



FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

UNIT TYPE:											
Lined MSWLF		LCID	X	YW		Transfer		Compost		SLAS	COUNTY: Currituck PERMIT NO.: N0321 FILE TYPE: COMPLIANCE
Closed MSWLF		HHW		White goods		Incineration		T&P		FIRM	
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF	

Date of Site Inspection: January 9, 2014

Date of Last Inspection: December 12, 2013

FACILITY NAME AND ADDRESS:

Jeffrey A. Newbern, owner
 Green Acres Land Development and Ready Mix
 The end of Westside Rd.
 Harbinger, North Carolina 27941

GPS COORDINATES: N: 36.11597 E: -75.83897

FACILITY CONTACT NAME AND PHONE NUMBER:

Name: Jeffrey A. Newbern
 Telephone: office 252 491 2121 X3 cell 252 202 1028
 Email address: galanddev@embarqmail.com
 Fax: 252 491 2120

FACILITY CONTACT ADDRESS:

Green Acres Land Development & Ready Mix Concrete
 c/o Jeff Newbern
 P.O. Box 67
 Harbinger, North Carolina 27941

PARTICIPANTS:

Ben Barnes NCDENR, Solid Waste
 Jeff Newbern, Green Acres Land Development
 Ken Elliott, Elliott Consulting email: ken@kenobx.com

STATUS OF PERMIT:

Notified Land Clearing and Inert Debris Landfill no permit required.

PURPOSE OF SITE VISIT:

Partial inspection to determine compliance with an NOV issued on November 3, 2010

STATUS OF PAST NOTED VIOLATIONS:

NONE

OBSERVED VIOLATIONS:

- 1. 15A NCAC 13B .0566 (2)** The facility shall only accept those solid wastes which it is permitted to receive. *Construction and demolition waste material was observed dumped outside of the designated area for LCID.*
- 2. 15A NCAC 13B .0566 (3)** Solid waste shall be restricted to the smallest area feasible and compacted as densely as practical into cells. *Waste was dumped in a haphazard manner in the area of the LCID with no apparently management or concern for future cover.*

FACILITY COMPLIANCE INSPECTION REPORT

Division of Waste Management Solid Waste Section

Page 2 of 7

3. **15A NCAC 13B .0566 (4)** Adequate soil cover shall be applied monthly, or when the active area reaches one acre in size, whichever occurs first. *There is a large area of uncovered waste in the LCID designated area. This waste has been observed during inspections stretching back for at least two years.*
4. **15A NCAC 13B .0566 (7)** states “Provisions for a ground cover sufficient to restrain erosion must be accomplished within 30 working days or 120 calendar days upon completion of any phase of landfill development”. *There is a large area of uncovered waste in the LCID designated area. This waste has been observed during inspections stretching back for at least two years.*

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 tract of land includes a Yard Waste Notification (YWN) and a Notified Land Clearing and Inert Debris Landfill. The areas for each of the operations are identified in the map located at the end of this inspection report.
2. The previous property owner was Randolph S. Brent III his ownership being recorded in Book 124 Page 62C in the Currituck Co. Register of Deeds. The LCID Notification is recorded in Book 414 Page 236 in the Currituck Co. Register of Deeds. The property was transferred to Green Acres Land Development by General Warranty Deed on June 30, 2000 and recorded in Book 504 Page 187 of the Currituck County Register of Deeds. A new LCID Notification was recorded in the name of Green Acres Land Development in Book 1253 Page 245-247 of the Currituck Co. Register of Deeds.
3. The area for the LCID and YW have been staked as required. Vegetative material has been dumped in the space between the LCID and YWN before the areas for these facilities were designated. **This material needs to be removed and placed in the designated area for the LCID or the YWN. All waste dumped on this site for disposal or burning must be located within the designated areas for these two facilities.**
4. There is a windrow of uncovered tree trunks, limbs, stumps and branches along the southwestern side of the area designated for the LCID landfill. This material is uncovered. New waste material was observed loosely piled and scattered in the LCID notified area without any particular management. **All of the waste material in the LCID area must be consolidated and covered within 30 days of receipt as required. New vegetative debris dumped in the LCID area must be consolidated with the existing material rather than be placed haphazardly around the site.**
5. Part of the mound of buried material from the original LCID notification is located outside of the area recently designated for the disposal of LCID. **The area designated for LCID must include this mound.**
6. **The concrete dumped in the old mine and just outside the LCID designated area must be dealt with according to Division Requirements.**
7. Demolition waste has been dumped on the site in two areas. This site is not permitted to accept construction and demolition waste. **This demolition waste must be removed and transported to a facility permitted to receive this type of waste and receipts provided to the Division.**
8. **A NOV was issued to this facility on March 15, 2012 and after seven follow up inspections found to be in compliance on September 19, 2013. During this inspection several new deficiencies were observed and the site appears to be reverting back operationally to its condition when the March 15, 2012 NOV was issued.**
9. **The above mentioned violations and possible remedies were discussed with Mr. Newbern and Mr. Elliott during this inspection. Mr. Elliott provided a timetable and list of intended actions to the Division in an emailed letter received on February 6, 2014. This letter requested a deadline of April 30, 2014 to bring the site into compliance.**

FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

Page 3 of 7

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



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

Ben Barnes
Environmental Senior Specialist
Regional Representative

Sent on: by February 12 , 2014		Email		Hand delivery		US Mail	X	Certified No. 7011 2000 0001 6591 2063
---	--	-------	--	---------------	--	---------	---	---

Copies: Dennis Shackelford, Eastern District Supervisor
Jessica Montie, Compliance Officer
Ken Elliott, Elliott Consulting
Pat McCain, Land Quality Section
Amy Adams, Division of Water Quality
Brenda McQueen, Currituck County Public Director



Uncovered waste in LCID designated area

FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

Page 4 of 7



Nonconforming material dumped outside of the LCID designated area. This material must be removed and transported to a facility permitted to receive this type of waste



Concrete dumped outside of the LCID designated area. This material must be moved into the designated LCID area or used as beneficial fill

FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

Page 5 of 7

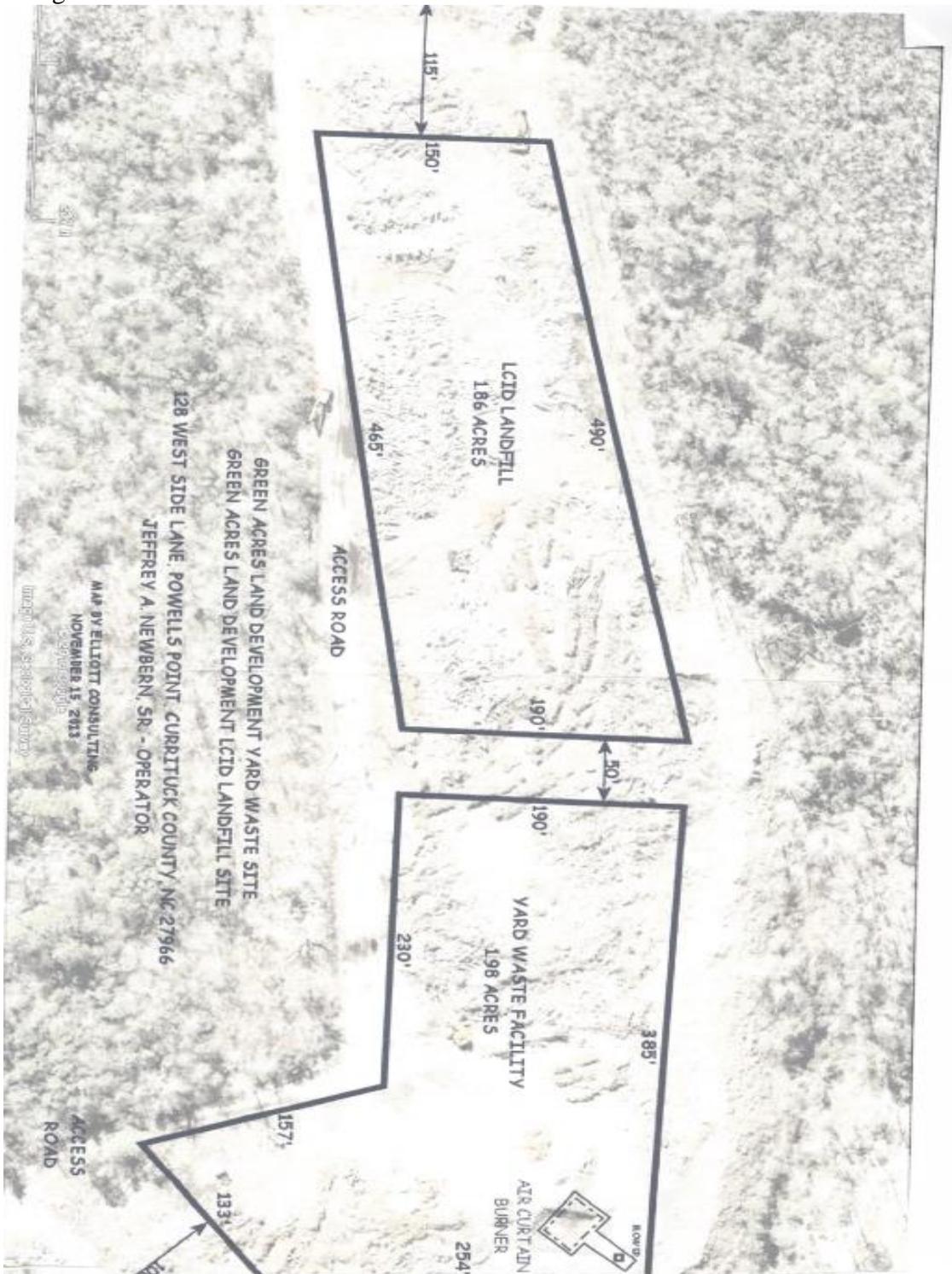


Flag located the boundary between the LCID designated area and the T&P designated area. The area to the right of the flag is the 50foot setback between to two facilities. Waste located in this area must be relocated to either facility. No waste can be located in the buffer

FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

Page 6 of 7

Designated area for LCID and YW area.



FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

Page 7 of 7

ACME Mapper 2.1 - 5.6 km NW of Point Harbor NC

<http://mapper.acme.com/>



1 of 1

2/11/2014 5:20 PM

Location of mound of covered LCID