



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

Pat McCrory  
Governor

Dexter R. Matthews  
Director

John E. Skvarla, III  
Secretary

December 20, 2013

**CERTIFIED MAIL 7009 2250 0004 3265 7886**  
**RETURN RECEIPT REQUESTED**

Mr. David Lambert, Iredell County Solid Waste Director  
354 Twin Oaks Road  
Statesville, North Carolina 28625

**Subject: Notice of Violation**  
Compliance Inspection Report  
Iredell County MSWLF  
Permit No. 49-03  
Iredell County

Dear Mr. Lambert:

On November 21, 2013 and December 18, 2013, Teresa Bradford and Charles Gerstell (present on November 21, 2013) representing the State of North Carolina, Division of Waste Management, Solid Waste Section, inspected the Iredell County MSWLF for compliance with the North Carolina Solid Waste Statutes and Rules. You were present representing the Iredell County MSWLF. During the inspection the following violation was observed:

*15A NCAC 13B .0203 (d) "By receiving solid waste at a permitted facility, the permittee(s) shall be considered to have accepted the conditions of the permit and shall comply with the conditions of the permit."*

*General Permit Condition #5 states "By receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit."*

*Approved Operations Manual Section 5.2.2(a) states "Except as in Part (b), The County must cover disposed solid waste with six inches of earthen material at the end of each operating day or at more frequent intervals if necessary to control disease vectors, fires, odors, blowing litter and scavenging."*

*15A NCAC 13B .1626 (2)(a) states "Except as provided in Sub-Item (b) of this Item, the owners or operators of all MSWLF units must cover disposed solid waste with six inches of earthen material at the end of each operating day, or at more frequent intervals if necessary, to control disease vectors, fires, odors, blowing litter, and scavenging".*

*The facility is in violation of the above portion of the Operations Manual and .1626(2)(a) in that waste was observed uncovered on the MSLWF on November 21, 2013. The facility had made progress on covering the areas observed on November 21, 2013, however, exposed waste was observed again on December 18, 2013.*

### **COMPLIANCE SCHEDULE**

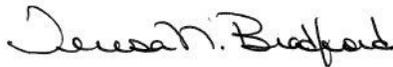
Based upon the foregoing, Iredell County shall come into compliance by December 31, 2013, with all requirements of the regulations in 15A NCAC 13B .1626(2)(a) by completing the following:

1. Apply adequate soil cover to all areas of exposed waste within the MSWLF to meet the requirements of .1626(2)(a), and the permit and operations plan conditions.

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 (704) 235-2160 or by e-mail at [teresa.bradford@ncdenr.gov](mailto:teresa.bradford@ncdenr.gov).

Sincerely,



Teresa N. Bradford  
Environmental Senior Specialist

Enclosure: Facility Compliance Inspection Report

cc: Jason Watkins, Western District Supervisor  
Michael Scott, Solid Waste Section Chief  
Sarah Rice, Compliance Officer