

Company Sued Over Hazardous Wastes

BY TERRY POPE

A Navassa company is being sued by the N.C. Department of Human Resources to recover more than \$10,000 in fines stemming from a May 1984 hazardous waste dumping violation.

According to the suit filed last week in Brunswick County Superior Court, Carolina Creosoting Inc. has failed to pay its \$10,000 fine and to clean up the hazardous waste found dumped near the company during a sample investigation last year.

William L. Meyer, head of the solid and hazardous waste management branch of the N.C. Department of Human Resources, filed the suit that is also seeking a \$250 penalty for failing to file proper documents with the department. Associate Attorney General Debbie Wright is representing the department in the case and filed the lawsuit through the N.C.

Department of Justice.

According to the suit, an investigation last May revealed that K-001 wastes had been deposited on the northeast side of the industrial lot in two places—behind the office in the pine woods adjacent to the treated pole storage areas and in the pine woods behind an old bath house. Carolina Creosoting Inc. treats timber with creosote to preserve them for use as utility poles.

K-001 is a hazardous waste consisting of "bottom sediment sludge from the treatment of waste waters from wood preserving processes that use creosote and/or pentachlorophenols," the suit states. The company did not have a permit to dump the hazardous waste when it was discovered last May.

Creosote and pentachlorophenol wastes had also been deposited "directly onto the ground on the

treated pole storage area, around and in the track area adjacent to the treatment vessels, and adjacent to the product concrete holding tanks," it states.

The company was mailed a certified letter from Meyer's office dated July 23, 1984 notifying them of the violation and resulting fine, which was ordered to be paid within 60 days. Company officials did not request an administrative hearing on the apparent violation, did not pay the fine within 60 days, and has never removed the spilled chemicals, the suit states.

The department's letter also ordered the company to stop all illegal chemical wastes disposal activities and to submit an action plan for the complete clean-up of the chemicals and contamination caused by the wastes before Sept. 24, 1984.

Clean-up efforts were to include the

removal and proper disposal of all such wastes and contaminated soil and the installation of a groundwater monitoring plan to determine the impact, if any, on the ground waters of the site. Such a plan was to be approved by the department and completed by the company by Nov. 26, 1984.

Beyond the Nov. 26 deadline, each day that the violation continues represents a separate violation for which an additional fine up to \$10,000 per day can be assessed, the letter states.

In posting an additional penalty of \$250 against the company, Meyer pointed out that a "letter of credit" filed by the company in order to comply with its financial requirements was not a duplicated original and therefore is not a proper document. Another insurance policy filed by the company "was not worded identically to the N.C. model," but a fine was not ordered for that violation, the suit states.

Such documents are required under the Resource Conservation and Recovery Act for all hazardous waste treatment, storage or disposal plants.

The department of human resources is asking that a Superior Court judge order the company to pay \$10,250 in fines and to "clean up the hazardous waste and to submit all required documents." It is also asking that the company be ordered to pay all court costs.

Under the N.C. General Statutes, the secretary of human resources may file suit in the county where such violations occur, or where the defendant lives, to recover administrative penalties if they are not paid within 60 days.



STAFF PHOTO BY EDDIE SWEATT

Out For A Stroll

There's nothing so relaxing as a Sunday afternoon stroll on the beach to make a little fellow relax. Justin, five-months-old son of Martin and Wanda Feldt of Holden Beach, takes a little nap safely strapped to his proud papa. They were among the many who flocked to the shore to enjoy Sunday's spring-like temperatures.

Cleanup Should Begin Soon

Toxic wastes that were left behind at a creosote company near Leland may be cleaned up by the U.S. Environmental Protection Agency within the next few months.

The N.C. Solid and Hazardous Waste Management Branch has contacted the EPA about removing the contaminated soil because the company property is now abandoned and no one is taking responsibility for the problem. According to the Brunswick County Sheriff's Department, the industrial site on Navassa Road has been closed for several months.

Fines totalling \$10,250 charged against the company by the N.C. Department of Human Resources

have not been paid and company officials have not filed for an appeal, a lawsuit filed Feb. 15 in Brunswick County Superior Court states. Human resource officials also requested that the company be responsible for cleaning up the chemicals when a notice of the fine was mailed last July.

The state's main concern stemming from the spill is that groundwater in the rural area may become contaminated if the chemicals are not cleaned up. The state has tested two wells, one on the company property and another at a nearby mobile home, but found them to be uncontaminated.

Before scheduling the cleanup, EPA officials must serve legal notice to the owners, giving them an opportunity to take care of the problem. If nothing is done, the EPA then steps in, cleans the chemicals up, and attempts to recover its costs in court.

Soil samples taken by the EPA in January are being studied to determine what should be done to clean up the chemicals. Contaminated water in tanks on the site must also be removed to prevent tampering.

Of the 10 acre industrial site, less than an acre is believed to be contaminated with the wood preserving chemicals, officials estimated.

Men's Tournament Scheduled

Five local teams will compete Friday and Saturday, March 1-2, in the South District Men's Basketball tournament sponsored by the Brunswick County Parks and Recreation Department.

In all, 13 teams from men's leagues in Brunswick County, Wilmington and Pender County recreation department will compete for the championship to be decided Saturday evening.

The tournament will be held at the West Brunswick and South Brunswick high school gyms Friday night at 7 p.m. and 8 p.m. and will continue Saturday at the South Brunswick High and Middle school gyms.

The winner of the South District Tournament will advance to the state finals, Saturday, March 9, in Laurinburg.

Pairings for Friday's games at West Brunswick are as follows: CP&L Brunswick vs. Maco Stars, 7 p.m., and the Turntables vs. the Outer Banks Hammocks, 8 p.m.

At South Brunswick High Friday night, the pairings are the Tigers vs.

Temple Baptist, 7 p.m.; the Warriors vs. the Dog Eyes, 8 p.m. and Pender No. 4 vs. the Players, 9 p.m.

The A-Team will face the winner of the CP&L-Maco game at 10 a.m. at South Brunswick Middle School Saturday, while the Turntables will face the winner of the Turntables and

Outer Banks Hammocks in the second game at 11 a.m.

The House of Raefords will await the winner of the Tigers and Temple Baptist game at 11 a.m. at CBHS Saturday.

Semi-final games will follow with a final championship game at 4 p.m. at South Brunswick Middle School.

National Guard Has Impact

With an operating budget of nearly \$100 million a year, the N.C. National Guard is one of the largest employers in the state.

The Shallotte National Guard, with its 93 members, has a total local financial impact of \$309,767, which includes military pay for guard members, operating expenses, local purchases and pay for full-time personnel, a news release recently stated.

Last year, full and part-time payroll amounted to \$297,340 while an additional \$4,085 was spent for local purchases at the Shallotte armory. Replacement value of the armory facility is \$506,253.

The N.C. National Guard operated on a state budget of \$5.5 million and federal funding of \$93 million in 1984. About two-thirds of the operating budget goes to salaries for the more than 13,000 guard members for weekend drills and annual training.

"The National Guard is more than a group of citizen-soldiers ready to respond to state and federal emergencies," said Maj. Gen. Hubert M. Leonard, N.C. Adjutant General. "We are a viable asset to our state's economy."

In 1984, guard personnel put in 4,665 mandays following the March tornadoes and an estimated 3,500 mandays during and after Hurricane Diana.

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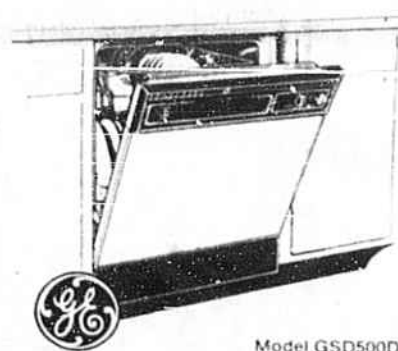
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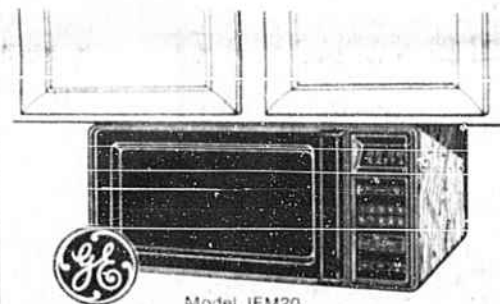
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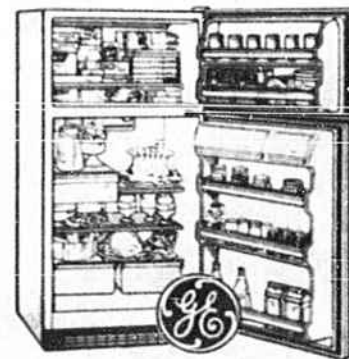
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