North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

May 22, 2012

CERTIFIED MAIL 7010 3090 0001 4226 3325
RETURN RECEIPT REQUESTED

Mr. J. Bryan Smith
Atlantic Sewage Control
PO Box 2560
Kitty Hawk, NC 27949

SUBJECT: **Notice of Deficiency**
Atlantic Sewage Control
SLAS-27-16
SR 1121 in Currituck County

Dear Mr. Smith:

On January 9, 2012, Mr. Chester R. Cobb with the State of North Carolina, Division of Waste Management Solid Waste Section received the application for renewal of septage land application site permit, SLAS-27-16. Upon the review of the submitted documents, the following issue was noted:

A. **15A NCAC 13B .0835 (g) states "Applications for renewal permits shall be submitted to the Division at least 90 days prior to the expiration date of the permit. The Division shall notify permit holders of facility permit expiration dates 120 days prior to permit expiration." The application for renewal of permit, SLAS-27-16, was received on January 9, 2012. However, the permit for SLAS-27-16 had expired on January 7, 2012.**

CONTINUE ON BACK

The above deficiency may have or can compromise the facility's ability to ensure protection of the public health and the environment and thus require remedial action on behalf of the facility in order to maintain compliance with 15A NCAC 13B .0835 (g). Atlantic Sewage Control must immediately complete the following:

In the future, Atlantic Sewage Control shall submit the application for permit renewal 90 days prior to the expiration date of the permit.

Failure to comply with this schedule may subject the facility and/or all responsible parties to enforcement actions including a notice of violation, civil penalty, 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.

If you have any questions, please contact me at 919-707-8283 or e-mail chester.cobb@ncdenr.gov.

Sincerely,

Chester R. Cobb

Chester R. Cobb, Soil Scientist
Solid Waste Section

Cc: Martin A. Gallagher, Branch Head

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR J BRYAN SMITH
ATLANTIC SEWAGE CONTROL
PO BOX 2560
KITTY HAWK NC 27949

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Sammy Smith ☐ Agent ☐ Addressee

B. Received by (Printed Name) Sammy Smith C. Date of Delivery 5/25/12

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED MAY 29 2012 SOLID WASTE SECTION

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