

10413 ✓

LCIDN34Com Joyce Landfill
N0413

COUNTY: Forsyth
PERMIT OR RECORD NO.: LCID Notification
FILE TYPE: COMPLIANCE

RECORD OF COMMUNICATION	<input checked="" type="checkbox"/> PHONE CALL <input type="checkbox"/> DISCUSSION <input checked="" type="checkbox"/> SITE VISIT <input type="checkbox"/> CONFERENCE
	<input type="checkbox"/> OTHER (SPECIFY) _____ (Record of item checked above)

TO: File- Forsyth County, LCID Notification, Joyce Landfill LCID, 8107 Squire Marshall Rd, Walnut Cove, NC, 27052	FROM: Wendy Simmons	DATE 2/7/02
		TIME

SUBJECT Unacceptable waste at Joyce Landfill & Adjacent open dump, Forsyth County, NC

SUMMARY OF COMMUNICATION

On November 2, 2001, William F. Joyce was issued a NOV for receiving unacceptable waste at his LCID Landfill Notification and operating an illegal open dump adjacent to his LCID Landfill Notification.

On February 7, 2002, Jim Bryan with Forsyth County Environmental Health and I inspected Mr. Joyce's property to determine if the unacceptable waste had been removed from the LCID landfill and the open dump. The inspection revealed that demolition waste had been removed from the open dump area and the LCID landfill. A small amount of land clearing debris from on-site activities and beneficial fill materials remained in the open dump area. Mr. Joyce was instructed to obtain a local permit for the materials that remained in the open dump area.

On February 19, 2002, Mr. Joyce submitted receipts of disposal for the unacceptable material that was removed from his property (see attached).

On March 11, 2002, Mr. Joyce submitted to the Section a copy of his Zoning Permit for the beneficial fill area on his property. The permit expires on April 7, 2002, but it can be renewed for an additional thirty days after it expires.

On March 13, 2002, Tabitha Bailey with W-S/Forsyth County Inspections Division reported that she was aware that land clearing debris was in the fill area and that waste was at the site before the Zoning Permit was issued.

CONCLUSIONS

FOLLOW-UP REQUIRED:

NO
 PHONE CALL
 SUBMITTAL
 MEETING
 RETURN VISIT
 BY: _____ (DATE)

FOLLOW-UP NOTES

ACTIONS TAKEN OR REQUIRED

CC: WSRO File, RCO File

North Carolina
Department of Environment and Natural Resources

Michael F. Easley, Governor
William G. Ross Jr., Secretary



WINSTON-SALEM REGIONAL OFFICE
Division of Waste Management
Solid Waste Section

November 2, 2001

CERTIFIED MAIL 7099 3220 0006 8505 9160
RETURN RECEIPT REQUESTED

William F. Joyce
8107 Squire Marshall Road
Walnut Cove, NC 27052

RE: **NOTICE OF VIOLATION**
Land Clearing and Inert Debris Landfill Notification
Joyce Landfill
Forsyth County



Dear Mr. Joyce:

Pursuant to North Carolina General Statutes §130A-294 and to 15A North Carolina Administrative Code 13B, you are hereby informed that you are operating an unpermitted solid waste management facility.

On October 19, 2001, Brent Rockett, Western Area Supervisor of the North Carolina Solid Waste Section, and I inspected your Land Clearing and Inert Debris Landfill Notification, Joyce Landfill, located at 8107 Squire Marshall Road, Walnut Cove, North Carolina. The inspection found that Joyce Landfill was accepting solid wastes that it is not permitted to receive. In addition, the investigation revealed that you are operating an illegal open dump adjacent to your LCID Landfill Notification in violation of the North Carolina Solid Waste Management Rules, codified at 15A NC Admin. Code 13B. The specific violations include:

1. 15A NC Admin. Code 13B .0566(2) that requires LCID landfills to "only accept those solid wastes which it is permitted to receive." You are in violation of 15A NC Admin. Code 13B .0566(2) in that solid wastes other than land clearing waste, inert debris, untreated wood, and yard trash was disposed of at your LCID Landfill Notification.
2. 15A NC Admin. Code 13B .0201(a) requires that "no person shall establish or allow to be established, a solid waste management facility, or otherwise, treat, store, or dispose of solid waste unless a permit for the facility has been obtained from the Division." You are in violation of 15A NC Admin. Code 13B .0201(a) in that solid waste was being disposed (i.e. An open dump had been established.) on your property without a permit from the Division.

585 Woughtown Street, Winston-Salem, North Carolina 27107-2241

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Based upon the foregoing, you are hereby ordered to comply with 15A NC Admin. Code 13B by taking the following actions:

1. Immediately cease all dumping at the open dump.
2. Remove all unacceptable solid waste from the LCID Landfill Notification site and transport it to an approved solid waste disposal facility by December 7, 2001.
3. Remove all solid waste from the open dumpsite and transport it to an approved solid waste disposal facility by December 7, 2001.
4. Keep me informed during the removal process with written weekly status reports. Mail the reports to me at the following address: NC Department of Environment and Natural Resources, Solid Waste Section, Attn: Wendy Simmons, 585 Waughtown Street, Winston-Salem, NC 27107. Upon completion of removal, a final inspection of the LCID Landfill Notification and the open dump is required. Neither site can be covered with fill dirt until I have made a final inspection and verified that removal of waste has been completed per the requirements of this Notice of Violation.
5. Provide verification of proper disposal. Receipts of disposal will be required and should be mailed to me at the above address.

Pursuant to N.C.G.S. §130A-22(a) and to 15A NC Admin. Code 13B, Section .0701-.0707, an administrative penalty of up to **\$5,000 (five thousand dollars) per day** may be assessed for violations of the Solid Waste Laws or Regulations.

If you have any questions concerning this matter, please contact me at (336) 771-4608, extension 208.

Sincerely,



Wendy Simmons
Waste Management Specialist

cc: Brent Rockett, Western Area Supervisor
Philip Prete, Field Operations Branch Head
Jim Bryan, Forsyth County Division of Environmental Health
Scott Frye, City of Winston-Salem Inspections Division