



FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:											
Lined MSWLF		LCID		YW		Transfer		Compost		SLAS	COUNTY: Forsyth PERMIT NO.: 34-18-TP FILE TYPE: COMPLIANCE
Closed MSWLF		HHW		White goods		Incineration		T&P	<input checked="" type="checkbox"/>	FIRM	
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF	

Date of Site Inspection: April 15, 2014

Date of Last Inspection: April 25, 2013

FACILITY NAME AND ADDRESS:
 Myers Treatment and Processing Facility
 7775 Shallowford Road
 Lewisville, North Carolina

GPS COORDINATES: N: 36.10202 W: 80.45674

FACILITY CONTACT NAME AND PHONE NUMBER:
 Name: Herb Myers, Owner
 Telephone: (336) 407-1010
 Email address: Marty Myers (mlmyers@triad.rr.com)

FACILITY CONTACT ADDRESS:
 820 Ellington Drive
 Winston-Salem, North Carolina 27104

PARTICIPANTS:
 Herb Myers, Owner
 Charles Gerstell, NCDENR-Solid Waste Section

STATUS OF PERMIT:
 A Permit to Construct/Operate a Land Clearing and Inert Debris Treatment and Processing Facility was issued to Herbert G. Myers, Sr. and Marty Lee Myers on January 6, 2010. This permit will expire on January 6, 2015.

PURPOSE OF SITE VISIT:
 Comprehensive Inspection

STATUS OF PAST NOTED VIOLATIONS:
 N/A

OBSERVED VIOLATIONS

General Permit Condition #6 states: *Operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of the Chapter 130A of the North Carolina General Statutes (NCGS 130-290, et seq.), the conditions contained in this permit; and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.*

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General Permit Condition #7 states: *This permit is issued based on the documents submitted in support of the application for permit the facility including those identified in Attachment I, Part II “List of Documents for Approved Plan,” and which constitute the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.*

- Item #6 of the “List of Documents for the Approved Facility Plan” is detailed as: “Permitting and Operations Manual,” Myers Land Clearing and Inert Debris Landfill, Permit No. 34-18-TP, Prepared by: Allied Design, Inc. March 2009. DIN 7047
- Included with the “Permitting and Operations Manual” was an “Overall Site Plan” detailing the limits of the Treatment and Processing Facility including the 100’ Minimum Buffer.
- During the inspection, multiple loads of processing fines/screenings with a significant amount of wood waste was observed on the far north side of the property outside of the areas designated for facility activities shown on the facility site plan.

Disposal of waste/screenings outside of the approved facility limits constitutes violations of General Permit Conditions #6 and #7.

To achieve compliance, all wood waste resulting from facility activities must be relocated to the processing areas shown on the approved site plan for the facility.

Operating Condition #15 states: *The 100-foot buffer to property line shall be maintained free of waste and final product.*

During the inspection, mulch was stockpiled within the 100-foot buffer to the property boundary on the east side of the site. Measures taken found some material was within 45-feet of the property boundary.

To achieve compliance, all waste and final product must be relocated to ensure that the proper 100-foot buffer is provided to all property boundaries.

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. This facility consists of a permitted Land Clearing and Inert Debris Treatment and Processing Facility which is permitted to accept land clearing and inert debris (LCID) material, untreated and unpainted wood, wooding pallets, and high C:N ratio yard trash.
2. The facility was not in operation at the time of inspection.
3. The facility had proper signage.
4. A gate was provided the entrance to the facility to prevent unauthorized access. This gate was closed and locked upon inspection.
5. A significant amount of single ground and double ground mulch was on site at the time of inspection.
6. Adequate fire lanes were provided around all piles of product on site.

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7. Slight ponding was observed in multiple locations on site. However, the facility had been subjected to severe rainfall in the 24-hrs previous to the inspection and during the inspection. Areas of persistent ponding following rain events should be regraded to prevent ponding in operation areas and under or around storage piles.
8. A large stockpile broken concrete and asphalt was observed on the west side of the facility. This material was located within the clean concrete separation and processing area designated on the approved site plan for the facility.
9. An area of stockpiled, broken concrete and asphalt was observed on the northeast portion of the property east of a cedar chip stockpile. Multiple pieces of plastic and vinyl were observed mixed in with the material. All plastics and vinyl must be removed and properly disposed of at a facility permitted by the Division of Waste Management.
10. No unacceptable waste streams were observed.
11. Topsoil is screened from processed LCID waste on the northern portion of the property.
12. Per General Permit Condition #1, the permit for this facility shall expire January 6, 2015. No later than October 6, 2014, the owner or operator must submit a request to the Division of Waste Management, Solid Waste Section, for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.

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



Phone: (704) 235-2144

 Charles T. Gerstell
 Environmental Senior Specialist
Regional Representative

Sent on: <u>4/23/14</u>	X	Email		Hand delivery		US Mail		Certified No. []
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Copies: Jason Watkins, Western District Supervisor
 Sarah M. Rice, Compliance Officer