on the public health and environment, the degree and extent of harm caused by the violations, the costs of rectifying any damage, the types and amounts of wastes, the ease and costs of compliance, and any history of non-compliance.

The amount of this penalty shall be paid within sixty (60) days of receipt of this order by check or money order made payable to the Division of Waste Management. Payment should be mailed to William L. Meyer, Director, Division of Waste Management, Department of Environment and Natural Resources, P.O. Box 29603, Raleigh, N.C. 27611-9603. A fee of \$20.00 will be charged for all returned checks on which the payor bank has refused payment.

If you file a petition for an administrative hearing within thirty (30) days in accordance with the applicable statutes and rules, payment of the penalty is due within sixty (60) days after service of a copy of any final decision affirming the penalty.

POTENTIAL CONSEQUENCES OF FAILURE TO COMPLY

You are hereby advised that, pursuant to N.C.G.S. 130A-22, each day of continued violation of any requirement of the act, the rules, or any order issued under the act or rules constitutes a separate violation for which a penalty of up to \$5,000.00 per day may be imposed. If the violation(s) continue, you may also be subject to further enforcement actions including 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.

COMPLIANCE ORDER WITH ADMINISTRATIVE PENALTY

April 7, 1998

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OPPORTUNITY TO REQUEST A HEARING

You have the right to request an administrative hearing to contest any matter of law, material fact, requirement, or penalty set forth herein. To exercise this right, you must file a written petition in accordance with N.C.G.S. 150B-23(a) and N.C.G.S. 130A - 22(e) within thirty (30) days of receipt of this Compliance Order with Administrative Penalty.

The petition must be signed by you or your attorney. It must state facts tending to establish that the agency has deprived you of property, has ordered you to pay a fine or civil penalty, or has otherwise substantially prejudiced your rights, and that the agency has:

1. exceeded its authority or jurisdiction;
2. acted erroneously;
3. failed to use proper procedure;
4. acted arbitrarily or capriciously; or
5. failed to act as required by law or rule.

Your petition must be filed within thirty (30) days with the Office of Administrative Hearings, 424 North Blount Street, P. O. Drawer 27447, Raleigh, North Carolina 27611, in accordance with N.C.G.S. 150B-23(a). A copy of your petition must also be served on Daniel McLawhorn, Legal Counsel, Department of Environment and Natural Resources, P. O. Box 27687, Raleigh, North Carolina 27611-7687. Failure to complete either of these acts within the thirty (30) day period may result in denial of any administrative hearing.

Any administrative hearing will be conducted in accordance with applicable rules contained in Title 26 of the North Carolina Administrative Code. You may request a copy of the rules by calling the Office of Administrative Hearings at (919) 733-2698.

COMPLIANCE ORDER WITH ADMINISTRATIVE PENALTY

April 7, 1998

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INFORMAL CONFERENCE

Whether or not you request an administrative hearing, the Division encourages you to schedule an informal conference to discuss this matter and to give you an opportunity to provide additional information, including any actions you have taken to correct the violation(s). If you desire an informal conference, please contact:

Brent S. Rockett
Waste Management Specialist
Solid Waste Section
N. C. Division of Waste Management
Winston-Salem Regional Office
585 Waughtown Street
Winston-Salem, North Carolina 27107-2241
(336) 771-4600

Note: The scheduling of an informal conference does not relieve you of the need to file your petition for an administrative hearing within the thirty (30) day period.

By: William L. Meyer
William L. Meyer, Director

Division of Waste Management
Department of Environment and Natural Resources

CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of the foregoing Compliance Order with Administrative Penalty to be served upon the person designated below, at the last known address, causing said copy to be deposited in the U.S. Mail, First Class (certified mail, and return receipt requested, postage prepaid) in an envelope addressed to:

Mr. Roy Joyner
Joyner Wrecking & Grading Company, Inc.
4140 North Patterson Avenue
Winston-Salem, NC 27105

Dated this 7th day of April, 1998

William L Meyer

William L. Meyer, Director
Division of Waste Management
Department of Environment and Natural Resources

045

NO 286

NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES
 Division of Solid Waste Management
 Solid Waste Section
 SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT

Type of Facility LCID Permit # Notification County Forsyth
 Name of Facility Joyner Wrecking & Grading Company Location 5669 Davis Rd
LCID Landfill
 Date of Last Evaluation _____

I. Permit Conditions Followed Yes No N/A

A. Specific Condition(s) Violated _____

II. Operational Requirements Followed Yes No

15A N.C. Admin. Code 138 Section _____

A. Specific Violation(s) by number and letter.

.0566(2) Unacceptable waste (C & D) has been disposed on site and
has not been removed as instructed

.0564(9) Buffer requirements have not been maintained (waste in buffer)

.0566(5) & (6) W/in 120 calendar days after completion of disposal
operations, the disposal area shall be covered with a minimum

III. ~~Other Violations of Rule or Law~~ of one foot of suitable soil cover sloped to allow
surface water run off in a controlled manner and provide
a sufficient ground cover to restrain erosion

IV. Evaluator's Comments _____

V. Continuation Page Required? Yes No Receiving Signature Mail to Roy Joyner

Evaluation Date 2-26-98 Solid Waste Section Brent S. Rockett



Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

Instructions: Solid Waste Section personnel shall complete the evaluation form each time they conduct official evaluations. The form shall be signed by the person(s) receiving the report.

Distribution: Part I White: facility copy
Part II Canary: Raleigh central office file copy
Part III Pink: Regional office file copy

Disposition: This form may be retained in accordance with the Record Retention and Disposition Schedule of the Solid Waste Section, Solid Waste Management Division of the Department of Environment, Health and Natural Resources.

Phil Prete

State of North Carolina
Department of Environment,
Health and Natural Resources
Winston-Salem Regional Office

N0286

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary



DIVISION OF WASTE MANAGEMENT

SOLID WASTE SECTION

July 8, 1997

CERTIFIED MAIL P-536 311 244
RETURN RECEIPT REQUESTED

Mr. Roy Joyner, Jr.
Joyner Wrecking & Grading Company
4140 North Patterson Avenue
Winston-Salem, NC 27105

NOTICE OF INTENT TO ISSUE
COMPLIANCE ORDER WITH
ADMINISTRATIVE PENALTY

Dear Mr. Joyner:

You are hereby informed of the N.C. Division of Waste Management's intention to issue a Compliance Order with Administrative Penalty against you for certain violations of the North Carolina Solid Waste Management Act, N.C.G.S. 130, Article 9 (Act) and the North Carolina Solid Waste Management Rules, 15A Admin. Code 13B (Rules).

13B.0563(1)(a),(1)(b) You have been duly notified by the Division with a Facility Evaluation Report dated May 2, 1997, addressing the violation and subsequent meeting with Mr. Eddie Joyner, Mr. Julian Foscue, Western Area Supervisor of the Solid Waste Section and me on May 15, 1997, on property located at 5669 Davis Road, Winston-Salem, Forsyth County, North Carolina and the methods available for you to remediate the violation. To date, you have failed to comply. Follow-up inspections on June 20, 1997, and July 3, 1997, revealed that the site remains in violation.

Be advised that pursuant to N.C.G.S. 130A-22(a) and 15A NC Admin. Code 13B, Sections .0701-.0707, an administrative penalty of up to \$5,000.00 per day of violation may be assessed for violation of the Solid Waste Law or Regulations.

585 Waightown Street,
Winston-Salem, North Carolina 27107-2241
Voice 910-771-4600



FAX 910-771-4631
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Mr. Roy Joyner, Jr.
Page Two
July 8, 1997

It is the N.C. Division of Waste Management's confirmed intention pursuant to N.C.G.S. 130A-22(a) and 15A NC Admin. Code 13B.0701-0707 to issue a Compliance Order to you, ordering you to immediately comply, and to seek to assess an Administrative Penalty of up to \$5,000.00 (five thousand dollars) against you for your non-compliance with 15A NC Admin. Code 13B.0201(a).

You are instructed to contact: Brent S. Rockett, Waste Management Specialist, DEHNR, Division of Waste Management, 585 Waughtown Street, Winston-Salem, NC 27107, Telephone 910-771-4608, Ext. 214, within ten (10) days after receipt of this Notice giving your full intentions and plan of action regarding compliance and remediation at this site, or the enforcement action indicated above will be initiated against you.

Sincerely,



Brent S. Rockett
Waste Management Specialist

BSR/mrw

cc: Julian M. Foscue, III
Philip J. Prete
Ronnie Grubbs, City-County Planning Board
Dr. Davey Stallings

NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES
Division of Solid Waste Management
Solid Waste Section
SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT

Type of Facility LCID Permit # Notification County Forsyth
Name of Facility Joyner Wrecking & Grading Co. Location 5669 Dause Rd
LCID Landfill
Date of Last Evaluation 10-3-96

I. Permit Conditions Followed Yes No N/A

A. Specific Condition(s) Violated

II. Operational Requirements Followed Yes No

15A N.C. Admin. Code 138 Section .0563

A. Specific Violation(s) by number and letter.

APPLICABILITY REQ. FOR LAND CLEARING, INERT DEBRIS LANDFILLS
(1)(a) ARE DISPOSING OF CONSTRUCTION AND DEMOLITION MATERIALS
(1)(b) TOTAL DISPOSAL AREA EXCEEDING TWO ACRES

III. Other Violations of Rule or Law

.0201 (a) No person shall establish a solid waste management facility unless a permit for the facility has been obtained from the Division

IV. Evaluator's Comments CEASE DISPOSAL IMMEDIATELY

Operating a C & D LF without a permit

V. Continuation Page Required? Yes No Receiving Signature Mailed certified to Roy Joyner

Evaluation Date 5-2-97 Solid Waste Section Bruce S. [Signature]

cc: Davey B. Stallings
Ronald B. Grubbs, Winston-Salem/Forsyth County Planning Board

Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

Instructions: Solid Waste Section personnel shall complete the evaluation form each time they conduct official evaluations. The form shall be signed by the person(s) receiving the report.

Distribution: Part I White: facility copy
Part II Canary: Raleigh central office file copy
Part III Pink: Regional office file copy

Disposition: This form may be retained in accordance with the Record Retention and Disposition Schedule of the Solid Waste Section, Solid Waste Management Division of the Department of Environment, Health and Natural Resources.

State of North Carolina
Department of Environment,
Health and Natural Resources
Winston-Salem Regional Office

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary

NO 286

FORSYTH CO
NOTIFICATION



October 14, 1996

CERTIFIED MAIL P-258 706 543
RETURN RECEIPT REQUESTED

Mr. Roy Joyner
Joyner Wrecking & Grading Company
4140 North Patterson Avenue
Winston-Salem, NC 27105

RE: NOTICE OF VIOLATION

Dear Mr. Joyner:

Pursuant to N.C.G.S. 130A-22(a) and to 15A NC Admin. Code 13B, I conducted an inspection on October 3, 1996, of the [REDACTED] Landfill [REDACTED] located at 5669 Davis Road, Winston-Salem, North Carolina. The inspection found the Land Clearing and Inert Debris Landfill to be in violation of certain requirements contained in the North Carolina Solid Waste Management Rules, codified at 15A NC Admin. Code 13B specifically:

15A NC Admin. Code 13B .0566 "Operational Requirements" (2) requires that the facility shall only accept those solid wastes which it is permitted to receive.

Based upon the foregoing, you are hereby ordered to immediately cease disposal of any solid waste and take the following action by November 30, 1996, to correct the violation as stated in this Notice of Violation, and otherwise be in compliance with the North Carolina Solid Waste Management Rules, codified at 15A NC Admin. Code 13B:

Comply with 15A NC Admin. Code 13B .0566(2) by removing all unacceptable solid waste and transport to an approved solid waste disposal facility. Provide receipts from this facility to Brent S. Rockett at this office.

585 Woughtown Street,
Winston-Salem, North Carolina 27107-2241
Voice 910-771-4600



FAX 910-771-4631
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Notice of Violation

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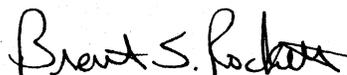
October 14, 1996

In addition you are requested to present documentation showing compliance with 15A NC Admin. Code 13B .0564 "Siting Criteria" (9)(b) which requires that the facility shall meet the minimum buffer requirement of 100 feet from the disposal area to property lines.

Pursuant to N.C.G.S. 130A-22(a) and 15A NC Admin. Code 13B Section .0701-.0707, an administrative penalty of up to \$5,000.00 per day may be assessed for violations of the Solid Waste Law or Regulations.

If you have any questions concerning this matter, please call 910-771-4600.

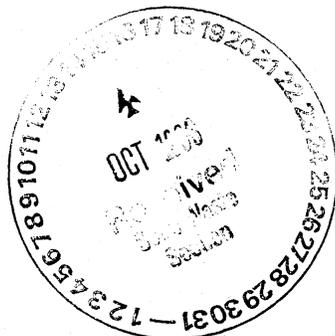
Sincerely,



Brent S. Rockett
Waste Management Specialist
Solid Waste Section

BSR/mrw

cc: Julian M. Foscue, III
Phil Prete
Pat Lambeth, Winston-Salem/Forsyth County Inspection & Zoning
Dr. Davey B. Stallings



045

N0286

NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES
 Division of Solid Waste Management
 Solid Waste Section
 SOLID WASTE MANAGEMENT FACILITY EVALUATION REPORT

Type of Facility LCID Permit # NOTIFICATION County FORSYTH
 Name of Facility JOYNER WRECKING & GRADING CO. Location 5669 DAVIS RD
LCID WINSTON-SALEM, NC
 Date of Last Evaluation _____

I. Permit Conditions Followed _____ Yes _____ No N/A

A. Specific Condition(s) Violated _____

II. Operational Requirements Followed _____ Yes No

15A N.C. Admin. Code 138 Section _____

A. Specific Violation(s) by number and letter.

10566 (2) OBSERVED LARGE AMOUNTS OF CONSTRUCTION AND
DEMOLITION DEBRIS BEING DISPOSED IN LANDFILL
UNACCEPTABLE MATERIALS INCLUDE METAL SIDING, CARPET,
INSULATION, PAINTED BLOCKS, ETC.
ALSO USTs, SCRAP TIRES & PILE OF CEILING TILES ~~BEING~~ BEING STORED?

III. Other Violations of Rule or Law ON PROPERTY

IV. Evaluator's Comments IMMEDIATELY CEASE DISPOSAL AND REMOVE
UNACCEPTABLE MATERIALS TO APPROVED FACILITY; ALSO CONCERNED
THAT STEEP DISPOSAL SLOPE MAY BE ENCRoACHING W/IN 100 FEET
MINIMUM BUFFER TO PROPERTY LINE

V. Continuation Page Required? _____ Yes _____ No Receiving Signature MAILED TO ROY JOYNER

Evaluation Date 10-3-96 Solid Waste Section Brent S. Rockett

Purpose: G.S. 130A-294 requires that an evaluation program be established for the operation of solid waste management facilities on a statewide basis. The Solid Waste Management Act and Solid Waste Management Rules codified at 15A NCAC 13B list requirements which must be followed by solid waste facilities.

Instructions: Solid Waste Section personnel shall complete the evaluation form each time they conduct official evaluations. The form shall be signed by the person(s) receiving the report.

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