



**FACILITY COMPLIANCE INSPECTION REPORT**  
**Division of Waste Management**  
**Solid Waste Section**

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

**Date of Site Inspection:** September 19, 2013

**Date of Last Inspection:** June 18, 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](mailto: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  
 Dennis Shackelford, Eastern District Supervisor  
 Jeff Newbern, Green Acres Land Development  
 Ken Elliott, Elliott Consulting email: [ken@kenobx.com](mailto: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:**

**.0563 APPLICABILITY REQ. FOR LAND CLEARING/INERT DEBRIS (LCID) LANDFILLS**  
**(1)(b) RESOLVED** *an area measuring 1.9 acres has been designated as The LCID landfill.*  
**15A NCAC 13B .0566 OPERATIONAL REQ. FOR LAND CLEARING/INERT DEBRIS (LCID)**  
**(11) RESOLVED** *the vegetative debris has been removed from the area of impounded water on the southwestern side of the property .*  
**15A NCAC 13B .0103 GENERAL CONDITIONS:** (e) **RESOLVED** *the concrete that was dumped in the old Nelson Pit appears to be unpainted and not contaminated with any LCID or C&D.*  
**15A NCAC 13B .0564 SITING CRITERIA FOR LAND CLEARING AND INERT DEBRIS (LCID)** (1) **RESOLVED** *the site is no longer in the 100 year flood plain.*

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**OBSERVED VIOLATIONS:**

NONE

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 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.
2. The disposal area for the notified LCID site has been designated and reduced to 1.9 acres in size.
3. Inert and vegetative debris that was dumped in the impounded area north of the LCID has been removed.
4. The original Notice of Violation was issued on March 15, 2012, and subsequent inspections were performed on February 22, 2012, April 23, 2012, June 5, 2012 and October 4, 2012 and June 18, 2013.
5. **There is a windrow of uncovered trunks limbs stumps and branches approximately 800 feet long on the southwestern side of the area designated for an LCID landfill.** 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".
6. **The operator plans to burn the material listed in item #6.** 15A NCAC 13B .0566 (12) states, "Open burning of solid waste is prohibited".

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



Phone: 252 236 4453 email: [ben.barnes@ncdenr.gov](mailto:ben.barnes@ncdenr.gov)

Ben Barnes  
 Environmental Senior Specialist  
*Regional Representative*

Sent on: by October 7, 2013	X	Email		Hand delivery		US Mail	Certified No.
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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

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Waste removed from the impounded area



Waste removed from the impounded area



Windrow of LCID on the southwestern side of the LCID area Newbern has expressed the intention of burning once an air curtain burner permit has been issued

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Concrete in the old Nelson Pit, no LCID, C&D or painted concrete was observed



Concrete in the old Nelson Pit, no LCID, C&D or painted concrete was observed

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Boundary of the LCID as laid out by Elliott Consulting

Windrow of uncovered stumps, trunks, limbs, branches and other land clearing waste material