



North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

November 20, 2013

CERTIFIED MAIL 7012 1010 0002 1967 9910

RETURN RECEIPT REQUESTED

Mike Gladden – Public Works Director
McDowell County
60 East Court St.
Marion, NC 28752

SUBJECT: Notice of Violation
Compliance Inspection Report
McDowell County Transfer Station
56-02T
McDowell County

Dear Mr. Gladden:

On November 18, 2013 Bill Wagner, representing the State of North Carolina, Division of Waste Management Solid Waste Section, inspected the above referenced facility for compliance with North Carolina solid waste statutes and rules. You were present and represented the McDowell County Transfer Station during this inspection. The following violations were noted:

A. 15A NCAC 13B .0201(h) requires that “all solid waste management facilities shall be operated in conformity with these Rules and in such a manner as to prevent the creation of a nuisance, unsanitary conditions, or potential public health hazard.”

The interior walls of the transfer station are coated with grime and need to be washed down. Also, the receiving bay floor, and walls need washing.

COMPLIANCE SCHEDULE

Based upon the foregoing, the McDowell County Transfer Station shall come into compliance by December 9, 2013 with all requirements of the regulations in 15A NCAC 13B .0201(h) by completing the following:

“Corrective Actions”

1. **Within fourteen (14) days from receipt of this Notice, McDowell County must clean the interior walls of the transfer, and the floor and walls of the receiving bay.**

The McDowell County Transfer Station shall provide a written certification with supporting documentation on company letterhead confirming the noted compliance schedule has been completed. Include in this certification any actions taken to prevent these deficiencies from occurring in the future. By the noted compliance date, mail this certification to:

Bill Wagner
NCDENR – Solid Waste Section
2090 US Hwy 70
Swannanoa, NC 28778

Failure to comply with this schedule may subject the facility and/or all responsible parties 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. 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 828-296-4705 or e-mail bill.wagner@ncdenr.gov.

Sincerely,



Bill Wagner
Environmental Senior Specialist
Solid Waste Section

ec: Jason Watkins, Western District Supervisor – Solid Waste Section
Sarah Rice, Compliance Officer – Solid Waste Section

cc: Chuck Abernathy – McDowell Co. Mgr., County Admin. Bldg., 60 E. Court Street, Marion, NC 28752

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