



FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:											
Lined MSWLF		LCID		YW		Transfer		Compost		SLAS	COUNTY: Pitt PERMIT NO.: 74-07 FILE TYPE: COMPLIANCE
Closed MSWLF		HHW		White goods	X	Incineration		T&P		FIRM	
CDLF	X	Tire T&P / Collection	X	Tire Monofill		Industrial Landfill		DEMO		SDTF	

Date of Site Inspection: February 26, 2014

Date of Last Inspection: October 14, 2013

FACILITY NAME AND ADDRESS:

C&D Landfill Inc.
 802 Recycling Lane
 Greenville, North Carolina 27834

GPS COORDINATES:

Name: Judson Whitehurst, Wayne Bell
 Telephone: 252 752 8274, cell 252 717 8150 Bell
 Email address: gwbell32@yahoo.com wayne@ejerecycle.com
 Fax: 252 752 1916

FACILITY CONTACT ADDRESS:

Judson Whitehurst
 EJE Recycling
 802 Recycling Lane
 Greenville, North Carolina 27834

PARTICIPANTS:

Ben Barnes, NCDENR Solid Waste
 Dennis Shackelford, NCDENR Solid Waste
 Wayne Bell, EJE Site Manager

STATUS OF PERMIT:

Active, permit issued March 21, 2009 and expires on July 21, 2014. No later than March 21, 2014 submit to the Division an application for permit review. Documents have been submitted to the Division for permit renewal.

PURPOSE OF SITE VISIT:

Comprehensive inspection of a Construction and Demolition Landfill

STATUS OF PAST NOTED VIOLATIONS:

NONE

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OBSERVED VIOLATIONS:

15A NCAC 13B .0203(d) states: “By receiving solid waste at a permitted facility, the permit-tee(s) shall be considered to have accepted the conditions of the permit and shall comply with the conditions of the permit.”

General Permit Condition Number 5 of the Permit to Operate states: “By beginning construction or receiving waste at this facility the permit-tee shall be considered to have accepted the terms and conditions of this permit.”

General Permit Condition Number 6 states: “Construction and 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 130A-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.”

Conditions of Permit to Operate Number 6 states: The landfill is permitted to receive the following waste types in part: (a) C&D solid waste as defined in 15A NCAC 13B Rule .0532 (8) means solid waste generated solely from the construction, remodeling, repair, or demolition operations on pavement and buildings or structures.

Conditions of Permit to Operate Number 14 states in part: The permit-tee must actively employ a training and screening program at the facility prepared in accordance with the Section .0544(e) for detecting and preventing the disposal of excluded or unauthorized wastes.

15A NCAC 13B .0542 OPERATIONAL REQUIREMENTS FOR C&DLF FACILITIES:

- (a) The owner or operator of a C&DLF unit must maintain and operate the facility in accordance with the operation plan prepared in accordance with this Rule. The operation plan must be submitted in accordance with Rule .0535 of this Section. Each phase of operation must be defined by an area which contains five years of disposal capacity.
- (c) Waste Acceptance and Disposal Requirements
 - (1) A C&DLF must accept on those wastes it is permitted to receive.
- (e) Waste Exclusions. The following wastes must not be disposed of in a C&DLF unit:
 - (1) Containers such as tubes, drums, barrels, tanks, cans, and bottles unless they are empty and perforated
 - (7) Municipal solid waste as defined in GS. 130A-290(a)(18a).
- (g) Spreading and Compacting requirements.
 - (3) Appropriate methods such as fencing and diking must be provided within the area to confine solid waste which is subject to be blown by the wind. At the conclusion of each operating day, all windblown material resulting from the operation must be collected and disposed of by the owner and operator
- (f) Cover Requirements
 - (1) Except as provided in Subparagraph (3) of this Paragraph, the owners and operators of all C&DLF units must cover the solid waste with six inches of earthen material when the waste disposal area exceeds one-half acre and at least once weekly. Cover must be placed at more frequent intervals if necessary to control disease vectors, fires, odors, blowing litter, and scavenging. A notation of the date and time of the cover placement must be recorded in the operating record as specified in Paragraph (n) of this Rule.

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15A NCAC 13B .0544 MONITORING PLANS AND REQUIREMENTS FOR C&DLF FACILITIES

(d) Gas Control Plan.

(1) Owners and operators of all C&DLF units must ensure that:

- (A) the concentration of methane gas or other explosive gases generated by the facility does not exceed 25 percent of the lower explosive limit in on-site facility structures (excluding gas control or recovery system components);
- (B) the concentration of methane gas or other explosive gases does not exceed the lower explosive limit for methane or other explosive gases at the facility property boundary; and
- (C) the facility does not release methane gas or other explosive gases in any concentration that can be detected in offsite structures.

(2) Owners and operators of all C&DLF units must implement a routine methane monitoring program to ensure that the standards of this Paragraph are met.

(e) A waste acceptability program. Owners and operators of all C&DLF units must implement a program at the facility for detecting and preventing the disposal of industrial, hazardous, liquid, municipal solid waste and excluded wastes in accordance with the Operating Plan or the effective permit. This program must include

- (3) training of facility personnel to recognize industrial, hazardous, liquid, municipal and excluded waste.

- 1) **The violation of 15A NCAC 13B .0203(a) General Permit Conditions 5&6 and 15A NCAC 13B .0542 (a)&(c) is due to C&D Landfill Inc. receiving waste material that met the definition of MSW rather than C&D.**
- 2) **The violation of 15A NCAC 13B .0203(a) General Permit Conditions 5&6 15A NCAC 13B .0542 (a)&(e) is due to C&D Landfill accepting non-perforated plastic drums at the landfill. Three were observed.**
- 3) **The violation of 15A NCAC 13B .0203(a), General Permit Conditions 5&6 and 15A NCAC 13B .0542 (a)&(f) is due to C&D Landfill Inc. not properly covering the waste material disposed of in the landfill. Virtually the entire surface of the landfill had uncovered waste.**
- 4) **The Violation of 15A NCAC 13B .0542 (d)(1)(A)(B)(C)&(2) is due to the fact that methane monitoring is not being conducted as required. C&D Landfill has been requested to begin a monitoring program in several previous inspection reports.**
- 5) **The Violation of 15A NCAC 13B.0542 (g)(3) is due to the excessive amount of windblown waste material observed around the facility grounds. This situation is exacerbated by the lack of cover.**
- 6) **The violation of 15A NCAC 13B .0544 (e) (3) is due to the fact that several types of non-approved waste were observed on the landfill during the inspection including non-perforated drums, MSW and possibly industrial type waste. Some of this waste appeared to have been on the surface for several days and no apparent effort was made to remove it. It would appear that landfill staff did not recognized that this waste as not being approved for this landfill**

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 . The permit and operations plan were reviewed and were kept in a convenient location for staff access.
- 2 . The permit issued on July 21, 2009 is for the operation of Phase I cells 1-8, and for the construction of Phase 2A. In 2009 Phase 1 and 2 were combined into one parcel.
- 3 . Certified Operators are: Michael Warren expires 8/27/2015, Sheila Smith expires 8/27/2015, Tracy Shaw expires 8/7/15, John James Whitehurst Jr. expires 10/16/2015 and Wayne Bell 8/27/2015
- 4 . The facility is permitted to receive up to 300 TPD, it is receiving 110 TPD at this time.
- 5 . The service area includes Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chatham, Chowan, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville,

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Greene, Halifax, Harnett, Hertford, Hyde, Johnston, Jones, Lenoir, Martin, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Sampson, Tyrrell, Vance, Wake, Warren, Washington, Wayne, and Wilson Counties.

- 6. The normal operating hours are 7:00AM to 4PM M-F and 7AM to 12PM Saturday.
7. Phase 1 of the landfill has stopped receiving waste and is in the process of being closed, waste is now being accepted at Phase 2A.
8. The last GW monitoring event was conducted by Garrett and Associates on November 26, 2013 for Phase 1 Assessment and Phase 2 Detection Monitoring. For Phase 1- MW-1 (background), MW-2s, MW-4, MW-6 and MW-7(detection sampling) were sampled. For Phase 1 MW-3, MW-3A and MW-8 (detection and assessment) were sampled. For Phase 2 MW-9A (background), MW-10, MW-11, MW-12s, MW-13, MW-14 (detection only) were sampled. Surface water sampling included for Phase 1 SW-1, SW-2, SW-3 (detection), for Phase 2 SW-2. A GW assessment plan was submitted to the Division on 6/22/2009. The wells that were checked were locked. Soil has eroded from the base of one of the wells. Photo is below.
9. Methane monitoring is not being conducted at this time. The permit and operations plan specify that methane monitoring be conducted. A methane monitoring plan needs to be included in the new permit and the plan followed.
10. The Edge of waste markers have been installed and visible.
11. Rainfall is being measured and recorded.
12. The last Financial Assurance amount is for \$1,061,250 expires on March 4, 2014 and is insured by Smith Maus.
13. The records look good
14. There is a large pile of creosote poles piled in an of the landfill property. Bell indicated they are going to be ground and sold for boiler fuel. If this operation is to continue, it must be reflected in the permit and operations plan. Also once ground, the mulch must be stored on containers, it cannot be stored on the ground prior to transport.
15. Efforts need to be made to ensure that waste is covered as required. This is the second Notice of Violation issued for this facility in 6 months for cover issues. A notice of Violation for insufficient cover was issued on August 28, 2013. The violation was listed as resolved in an inspection report dated October 14, 2014. C&DLF was again found to be out of compliance during this inspection.
16. It was observed that the working face was near the maximum size allowed during the time of this inspection.
17. Digital photos were taken during this inspection report.
18. A Notice of Violation accompanies this report.

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

Ben Barnes

Phone: 252 236 4453 email: ben.barnes@ncdenr.gov

Ben Barnes
Environmental Senior Specialist
Regional Representative

Table with 7 columns: Sent on: March 17, 2014, X, Email, Hand delivery, US Mail, X, Certified No. 7011 2000 0001 6591 2056

Copies: Michael Scott, Section Chief
Dennis Shackelford, Eastern District Supervisor

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Jessica Montie, Compliance Officer



Large amount of uncovered waste material observed on the landfill

Large amount of



More uncovered waste observed on the surface and slope of the landfill

More uncovered waste

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the landfill

More uncovered waste observed on the surface of



slope.

More uncovered waste observed on the surface and



Load of MSW dumped on landfill during the time of the inspection. Landfill staff did not seem to recognize this material as not being acceptable for this landfill.

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Closer view of the MSW observed dumped during the inspection.



More MSW observed on the landfill. This material, bags for mountain trail mix was observed in several areas of the landfill leading to the assumption that this was not an isolated event. Proper training and diligence of landfill staff should have prevented this material from being accepted.

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This material observed in several areas of the landfill does not meet the definition of C&D waste and appears to have been dumped several days ago.



A drum observed on the slope of the landfill. The drum had been in place long enough for soil to have washed around it. The drum was not perforated. Again, landfill staff should have recognized that this waste should not be on the landfill.

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Another drum observed below the slope of the landfill. The drum was not perforated.



Metals separated from the C&D and stored on the surface.



Erosion was found around one of the GW monitoring wells.