



Energy, Mineral
and Land Resources
ENVIRONMENTAL QUALITY

PAT MCCRORY

Governor

DONALD R. VAN DER VAART

Secretary

TRACY DAVIS

May 27, 2016

CERTIFIED MAIL #7013 1710 0002 1865 6181
RETURN RECEIPT REQUESTED

Attn: Willie B Roark (*President*)
Maymead Materials Inc.
1995 Roan Creek Rd
Mountain City, TN 37683

CERTIFIED MAIL #7013 1710 0002 1865 6167
RETURN RECEIPT REQUESTED

Attn: Sean Mackey (*Contract Administrator*)
Maymead Materials Inc.
1995 Roan Creek Rd
Mountain City, TN 37683

CERTIFIED MAIL #7013 1710 0002 1865 6174
RETURN RECEIPT REQUESTED

Attn: George Davenport (*Plant Operator*)
Maymead Materials Inc.
3684 NC-105
Boone, NC 28607

Subject: **NOTICE OF VIOLATION
and RECOMMENDATION FOR ENFORCEMENT**
NOV-2016-SP-0002
Permit No. NCG 160141
Maymead Materials - Boone
Watauga County

Dear Mr. Mackey:

On May 26, 2016 Glen White and Sue White of the North Carolina Department of Environmental Quality met with Mr. Davenport at the facility located at 3684 NC-105 in the town of Boone in Watauga County, to conduct a compliance inspection as required by your industrial stormwater permit.

The facilities most recent prior inspection was conducted on October 22, 2015 by the same team of inspectors. At that time the inspectors agreed to give Maymead, Inc. additional time to correct violations/deficiencies prior to initiating further action.

This facility is covered under General Permit No. NCG 160141 which allows the discharge of stormwater point source discharges associated with activities classified as **Asphalt Paving Mixtures** to the surface waters of North Carolina

Accordingly, the following observations and violations were noted during the Division of Land Resources inspection and subsequent file review:

1. Stormwater Pollution Prevention Plan (SPPP):

The General Permit NCG 160000, Part II Section A, No. 1 thru 9 requires the permittee to develop and implement a SPPP that includes all of the information required in No. 1 thru 9. Inspection revealed that this facility has not developed and maintained a Stormwater Pollution Prevention Plan in accordance with permit requirements.

2. Qualitative Monitoring):

General Permit NCG 160000, Part II Section C requires the facility to conduct qualitative monitoring twice per year following the established guidelines. The facility has not been monitoring per requirements. Monitoring must be completed twice annually and records must be kept with the SPPP for a minimum of five (5) years.

3. Analytical Monitoring):

General Permit NCG 160000, Part II Section B requires the facility to conduct analytical monitoring twice annually at each of the facilities stormwater outfalls. The current permit only requires sampling for TSS (Total Suspended Solids) semi-annually. No analytical monitoring has been performed in accordance with the permit. No records exist.

Required Response

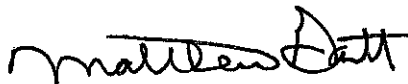
Accordingly, you are directed to respond to this letter in writing **within 30 calendar days** of receipt of this Notice. Your response should outline how the violations will be addressed and should be sent to this office at the letterhead address and include the following:

1. Develop a Stormwater Pollution Prevention Plan (SPPP) to include all information required per NCG 160000 Part II, Section A., No. 1 thru 9. (site overview, location map, narrative description, siteplan, record of spills and leaks, secondary containment record, BMP summary, spill prevention & response, preventative maintenance & good housekeeping, facility inspection records, employee training records, responsible party contact information, SPPP annual update and amendment records.
2. Begin Qualitative Monitoring and provide twice annually. Keep records in the SPPP binder.
3. Begin Analytical Monitoring per permit requirements defined in Part II, Section B. Keep records in SPPP and maintain for five (5) year minimum.

Thank you for your attention to this matter. This Office is considering sending a recommendation for enforcement to the Director of the Division of Water Resources regarding these issues and any future/continued violations that may be encountered. **This office requires that the violations, as detailed above, be abated immediately and properly resolved.** Environmental damage and/or failure to secure proper authorizations have been documented on the subject tract as stated above. Your efforts to undertake activities to bring the subject site back into compliance is not an admission, rather it is an action that must be taken in order to begin to resolve ongoing environmental issues.

Pursuant to G.S. 143-215.6A, these violations and any future violations are subject to a civil penalty assessment of up to a maximum of \$25,000.00 per day for each violation. Your above-mentioned response to this correspondence, the degree and extent of harm to the environment and the duration and gravity of the violation(s) will be considered **in any civil penalty assessment process that may occur.** Should you have any questions regarding these matters, please contact Glen White at (336) 776-9660.

Sincerely,



Matthew E. Gantt, P.E.
Regional Engineer
Land Quality Section
Winston-Salem Regional Office

Enclosures: Inspection Report

cc: DMLR – WSRO (File Copy)
Bradley Bennet – DMLR – Stormwater Permitting Unit
Toby Vinson, Jr., P.E. – DMLR
Tracy Davis, P.E. – DMLR
Sheila Holman - DAQ