-	DIVISION OF WATER QUALITY - CIVIL PENALTY ASSESSMENT D-22
Violat	tor: House of Raeford Farms, Inc Rose Hill Fresh/IQF Chicken Plant County: Duplin
Case 1	Number: <u>DV-2009-0046</u>
	ASSESSMENT FACTORS
1)	The degree and extent of harm to the natural resources of the State, to the public health, or to private property resulting from the violation;  Depressed DO and Solids Would have a severely adverse effective or water environment.
2)	The duration and gravity of the violation;  \[ \int \text{Oppose} \text{Oppose} \text{For IS days} \]
3)	The effect on ground or surface water quantity or quality or on air quality;  Water in Cleek was septic for a significant stretch &
4)	The cost of rectifying the damage;
-	Significant, NOT calculated
5)	The amount of money saved by noncompliance;
	COST of properly managing the Water
6)	Whether the violation was committed willfully or intentionally;  Not indication of accident and sufficent free board in land
7)	The prior record of the violator in complying or failing to comply with programs over which the Environmental Management Commission has regulatory authority; and  At least 25 CPA and Several Offices Actions Sinificant
8)	The cost to the State of the enforcement procedures.  Moderately Significant
	The assessment factors listed above were considered. However, since this case pertains to the

Jeff Poupart Supervisor – Point Source Branch



Cases	assessed	against	House	
	accocca	uguniot	11000	1 10001010

Date Amount pand to date Assessed Case Number Violator Permit # County Amount DMR Month Case Closed WQ 85 -010 \$27,000.00 \$27,000.00 03/17/88 House Of Raeford Farms Inc-rose NC0002178 07/25/85 Duplin 1985 WQ 86 -089 NC0002178 \$40,422.90 House Of Raeford Farms Inc-rose Duplin 02/05/87 1 1986 \$6,431,40 03/17/88 024 **WQ li87** House Of Raeford Farms Inc-rose NC0002178 Duplin 04/02/87 \$110,898.35 1 1987 03/17/88 \$17.421.85 WQ 87 031 House Of Raeford Farms Inc-rose NC0002178 \$38,033.60 Duplin 07/22/87 1 1987 \$6,166,10 03/17/88 043 WQ 87 House Of Raeford Farms Inc-rose NC0002178 Duplin 4 07/22/87 \$22.800.58 1 1987 \$3,680,18 03/17/88 WQ 87 064 House Of Raeford Farms Inc-rose NC0002178 Duplin 09/30/87 \$139,707,70 1 1987 \$22,436,20 03/17/88 WQ 88 060 House Of Raeford Farms Inc-rose NC0002178 05/12/89 \$294,449,20 1988 05/20/98 Duplin LV 91 007 House Of Raeford Farms Inc-rose NC0002178 Duplin 06/18/91 \$27,739,14 1 1991 \$7,489,14 11/23/92 LV 02 139 House Of Raeford Farms Inc-wallace NC0003344 Duplin 05/15/02 \$290.55 1 2002 \$290.55 06/19/02 04 -531  $\overline{\mathsf{LV}}$ House Of Raeford Farms Inc-wallace NC0003344 Duplin 10/22/04 \$5,044.94 2004 \$5,044,94 05/03/05 04 564 ĽV House Of Raeford Farms Inc-wallace NC0003344 \$10,544.94 Duolin 11/18/04 8 2004 \$10.544.94 05/03/05 LV 05 033 NC0003344 House Of Raeford Farm's Inc-wallace 01/20/05 9 Duplin \$5.795.94 2004 \$5,795,94 05/03/05 LV 07 240 House Of Raeford Farms Inc-wallace NC0003344 Duplin 06/23/07 \$564.46 10 2006 \$564.46 07/26/07 107 300 LV House Of Raeford Farms Inc-wallace NC0003344 \$1,810.18 Duplin 07/26/07 1 2007 \$1.810.18 08/22/07 MV 08 007 House Of Raeford Farms Inc-wallace NC0003344 Duplin 03/05/08 \$1,856.99 3 2007 \$1,856.99 07/31/08 108 LV House Of Raeford Farms Inc-wallace NC0003344 Duplin 08/04/08 \$8,452,15 8 2007 \$8,452,15 09/04/08 09 125 LV House Of Raeford Farms Inc-wallace NC0003344 Duplin 04/16/09 \$20,577.15 1 2009 09/16/10 PC 09 109 House Of Raeford Farms inc-wallace NC0003344 Duplin 10/22/09 \$15,871.86 09/16/10 LV 09 455 House Of Raeford Farms Inc-wallace NC0003344 Duplin 12/22/09 2 2009 \$28,998.35 09/16/10 LR 90 230 House Of Raeford Farms Inc-rose NC0066320 Duplin 04/23/90 \$150.00 04/23/90 LM 99 046 House Of Raeford Farms Inc-rose WQ0002005 Duplin 11/19/99 \$17,598.37 1999 \$10.098.37 02/22/01 DV 00 022 House Of Raeford Farms Inc-rose WQ0002005 Duplin 10/31/00 \$12,489,12 \$3,689.12 12/21/01 LM lloo 049 House Of Raeford Farms Inc-rose WQ0002005 Duplin 03/16/01 \$25,215.08 2000 \$5,590.08 12/05/01 DV 09 046 House Of Raeford Farms Inc-rose WQ0002005 Duplin 08/10/10 \$76,357.95

<sup>\*</sup> Database pull only. Complete information may be found through file search. Cases with date assessed greater than 7/1/98 may be regional assessments. Some cases are still open for final agency decision. Cases labeled "LV" or "LM" are violations of permitted effluent limits and/or monitoring requirements. No violations <20% over the threshold were assessed a civil penalty. Description of case types can be found on the next page.



Date Run: October 24, 2011

Cases assessed against House of Raeford

Date Run: October 24, 2011

Amount \_\_d

Permit# Violator County

Case Number

Assessed

Date

DMR Month **Amount** 

to date

Case Close

\$932,669.50

\$144,362.59

CD = Discharge from animal waste tacking after Designation, CE = William or Internous Prischarge, CL = Certification Late, CV = Construction Violations, DD = Discharge w/o permit noncaminal waste facility. DX = Discharge without apermit LA = Late Annual Report EM = Violations of limits & monitoring TR = late DMR TE = Fate Fox Test NEW Permitt Midlations FOC = Office and Spill OP = Operate Treatment Works w/o Permit OV = Operate w/o Certificet Operator: RL = Registration: Late: RV = Renewal Wallation: WO:= Water Operator: Section Case: PC = Notation of Permit Condition other than fimit

Division of Water Quality



Alan W. Klimek, P.E. Director

## CERTIFIED MAIL #7004 0750 0000 5301 5337 RETURN RECEIPT REQUESTED

September 7, 2004

Mr. Robert Johnson House of Raeford Farms, Inc. Post Office Box 40 Rose Hill, North Carolina 28458

Subject: Notice of Violation
House of Raeford WWTP
Permit No. WQ0002005
Duplin County

Dear Mr. Johnson:

This letter is to notify you that the House of Raeford is in violation of Permit Condition II.1 of the subject permit that relates to operation and maintenance activities. Floating vegetation and residuals are still present within the treatment lagoon(s) at unacceptable volumes despite previous efforts to remove the materials. The floating vegetation causes a reduction in treatment detention time and is not considered to be representative of acceptable operation and maintenance. Please be advised that a civil penalty of up to \$25,000 may be assessed in accordance with North Carolina General Statute 143-215.6A(a)(2).

A permit renewal inspection was performed on August 18, 2004 to evaluate the condition of the treatment and disposal facilities. A copy of the inspection report is enclosed for your review. During the inspection, it was noticed that the linear irrigation traveler stop for Zone L6 is not in compliance with permitted buffer zone requirements for the adjacent ditch and property line, as compared to the approved design drawings (southeast corner of field). It is requested that the House of Raeford install linear traveler stops on Zone L6 to meet the permitted 100ft. ditch buffer and 150 ft. property line buffer.

A review of irrigation record shows that the site is no longer hydraulically overloaded (based upon a twelve month floating total irrigation volume). However, Zones L4 and L7 are still out of compliance with permitted irrigation limits. It is recommended that irrigation flow be reduced on these two fields and increased proportionally on the remaining permitted fields. Also, please keep in mind that nutrient loading limitations are of concern on the irrigation zones that contain the higher hydraulic loading limitations.

Mr. Robert Johnson September 7, 2004 Page Two

It is requested that the House of Raeford provide a plan and schedule to the writer within 10 days; of the receipt of this letter that covers removing floating residuals and vegetation accumulations from the treatment lagoon(s).

If you have questions concerning this letter, please contact Mr. Jim Bushardt or myself at 910-395-3900.

Sincerely,

Charles F. Stehman, Ph.D., P.G. Environmental Regional Supervisor I

JB:CS:Raeford.904

Cc:Wilmington APS Files

APS Central Files

# Compliance Inspection Report

WQ0002005 Effective: 11/12/99 Expiration: 10/31/04 Owner: House of Raeford Farms Inc. Soc: Effective: Expiration: Facility: House of Raeford Farms - Duplin WWTF County: Duplin PO Box 40 Region: Wilmington Rose Hill NC 28458 Contact Person: Joseph D Teachey Phone: 910-289-2601 Ext. Directions to Facility: Primary ORC: Joseph D Teachey Certification: 14930 ---- Phone: 910-289-2601 Secondary ORC(s): On-Site Representative(s): Phone: **Related Permits:** Inspection Date: 08/18/2004 Entry Time: 10:00 AM Exit Time: 12:01 PM Primary Inspector: James B Bushardt Phone: 910-395-3900 Ext. Secondary Inspector(s) Reason for Inspection: Inspection Type: Compliance Evaluation Permit Inspection Type: Surface Irrigation ■ Not Compliant Inspection Summary:

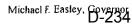
A compliance inspection was performed on August 18, 2004 in support of a permit renewal activity. By observation, many of the irrigation fields are now meeting hydraulic loading limits as compared to the previous permit renewal. However, Fields L4 and L7 are still over the permitted hydraulic limits. Several fields are below the annual irrigation limits and efforts could be made to reduce the

Cursory PAN calculations for Field L4 (based upon a twelve month floating total of 50.9" and a PAN concentration of 35.5 mg/l) indicate that 409 lbs/ac/yr are being applied. The permit allows a maximum PAN loading of 300 lbs/ac/yr for a double crop of

The treatment lagoons contained less floating sludge & grass accumulations as compared to the previous inspection. However, efforts should be made to either provide better solids removal via DAF or develop a sludge management plan designed to minimize solids build-up on the lagoons. The floating vegetation should be removed from the lagoon.

The spray irrigation site appears to have been located too close to a ditch and property line on the south end of Field L6 (also known as Field 3B). The linear traveler was suppose to have a 150ft property line buffer and 100 ft, ditch buffer. The two linear traveler stops should be positioned approximately 60 feet northward from current location to simultaneously provide the

Permit:	WQ0002005	Owner - Facility: House of Raeford Farms Inc - House of Raeford Farms - Duplin WWT			
Inspection Date:	08/18/04	Inspection Type: Compliance Evaluation			
Type.					
Lagoon Spray, L	,R		• •	Yes No NA NE	
Treatment	•		•		
		nose outlined in the current permit?			
	ing welland grasses and an operation and mainte	ational? (if no, note below.) solids accumulations within the treatment lagoon are not cor enance standpoint. The floating sollds should be removed in a	isidered to be accordance wit		
End Use-Irrigation					
Are buffers ade	quate?				
is the cover cro	type specified in permit	?	•		
Is the crop cove	r acceptable?				
Is the site condi	tion adequate?				
Is the site free o	of runoff / ponding?				
	specified in the permit bei	ing utilized?			
	n equipment present?				
	n equipment operational	?	•		
	ield free of limiting slopes				
	cted and/or signs posted				
Info only: Does Comment: Field within 40 feet o	the permit call for monito		ne property line the 150 ft prop	e and erty	





Alan W. Klimek, P.E. Director Division of Water Quality



March 23, 2007

Mr. Robert Johnson House of Raeford Farms P.O. Box 40 Rose Hill, NC 28458 See enclosed HOR reply

Subject:

Compliance Evaluation
Permit Number WQ0002005
House of Raeford Farms, Inc.
Wastewater Surface Irrigation
Duplin County

Dear Mr. Johnson:

A compliance evaluation was performed on March 20, 2007 at the subject wastewater treatment facility. The vision would like to thank Joseph Teachey for his time and assistance during the compliance inspection. The racility cannot be deemed compliant at this time. Please review the attached compliance report in detail and address maintenance issues that have been outlined within 30 days. If you have any questions concerning the enclosed report, or this letter, please feel free to contact me at (910) 796-7215.

Very Truly Yours,

Tara Croft
Environmental Specialist

Cc: DWQ Central Files (w/attachments)

APS Files WQ0002005 (w/attachments)

Enclosure: Compliance Inspection Report (4 Pages)

RESPONDENT'S
EXHIBIT

North Carolina Naturally

## **Compliance Inspection Report**

Permit: WQ0002005 Effective: 12/03/04 Expiration: 11/30/09 Owner: House Of Raeford Farms Inc. SOC: Effective: **Expiration:** Facility: House of Raeford Farms - Duplin WWTF PO Box 40 County: Duplin Region: Wilmington Rose Hill NC 28458 Contact Person: Joseph D Teachey Phone: 910-289-2601 Directions to Facility: Primary ORC: Joseph D Teachey Certification: 14930 Phone: 910-289-2601 Secondary ORC(s): On-Site Representative(s): **Related Permits:** Inspection Date: 03/20/2007 Entry Time: 11:00 AM Exit Time: 12:45 AM Primary Inspector: Tara Croft Phone: 910-796-7215 Secondary Inspector(s):

Reason for Inspection: Routine Inspection Type: Compliance Evaluation

Permittinspection Type: Surface Irrigation

Facility Status: ☐ Compliant ☐ Not Compliant

**Question Areas:** 

Miscellaneous Questions Treatment Lagoons End Use-Irrigation

(See attachment summary)

Owner - Facility: House Of Raeford Farms Inc

Inspection Date: 03/20/2007

Inspection Type: Compliance Evaluation

Reason for Visit: Rouline

#### Inspection Summary:

Flows at this facility are currently 700,000 gpd, average flows are around 550,000/ month. Treatment lagoon freeboard is at 2'7".

Treatment disinfection is prior to lagoon treatment, this is not adequate for preventing fecal coliform occurrences in the irrigation water. Effluent FC are high enough to warrant further disinfection activities. Chlorination treatment at the outflow of the storage lagoon, prior to irrigation, would maximize disinfection. Monitoring wells have had FC exceedences and lagoons are a sink for coliforms.

The first treatment lagoon in succession is covered in a thick floating mat of vegetation and sludge. This needs to be mechanically removed. Sludge needs to be hauled out by approved methods and disposal must be approved by the Division. These activities will improve the capacity of the lagoon and bring the facility into compliance. The vegetative mat was removed three years ago and came back within about 1 year, this warrants removal of the sludge base to prevent recolonization of the vegetative matter.

Flow calibrations are done using nozzle calibrations and lagoon levels. The storage lagoon is 17 acres, Freeboard is at 5' and the lagoon berm is well maintained.

PAN loading on Zone 4 (Pivot Irrigation) is high, there are nitrate exceedences of 16 mg/l in an adjacent monitoring well. Hydraulic loading may need to be re-evaluated in this area.

There was a buffer conflict in Zone 3B (L6) adjacent to a drainage ditch. This has been addressed, but the new drain installed may impact the buffer zone. A 100' buffer must exist between that drainage ditch and the edge of the irrigation area.

Sprayfield areas in the linear and pivot irrigation areas are in very good condition. The rye grass is well established and stall bermuda will come in for the summer months. There are ruts in the fields from the irrigation methods, but a system been devised to maintain these.

Another compliance issue is the maintenance of Fields 5 & 6. Field 6A is a low lying wet area that is not utilized very often. This field, along with field 5A, will be re-seeded for future irrigation. Fields 5B and 6B are covered in weeds and do not have a dominant crop established. These are utilized a few times a week for irrigation and will be completely cut back and re-seeded in April.

Owner - Facility: House Of Raeford Farms Inc.

Reason for Visit: Rouline Inspection Date: 03/20/2007 Inspection Type: Compliance Evaluation Yes No NA NE Type Single Family Spray, LR Infiltration System Reuse (Quality) Activated Sludge Spray, LR Activated Sludge Spray, HR Recycle/Reuse Activated Sludge Drip, LR 0 Single Family Drip Lagoon Spray, LR Yes No NA NE End Use-Irrigation Are buffers adequate? Is the cover crop type specified in permit? Is the crop cover acceptable? Is the site condition adequate? Is the site free of runoff / ponding? Is the acreage specified in the permit being utilized? Is the application equipment present? Is the application equipment operational? Is the disposal field free of limiting slopes? Is access restricted and/or signs posted during active site use? Are any supply wells within the CB? Are any supply wells within 250' of the CB? How close is the closest water supply well? Is municipal water available in the area? # Info only: Does the permit call for monitoring wells? Are GW monitoring wells located properly w/ respect to RB and CB? Are GW monitoring wells properly constructed, including screened interval? Are monitoring wells damaged?

Owner - Facility: House Of Raeford Farms Inc

Inspection Date: 03/20/2007

Inspection Type: Compliance Evaluation

Reason for Visit: Rouline

Comment: The operator was informed that the buffer in zone 3B (L6) may not be 100' to the spray area with the new drain installed. With the exception of fields 5 & 6, which need major maintenance (see summary) the other dominant spray areas are in very good condition.



# HOUSE OF RAEFORD FARMS, INC.

**ROSE HILL DIVISION** 

Post Office Box 40 • ROSE HILL, N. C. 28458 Phone (910) 289-3191 • 1-800-POULTRY

FAX (910) 289-4355

APR 2 7 2007

D-239

April 23, 2007

Tara Croft Environmental Specialist 127 Cardinal Drive Ext. Wilmington, NC 28405-3845

Dear Ms. Croft:

This letter is to inform you that we are currently obtaining quotes on the best possible way to clean our first primary lagoon to bring our facility in compliance. We will review these quotes upon completion and implement the best process for the weed mat removal.

If you have any questions or comments, please call me at (910) 289-6952. Thank you for your time and attention.

Best regards,

Chris Murray Plant Manager

CM:jk

cc: Robert Johnson

Clay Howard Joe Teachey





Coleen H. Sullins, Director Division of Water Quality



January 5, 2009

Mr. Robert Johnson House of Raeford Farms, Inc. PO Box 40 Rose Hill, NC 28458

Subject: Compliance Evaluation
Permit Number WQ0002005
House of Raeford Farms, Inc.
Wastewater Surface Irrigation

**Duplin County** 

Dear Mr. Krum:

Enclosed is the inspection report for House of Raeford Farms, Inc conducted on December 12, 2008. The Division would like to thank you Mr. Joe Teachy for his time and assistance during the site evaluation. The current treatment components and disposal units are not compliant. Please review the attached report in detail.

The primary treatment lagoon remains out of compliance and in need of dredging and solids disposal. The Division received correspondence from David Meyer at Protocol Sampling Service, Inc. outlining a plan to dredge out the primary lagoon. However, the Division will not issue compliance until this project is complete. Please make certain that I am contacted for a follow-up inspection when the lagoon is dredged or a Notice of Violation will be issued against this permit. If you have any questions concerning the enclosed report, or this letter, please feel free to contact me at (910) 796-7215.

Very Truly Yours,

Erin Carey Environmental Specialist

Enclosed: Compliance Inspection Report (Pages 1-3)

RESPONDENT'S EXHIBIT 24/2

## Compliance Inspection Report

Permit: WQ0002005

Effective: 12/03/04

Expiration: 11/30/09

Owner: House of Raeford Farms Inc.

SOC:

Effective:

Expiration:

Facility: Rose.Hill Fresh / IQF Chicken Plant Facility

PO Box 40

County: Duplin

Region: Wilmington

Rose Hill NC 28458

Contact Person: Robert C Johnson

Title: Vice Chairman

Phone: 910-289-3191

Directions to Facility:

**System Classifications:** 

Primary ORC: Joseph D Teachey

Certification: 14930

Phone: 910-289-2601

Secondary ORC(s):

On-Site Representative(s):

Related Permits:

Inspection Date: 12/15/2008

Entry Time: 11:00 AM

Exit Time: 12:00 PM

Primary Inspector: Erin S Carey

Phone: 910-796-7380

Secondary Inspector(s):

Reason for Inspection: Routine

Inspection Type: Compliance Evaluation

Permit Inspection Type: Surface Irrigation

**Question Areas:** 

Miscellaneous Questions

Treatment Lagoons

End Use-Irrigation

(See attachment summary)

Owner - Facility: House of Raeford Farms Inc

Inspection Date: 12/15/2008

Inspection Type: Compliance Evaluation

Reason for Visit: Rouline

#### Inspection Summary:

The House of Raeford WWTF is not currently in compliance with permit number WQ0002005. Though the irrigation fields look to be in good condition, the primary treatment lagoon continues to be a problem. There is vegetation growing on a thick sludge blanket that is certainly displacing liquid in the lagoon. The secondary treatment lagoon has plenty of freeboard and is free of the same sludge blanket and vegetative growth that is found in the first lagoon.

Steps need to be taken immediately to remove the solids from the primary lagoon.

Owner - Facility: House of Raeford Farms Inc

Inspection Date: 12/15/2008 Inspection Type: Compliance Evaluation. Reason for Visit: Rouline <u>Type</u> Yes No NA NE Reuse (Quality) Infiltration System Single Family Spray, LR Lagoon Spray, LR Activated Sludge Spray, HR Activated Sludge Spray, LR Activated Sludge Drip, LR Recycle/Reuse Single Family Drip **End Use-Irrigation** Yes No NA NE Are buffers adequate? Is the cover crop type specified in permit? Is the crop cover acceptable? Is the site condition adequate? Is the site free of runoff / ponding? Is the acreage specified in the permit being utilized? Is the application equipment present? Is the application equipment operational? Is the disposal field free of limiting slopes? Is access restricted and/or signs posted during active site use? Are any supply wells within the CB? Are any supply wells within 250' of the CB? How close is the closest water supply well? Is municipal water available in the area? # Info only: Does the permit call for monitoring wells? Are GW monitoring wells located properly w/ respect to RB and CB? Are GW monitoring wells properly constructed, including screened interval? Are monitoring wells damaged? Comment:



# North Carolina Department of Environment and Natural Resources

Division of Water Quality
Coleen H. Sullins
Director

Dee Freeman Secretary

Beverly Eaves Perdue Governor

> Certified Mail # 7008 1140 0002 9561 7995 Return Receipt Requested

August 6, 2010

Mr. Robert Johnson House of Raeford Post Office Box 40 Rose Hill, NC 28458

Subject: Notice of Violation (NOV-2010-PC-0932)
House of Raeford- Rose Hill Facility
Permit No. WQ0002005
Duplin County

Dear Mr. Johnson,

This letter is in regard to a compliance inspection conducted on July 26, 2010 at the subject facility. The results of the inspection are provided within the enclosed compliance inspection report. The assistance provided during the inspection by Mr. Joe Teachey and Mr. Clay Howard is greatly appreciated. In summary, it was determined that the Permittee is not meeting Permit Condition II.1, Operation and Maintenance, in regard to the excessive vegetation growth within the first cell of the treatment lagoons located behind the processing facility. The vegetation growth (marsh grass) covers the surface of the entire first cell of the facultative lagoon system. When questioned about the high lagoon freeboard within the first lagoon cell, the operations staff indicated that they were having to operate the liquid level within the first lagoon cell at a high level in order to minimize transferring solids into the second lagoon cell. Please be advised that Permit Condition II.14 requires a minimum 2 feet freeboard within all three wastewater lagoons. Although due to the problem of determining the actual lagoon freeboard with accuracy, this notice of violation does not include violation of permitted freeboard limits.

The enclosed compliance inspection report includes a recommendation for cleaning out the lagoon vegetation and sludge accumulations. Although, the settled sludge accumulations are not known at this time. The writer asked House of Raeford representatives how they would plan the requested lagoon clean out, and then sought guidance from other State divisions concerning solid waste and air quality rules issues associated with the proposed lagoon clean out plan. This information is also provided within the enclosed report.

Wilmington Regional Office 127 Cardinal Drive Extension, Wilmington, North Carolina 28405 Phone: 910-796-7215 \ FAX: 910-350-2004 \ Customer Service: 1-877-623-6748 Internet: www.ncwaterquality.org

An Court Occarbuilte! Affirmation Asia - Carda - ...

Mr. Robert Johnson August 6, 2010 Page 2

Additionally, I have provided some information that is enclosed for Mr. Teachey concerning requirements for field laboratory certification for pH measurements that he routinely performs. Unlike most sampling requirements, the short holding time limit for pH prevents sending a sample to the laboratory for analysis and field testing is typically performed. The Division requires Permittees or their contract laboratory to be field certified for the particular type of test in accordance with Title 15, Chapter 2, Subchapter 2H.0800 (enclosed for your review-see Section .0804). It is requested that House of Raeford, as an industrial facility, achieve field laboratory certification for properly reporting pH sampling or have a commercial laboratory field certified for pH testing provide on-site sampling for the Permittee.

Please be advised that failure to provide proper operation and maintenance of the treatment lagoon is in violation of Permit Condition II.1. NC General Statute 143-215.6A(a)(2) allows that a civil penalty of up to \$25,000 per violation may be assessed against any person who fails to act in accordance with the terms, conditions, or requirements of the permit.

It is requested that you provide a written response to me within 15 days of the receipt of the Notice of Violation. Your reply should include the cause of the lack of lagoon maintenance and corrective actions, including a time schedule for corrective actions, to be implemented to achieve permit compliance.

If you or your designee(s) have questions concerning this letter, please feel free to contact Mr. Jim Bushardt or myself at 910-796-7341.

Yours Very Truly,

Charles Stehman, PhD, PG

Environmental Regional Supervisor III

Jb:cs: House of Raeford.810

Cc: DWQ-APS Central Files DWQ-APS WIRO Files

Joe Teachey (House of Raeford)

Jim Bushardt

## **Compliance Inspection Report**

Permit: WQ0002005

Effective: 12/03/04

Expiration: 11/30/12

Owner: House of Raeford Farms Inc.

SOC:

Effective:

Expiration:

Facility: Rose Hill Fresh / IQF Chicken Plant WWTF

3333 US Hwy 117 S

County: Duplin

Region: Wilmington

Rose Hill NC 28458

Contact Person: Chris Murray

Title:

Phone: 910-289-6952

Directions to Facility:

System Classifications:

Primary ORC: Joseph D Teachey

Certification: 14930

Phone: 910-289-2601

Secondary ORC(s):

On-Site Representative(s):

**Related Permits:** 

WQ0001481

House of Raeford Farms Inc - Rose Hill WWTF Residuals Land

Application Program

Inspection Date: 07/26/2010

Entry Time: 09:00 AM

Exit Time: 11:15 AM

Rrimary Inspector: James B Bushardt

Phone: 910-796-7215

Secondary Inspector(s):

Reason for Inspection: Routine

Inspection Type: Compliance Evaluation

Permit Inspection Type: Surface Irrigation

\_Facility Status:

☐ Compliant

■ Not Compliant

**Question Areas:** 

Miscellaneous Questions

Treatment Lagoons

End Use-Irrigation

Storage

(See attachment summary)

Owner - Facility: House of Raeford Farms Inc

Inspection Date: 07/26/2010

Inspection Type: Compliance Evaluation .

Reason for Visit: Routine

#### Inspection Summary:

A compliance inspection was conducted on July 26, 2010 to evaluate the condition of the treatment lagoons, storage lagoon and spray fields. The grass crop looked healthy and was being cropped adequately except within the solid set irrigation fields, which needed crop removal. Please be advised that irrigation onto grass containing seed sprouts, does very little in regard to nutrient uptake. The freeboard levels were greter than two feet within the storage lagoon and second cell of the treatment lagoon. However, there was less than a two feet freeboard available within the first cell of the treatment lagoon. The condition of this first lagoon cell was considered to be poor. The lagoon contained excessive vegetation (marsh grass) growing on the entire lagoon surface & floating sludge accumulations were also noticed. The lagoon should be properly restored to allow facultative treatment by removing the marsh grass accumulations and removal of sludge accumulations. Additionally, all three lagoons have permit requirements for freeboard (2 ft min) and each lagoon should have a staff gauge to allow lagoon freeboard measurement.

During the site visit the writer asked operational staff how they would like to clean out the lagoon. They have indicated that it would be desirable to remove vegetation to on-site property located immediately adjacent to the lagoons and burn it. The sludge would be removed and sent to Carolina By Products for beneficial reuse. The writer spoke with representatives of the Division of Waste Management and the Division of Air Quality. In the writer's opinion, it did not appear that the lagoon vegetation could be considered to meet the definition of sludge within 40 CFR, Part 257 even though the vegetation is in contact with lagoon sludge. The vegetation must be considered a solid waste or sludge. However, the representatives of the DWM indicated that they did not believe that it met the definition of solid waste "because it would not pass a wet filter test" thus having too much liquid content to be accepted at a landfill. Since the vegetation was not proposed to be taken to a solid waste landfill and was proposed to be burnt on site, the DWM staff indicated that they would not be involved in the proposed activity. Therefore, the writer proceeded to get the opinion of representatives from the Division of Air Quality, if burning the stockpiled lagoon vegetation would be allowable. They indicated "businesses are not generally allowed to burn under NC's Open Burning rule (15A NCAC 2D.1900)", but also indicated that the only instance when a business is allowed to burn is land clearing for the purpose of development. The refinition of what constitutes land clearing under the rule is a little gray and there may be some room for interpretation. thus, if House of Raeford would like to pursue the lagoon vegetation burning option, it was suggested that House of Raeford representatives review the rules and submit a request and justification to their AQ Inspector, Mr. Scott Sanders (910-796-7215). Scott represents the Wilmington Region on a statewide open burning group. If that group deems this activity as meeting "land clearing" and House of Raeford can meet other AQ requirements, burning would be considered acceptable.

The act of removing the lagoon vegetation and lagoon sludge is considered to be a capital size project in the writer's opinion. Such projects must allow a reasonable funding period. It is recommended that House of Raeford remove the marsh grass and sludge accumulations by March 31, 2011. This would allow the wastewater treatment staff to work this task during the winter period when the vegetation is dormant and the operations staff have less crop removal activities on-going.

If permission is granted to burn the lagoon vegetation (thus requiring temporary stockpiling), the writer will evaluate the proposed stockpiling location, the lagoon vegetation removal should be continuous until completed and burning the stockpiled lagoon vegetation should begin within one week of completing the lagoon vegetation removal.

Other possible avenues for lagoon vegetation removal include sending the material to McGill Environmental, in Delway, NC, for composting or sending the material to your permitted sludge site to be tilled into the soil without lengthly stockpiling.

The House of Raeford proposal to remove lagoon sludge accumulations and send them to Carolina By Products for processing and beneficial reuse is an acceptable plan.

Owner - Facility: House of Raeford Farms Inc.

Inspection Date: 07/26/2010 Inspection Type: Compliance Evaluation Reason for Visit: Rouline Yes No NA NE Туре Reuse (Quality) Infiltration System Single Family Spray, LR Activated Sludge Drip, LR Activated Sludge Spray, LR Activated Sludge Spray, HR  $\Box$ Single Family Drip Recycle/Reuse Lagoon Spray, LR **End Use-Irrigation** Yes No NA NE Are buffers adequate? Is the cover crop type specified in permit? 's the crop cover acceptable? Is the site condition adequate? Is the site free of runoff / ponding? Is the acreage specified in the permit being utilized? Is the application equipment present? Is the application equipment operational? Is the disposal field free of limiting slopes?. Is access restricted and/or signs posted during active site use? Are any supply wells within the CB? Are any supply wells within 250' of the CB? How close is the closest water supply well? Is municipal water available in the area? # Info only: Does the permit call for monitoring wells? Are GW monitoring wells located properly w/ respect to RB and CB? Are GW monitoring wells properly constructed, including screened interval? re monitoring wells damaged? Comment: no comments

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