

# EXHIBIT O-5

## Violations at the PEACH COUNTRY GARDEN CENTER Site - ID Number: 489500 discovered between 1/1/2013 and 1/15/2021

Jan 15, 2021 02:30

**NOTE: The information contained in this report will be limited to the date each program began using the Department's integrated database, NJEMS. The programs began using the system for this information as follows: Air - 10/1998; Hazardous Waste - 1/2000; Water Quality - 7/2000; Water Supply (limited information for Safe Drinking Water and Water Allocation) - 7/2000; Lab Certification (limited information) - 7/2000; Right To Know - 11/2000; TCPA - 12/2001; Land Use 12/2001; DPCC - 1/2002; Solid Waste - 1/2002 and Pesticides - 4/2002; Site Remediation - 3/2003 and Radiation (limited information) - 7/2006. For complete information prior to these dates, please submit an official OPRA request form to the Department. If printing this report, select landscape orientation.**

Disclaimer: All listed violations have been included in Effective enforcement actions. This report lists alleged violations based on facts and information known to the Department at the time the violation information was determined. Errors or omissions in the factual basis for any violation may result in a future change in classification as a violation when such information becomes known. Persons cited for violations may contest the Department's enforcement action or penalty assessment. The resultant final decision may uphold, negate or modify the original violation findings or penalty.

<b>Program Description:</b>	<b>Solid Waste</b>	<b>Program Interest Type:</b>	<b>RECYCLING CENTER</b>
<b>Program Interest Name:</b>	<b>PEACH COUNTRY TRACTOR</b>		
<b>Location Address:</b>	<b>1463 N TUCKAHOE RD</b>		
<b>Activity Number:</b>	<b>PEA 160001</b>	<b>Program Interest ID:</b>	<b>652656</b>
<b>Document Type:</b>	<b>CEHA - NOV</b>		
<b>Responsible Organization:</b>	<b>PEACH COUNTRY TRACTOR INC</b>		

Description of Non-compliance	Discovery Activity Number	Discovery Date	Violated Citation	Violation Status	Compliance Due Date	Compliance Achieved Date	Severity	MMR	Related Inspection	Related Enf Actions
Facility failed to ensure the receipt, storage, processing or transfer of recyclable material was conducted in a manner consistent with the protection of public health, safety and the environment in light of the nature, scale and location of the exempted activity.	BCI 160004	9/21/16	[N.J.A.C. 7:26A-1.4(b)1]	Satisfied	11/2/16	11/14/16			Inspection Info	<a href="#">Enforcement Actions Info</a>

**Activity Number:** PEA 170001

**Program Interest ID:** 652656

**Document Type:** NOV

**Responsible Organization:** PEACH COUNTRY TRACTOR INC

Description of Non-compliance	Discovery Activity Number	Discovery Date	Violated Citation	Violation Status	Compliance Due Date	Compliance Achieved Date	Severity	MMR	Related Inspection	Related Enf Actions
Facility accepting less than 3,000 cubic yards of leaves per year and/or 1,000 cubic yards of grass clippings per year failed to ensure containers were removed from the site within two days of the placement of any grass in the container.	BCI 170002	5/18/17	[N.J.A.C. 7:26A-1.4(a) 22iv]	Satisfied		2/6/18			Inspection Info	<a href="#">Enforcement Actions Info</a>

Description of Non-compliance	Discovery Activity Number	Discovery Date	Violated Citation	Violation Status	Compliance Due Date	Compliance Achieved Date	Severity	MMR	Related Inspection	Related Enf Actions
Facility accepting less than 3,000 cubic yards of leaves per year and/or 1,000 cubic yards of grass clippings per year failed to promptly place grass in nonleaking containers, such as roll-offs, upon receipt at the facility and/or ensure the container was covered immediately following loading and remain fully covered until removed from the site.	BCI 170002	5/18/17	[N.J.A.C. 7:26A-1.4(a) 22ii]	Satisfied		2/6/18			Inspection Info	<a href="#">Enforcement Actions Info</a>
Facility failed to ensure the receipt, storage, processing or transfer of recyclable material was conducted in a manner consistent with the protection of public health, safety and the environment in light of the nature, scale and location of the exempted activity. Specifically, partially processed mulch was on fire during our inspection.	BCI 170002	5/18/17	[N.J.A.C. 7:26A-1.4(b)1]	Pending					Inspection Info	<a href="#">Enforcement Actions Info</a>
Facility operating pursuant to an exemption in N.J.A.C. 7:26A-1.4(a) failed to provide a written notice of such operation to the New Jersey Department of Environmental Protection, Division of Solid and Hazardous Waste, Bureau of Recycling and Planning, P.O. Box 414, Trenton, New Jersey 08626-0414, the host municipality, and host county prior to the commencement of operations. Specifically, according to internet tax records, Peach Country does not own block 14301, lot 1 and failed to notify the Department that it was operating on block 14301, lots 4 & 10. Further, please explain the corporate structures and business relationships of Loring Inc. (lot #4), Fred Smith Orchards, Inc. (lots #9 & 10), and Wood Management (lot #8) to Peach Country Tractor.	BCI 170002	5/18/17	[N.J.A.C. 7:26A-1.4(b)5]	Pending					Inspection Info	<a href="#">Enforcement Actions Info</a>

Description of Non-compliance	Discovery Activity Number	Discovery Date	Violated Citation	Violation Status	Compliance Due Date	Compliance Achieved Date	Severity	MMR	Related Inspection	Related Enf Actions
Failing to obtain a SWF permit prior to constructing or operating a solid waste facility. Specifically, the facility has been receiving unapproved ID # 27 sludge waste from Gemini Linen in Palmyra, Burlington County for about two years. Also, the facility also had a full container of type 10/13/13C waste on-site.	BCI 170002	5/18/17	[N.J.A.C. 7:26- 2.8 (f)]	Satisfied		2/6/18			Inspection Info	<a href="#">Enforcement Actions Info</a>
Recycler of tree branches, tree limbs, tree trunks brush and wood chips derived from trees limit stored more than 7,500 cubic yards of processed material onsite. Specifically, Peach Country had approximately 45,000 cubic yards of processed recyclable material on-site during our inspection.	BCI 170002	5/18/17	[N.J.A.C. 7:26A-1.4(a) 3iii]	Pending					Inspection Info	<a href="#">Enforcement Actions Info</a>
Recycler of tree branches, tree limbs, tree trunks brush and wood chips derived from trees stored more material than could be processed by equipment within a one week period and/or stored more than 7,500 cubic yards onsite. Specifically, Peach Country had approximately 32,000 cubic yards of unprocessed recyclable material on-site during our inspection.	BCI 170002	5/18/17	[N.J.A.C. 7:26A-1.4(a)3I]	Pending					Inspection Info	<a href="#">Enforcement Actions Info</a>

Activity Number:

PEA 180001

Program Interest ID:

652656

Document Type:

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Responsible Organization:

PEACH COUNTRY TRACTOR INC

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Facility operating pursuant to an exemption in N.J.A.C. 7:26A-1.4(a) failed to provide a written notice of such operation to the New Jersey Department of Environmental Protection, Division of Solid and Hazardous Waste, Bureau of Recycling and Planning, P.O. Box 414, Trenton, New Jersey 08626-0414, the host municipality, and host county prior to the commencement of operations. Specifically, Peach Country did not yet notify the Department that it is operating exemption # 3 & 18 on block 14301, lot 10.	BCI 180002	2/6/18	[N.J.A.C. 7:26A-1.4(b)5]	Pending					Inspection Info	<a href="#">Enforcement Actions Info</a>
Failing to obtain a SWF permit prior to constructing or operating a solid waste facility. Specifically, Peach Country has several locations of C&D and bulky waste throughout the facility.	BCI 180002	2/6/18	[N.J.A.C. 7:26- 2.8 (f)]	Pending					Inspection Info	<a href="#">Enforcement Actions Info</a>
Failure of exempt compost operator to have the on-site use of the final compost product as the subject to an approved agricultural management plan, mining area restoration plan, or other plan defining appropriate methods of compost product use and rates of application, developed by the Natural Resources Conservation Service, or other applicable local, State or Federal agency.	BCI 180002	2/6/18	[N.J.A.C. 7:26A-1.4(a) 18vii]	Pending					Inspection Info	<a href="#">Enforcement Actions Info</a>
Failure of exempt compost operator to incorporate a composting method that results in the aerobic biodegradation of the yard trimmings received.	BCI 180002	2/6/18	[N.J.A.C. 7:26A-1.4(a) 18vi]	Pending					Inspection Info	<a href="#">Enforcement Actions Info</a>

Description of Non-compliance	Discovery Activity Number	Discovery Date	Violated Citation	Violation Status	Compliance Due Date	Compliance Achieved Date	Severity	MMR	Related Inspection	Related Enf Actions
Failure of exempt compost operator to place yard trimmings in windrows within the week of receipt.	BCI 180002	2/6/18	[N.J.A.C. 7:26A-1.4(a) 18ii]	Pending					Inspection Info	<a href="#">Enforcement Actions Info</a>

**Activity Number:** PEA 190001

**Program Interest ID:** 652656

**Document Type:** NOV

**Responsible Organization:** PEACH COUNTRY TRACTOR INC

Description of Non-compliance	Discovery Activity Number	Discovery Date	Violated Citation	Violation Status	Compliance Due Date	Compliance Achieved Date	Severity	MMR	Related Inspection	Related Enf Actions
Failing to obtain a SWF permit prior to constructing or operating a solid waste facility. Specifically storing over 7,500 cubic yards of processed material (woodchips). Currently out-of-compliance with exemption #3.	BCI 190001	7/24/19	[N.J.A.C. 7:26- 2.8 (f)]	Pending	8/23/19				Inspection Info	<a href="#">Enforcement Actions Info</a>

**Activity Number:** PEA 200001

**Program Interest ID:** 652656

**Document Type:** NOV

**Responsible Organization:** PEACH COUNTRY TRACTOR INC

Description of Non-compliance	Discovery Activity Number	Discovery Date	Violated Citation	Violation Status	Compliance Due Date	Compliance Achieved Date	Severity	MMR	Related Inspection	Related Enf Actions
Failing to obtain a SWF permit prior to constructing or operating a solid waste facility. Specifically for land applying over's on the farm fields on the property. The over's aren't screened and have litter (bottle caps, plastic bags, plastics, wrappers, paper, wood, etc.).	BCI 200001	5/27/20	[N.J.A.C. 7:26- 2.8 (f)]	Pending	12/5/20				Inspection Info	<a href="#">Enforcement Actions Info</a>
Failure to apply and receive approval of a SWF permit prior to engaging in the disposal of solid waste in this State. Specifically for land applying over's on the farm fields on the property. The over's aren't screened and have litter (bottle caps, plastic bags, plastics, wrappers, paper, wood, etc.).	BCI 200001	5/27/20	[N.J.A.C. 7:26- 2.8 (e)]	Pending	12/5/20				Inspection Info	<a href="#">Enforcement Actions Info</a>
Failure to provide records necessary to determine compliance for exemptions on this property.	BCI 200001	5/27/20	[N.J.A.C. 7:26A- 1.5(a)]	Pending	12/5/20				Inspection Info	<a href="#">Enforcement Actions Info</a>
Processing of tree branches, tree limbs, tree trunks brush and wood chips derived from tree parts was conducted more than four times per year and/or each processing event was more than a two week time period. It appeared the facility is processing more than 4 times a year. Facility failed to produce records of processing in a timely manner.	BCI 200001	5/27/20	[N.J.A.C. 7:26A- 1.4(a) 3iv]	Pending	12/5/20				Inspection Info	<a href="#">Enforcement Actions Info</a>
Recycler of tree branches, tree limbs, tree trunks brush and wood chips derived from trees limit stored more than 7,500 cubic yards of processed material onsite. It appeared the facility had over 7,500 cubic yards of material. Facility records were unavailable for review.	BCI 200001	5/27/20		Pending	12/5/20				Inspection Info	<a href="#">Enforcement Actions Info</a>

