



**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> Edgecombe <b>PERMIT NO.:</b> Notified site, no permit required <b>FILE TYPE:</b> COMPLIANCE
Closed MSWLF		HHW		White goods		Incin		T&P		FIRM	
CDFL		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF	

**Date of Site Inspection:** January 6, 2014      **Date of Last Inspection:** October 11, 2012

**FACILITY NAME AND ADDRESS:**

Smith's Landfill  
 High Tower Rd. approx ¼ mile S of intersection with NC 43  
 Rocky Mount, North Carolina 27801

**GPS COORDINATES:** N: 35.85578      E: 77.70782

**FACILITY CONTACT NAME AND PHONE NUMBER:**

Name: Aubrey Smith  
 Telephone: 252 883 1641, 252 450 9752, 252 883 0982 secretary  
 Email address: [emcontracting@centurylink.net](mailto:emcontracting@centurylink.net)  
 Fax: 252 212 5772

**FACILITY CONTACT ADDRESS:**

E&M Contracting  
 P.O. Box 1456  
 Rocky Mount, North Carolina 27802

**PARTICIPANTS:**

Ben Barnes, NCDENR, Solid Waste Section  
 Aubrey Smith, Manager

**STATUS OF PERMIT:**

Notified site, no permit required

**PURPOSE OF SITE VISIT:**

Comprehensive Audit

**STATUS OF PAST NOTED VIOLATIONS:**

NONE

**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.

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**ADDITIONAL COMMENTS**

1. The previous property owners and the names in which the LCID is recorded were Aubrey Fredrick Smith and Linda W Smith. The notification was recorded in Book 0966 page 0414 of the Edgecombe Co. Register of Deeds. On August 8, 2013 the property was sold to E&M Contractors, P.O. Box 1456, Rocky Mount, NC 27802. This sale was recorded in Book 1603 Page 0569 of the Edgecombe Co. Register of Deeds.
2. The LCID notification is recorded in Book 1273 Page 1052 of the Edgecombe Co. Register of Deeds.
3. The access road is of all weather construction.
4. The two acre boundary of the facility needs to be staked.
5. Setbacks to property lines need to be maintained.
6. Mr. Webb has stated that he grinds to concrete during the winter when work slows down. **If Mr. Webb intends to grind some of the concrete, a Yard Waste Notification form must be submitted to the Division and renewed annually. These two operations must be kept separate and be located on separate areas of the tract. Both are limited to 2 acres. These two areas must be staked.**
7. Keep the T&P and land filling operations separate.
8. **If the concrete waste is not ground then it must be covered with one foot of suitably compacted earth and stabilized with grass or mulch.**
9. **C&D waste material observed on the site needs to be removed and receipts mailed to Ben Barnes, P.O. Box 1568, Elm City, NC 27822.**
10. **The small amount of vegetative debris on the site needs to be covered monthly or processed.**
11. **15A NCAC 13B .0563 APPLICABILITY REQ. FOR LAND CLEARING/INERT DEBRIS (LCID) LANDFILLS** which states that: *When the land on which the Land Clearing and Inert Debris Landfill is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer shall contain in the description section in no smaller type than that used in the body of the deed or instrument a statement that the property has been used as a Land Clearing and Inert Debris Landfill and a reference by book and page to the recordation of the notification. The new deed or instrument of transfer must include the language referenced in this statute re the LCID notification. If it does not a new deed must be issued or the current deed modified to reference the LCID notification.*

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](mailto:ben.barnes@ncdenr.gov)

*Ben Barnes*

Environmental Senior Specialist  
**Regional Representative**

Sent on February 20, 2014:	X	Email		Hand delivery		US Mail	Certified No. [ ]
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Copies: Dennis Shackelford, Eastern District Supervisor  
 Jessica Montie, Compliance Officer

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View of the facility facing North



Nonconforming waste dumped on site