

Northeast District
745 Gaines School Road
Athens, Georgia 30605
706-369-6376

May 1, 2017

Honorable Billy Pittard, Chairman
Oglethorpe County Board of Commissioners
P.O. Box 261
Lexington, Georgia 30648

RE: **Notice of Violation**
Oglethorpe Co-US 78 C&D Landfill
Permit No. 109-003D(C&D)
Oglethorpe County

Dear Chairman Pittard:

This letter serves as a Notice of Violation that the referenced facility is not compliant with the Georgia Comprehensive Solid Waste Management Act, Rules for Solid Waste Management (Rules), Permit and incorporated approved Design and Operational (D&O) Plan. On January 30, 2017, Derrick Williams, Stephanie Cahill and Jacob Goodman met with Public Works Director Adam Nation to conduct a routine compliance inspection of the Oglethorpe Co – US 78 C&D Landfill.

The facility received an “out of compliance” rating for major Permit and D&O Plan noncompliance as pertains to violations noted at the **Sediment Basin**:

- The silt gauges are not constructed or installed in accordance with the D&O Plan. Without the gauges, the sediment level cannot be determined (as a trigger for sediment removal).
- The installed Retrofitting and Storm Drain Outlet Protection are inadequate; there are no construction design details in the D&O Plan for either. Sediment accumulation at the outfall and receiving stream indicate that sediment is discharging from the basin outfall to State Waters.
- The sediment basin system is not being operated or maintained in a manner to protect State Waters.

The facility also received an unacceptable score of 75 for Performance Requirements violations:

Litter Control: 391-3-4-.07(3)(p), Permit condition 11 and D&O Plan condition 19. The landfill was not being operated in a manner to control the spreading of litter. There was no litter fencing or other barrier and policing of litter was not occurring daily as required.

Fire Protection: 391-3-4-.07(3)(q), Permit condition 13, and D&O Plan condition 7. The landfill did not have an adequate supply of stockpiled soil within 200 feet of the working face.

Erosion and Sedimentation Control: 391-3-4-.07(3)(r), Permit condition 10, and D&O Plan condition 11.

Structural Measures:

- The rock checkdams were not being maintained. They were full of sediment and growing vegetation. They will need to be cleaned and re-established.
- The slopes of the main storm water drainage channel were not stabilized.
- Temporary slope drains and diversion ditches were not installed at finished intermediate sections resulting in washouts and exposed waste.
- Silt fencing was not installed.

Vegetative Measures:

- Disturbed areas were not adequately vegetated to minimize erosion.

Final Cover: D&O Plan -Closure and Post Closure. The slopes of the final cover were not being maintained:

- There was tall, thick, woody vegetation (including trees) and wind-blown waste.
- There was an area of significant erosion located midway up the slope. This area is obscured from view by overgrown vegetation.

Please submit a written response to this Notice of Violation with thirty (30) days of receipt. The response may include a Corrective Action Plan (CAP) and Schedule to address those violations that are not corrected within thirty days.

If you have questions or comments, please contact me or Stephanie Cahill at (706) 369-6376.

Sincerely,



Bonnie Pope
Program Manager

Enclosure

cc: File: SW/Oglethorpe County/Oglethorpe Co-78 C&D/ 109-003D(C&D)
Solid Waste Management Program



GEORGIA
DEPARTMENT OF NATURAL RESOURCES

County: Oglethorpe
Date: January 30, 2017
Permit #: 109-003D(C&D)

ENVIRONMENTAL PROTECTION DIVISION

Solid Waste Management Program
Atlanta Tradeport, Suite 104
4244 International Parkway
Atlanta, GA 30354

Municipal Solid Waste Evaluation Report

Facility Name: Oglethorpe Co-US 78 C&D Landfill

Compliance Status and Schedule

Current Status: In Compliance Out of Compliance Schedule Priority _____
Performance Points = **75** (See Below)

Compliance Schedule Status	In	Out	N/A	Date Due
Approved Closure/Post-closure	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Approved Groundwater System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Groundwater Assessment Monitoring	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Approved Methane System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Financial Responsibility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

Violations in Categories I & II will result in automatic "out of compliance" status.

I. Permit and D & O Plan Compliance

Items of Major Environmental Impact	Construction Violations (Explain)	Operational and Maintenance Violations (Explain)
A. Groundwater	None	None
B. Surface Water Protection 1. Sediment Control 2. Leachate Control 3. Disposal in Water	Failure to construct & install silt gauges per D&O Plan. Sediment entering State Waters.	Failure to maintain sediment basin. Retrofitting inadequate.
C. Air Protection 1. Open Burning 2. Methane Elevated Levels Remediation Plan	None	None
D. Land Protection 1. Buffers 2. Sequence of Fill 3. Survey Control	None	None

II. Major Act and Rules Requirements Compliance

	Compliance Status
1. Certified Operator	<input type="checkbox"/>
Name: <u>Adam Nation, Certification # 2037</u>	<input type="checkbox"/>
2. Maintaining Operating Record	<input type="checkbox"/>
3. Weighing Procedures	<input type="checkbox"/>
4. Prohibited Acts	<input type="checkbox"/>
5. Prohibited Waste Disposal	<input type="checkbox"/>
6. Construction Certification	<input type="checkbox"/>

Violations in Category III resulting in less than "80" rating is "out of compliance."

III. Performance Requirements Compliance

	Compliance Status	
	<u>Out</u>	<u>Points</u>
1. <u>Environmental Protection:</u>		
A. <u>Water</u>		
1. Water monitoring data current, accompanied by certification statement; water monitoring points identified, accessible and in good condition	<input type="checkbox"/>	<u>5</u> 0,5
2. Leachate control maintained; runoff directed to permanent sediment control impoundment; sediment control structures maintained (ponds cleaned, silt fences maintained, etc.)	<input type="checkbox"/>	<u>0</u> 0,5
B. <u>Air</u>		
1. Dust control on access roads;	<input type="checkbox"/>	<u>5</u> 0,5
2. Methane gas monitoring data current; methane gas structures maintained	<input type="checkbox"/>	<u>5</u> 0,5
C. <u>Land</u>		
1. Facility buffers delineated and maintained; facility survey control established and maintained	<input type="checkbox"/>	<u>5</u> 0,5
2. Disturbed areas, including stockpiles, protected, stabilized, and maintained (exposed for more than three (3) months). Establish vegetation.	<input checked="" type="checkbox"/>	<u>0</u> 0,5
2. <u>Unloading:</u>		
A. Restricted to working face or immediate vicinity	<input type="checkbox"/>	<u>5</u>
B. Information and direction signs	<input type="checkbox"/>	<u>0,5</u>
3. <u>Spreading and Compaction:</u>		
A. Waste spread in uniform layers, generally two feet thick	<input type="checkbox"/>	<u>5</u>
B. Waste compacted to smallest practical volume	<input type="checkbox"/>	<u>0,5</u>
C. Size of working face minimized	<input type="checkbox"/>	
4. <u>30-Day Cover:</u>		
A. Compacted, clean earth, 1 foot thickness (minimum); or alternate cover applied in approved manner	<input type="checkbox"/>	<u>5</u> 0,5
B. Placed over waste within 24 hours	<input type="checkbox"/>	<u>5</u>
C. Adequate vector control	<input type="checkbox"/>	<u>0,5</u>

		Compliance Status	
		<u>Out</u>	<u>Points</u>
5. <u>Intermediate Cover:</u>			
A.	Compacted, clean earth, 1 foot thickness (minimum)	<input type="checkbox"/>	<u>5</u> 0,5
B.	Placed over each portion of any intermediate lift/area following completion of that portion	<input type="checkbox"/>	<u>5</u> 0,5
6. <u>Final Cover:</u>			
A.	Final cover applied and certified according to closure plan	<input type="checkbox"/>	<u>5</u> 0,5
B.	Finished areas vegetated and stabilized per closure plan	<input checked="" type="checkbox"/>	<u>0</u> 0,5
7. <u>Grading and Drainage:</u>			
A.	Slopes of disposal area sufficient to maximize runoff and minimize erosion (3% to 33% - final grade)	<input type="checkbox"/>	<u>5</u> 0,5
B.	Surface water run-on and runoff controls provided and maintained	<input type="checkbox"/>	<u>5</u> 0,5
8. <u>Continuity of Operation:</u>			
A.	All weather access road to disposal area	<input type="checkbox"/>	<u>5</u>
B.	Provisions for prompt equipment repair or replacement	<input type="checkbox"/>	<u>0,5</u>
C.	Access authorized to authorized entrance	<input type="checkbox"/>	
D.	Authorized entrance closed when site is not in operation	<input type="checkbox"/>	
9. <u>Rubbish and Litter Control:</u>			
A.	Exposed rubbish and debris (except in designated recovered materials area)	<input type="checkbox"/>	<u>0</u> 0,5
B.	Litter control (fencing or other barriers, daily policing)	<input checked="" type="checkbox"/>	
10. <u>Fire Protection:</u>			
A.	Earth stockpile one day supply within 200' of working face	<input checked="" type="checkbox"/>	<u>0</u>
B.	Approved alternative method	<input type="checkbox"/>	<u>0,5</u>
C.	Soil stockpiles (overburden, fire control, cover) places so as not to be a "cave in" threat to open trenches	<input type="checkbox"/>	
11. <u>Waste Requiring Special Handling:</u>			
A.	Recovered materials area maintained	<input type="checkbox"/>	<u>5</u>
B.	Yard trimmings composting area maintained	<input type="checkbox"/>	<u>0,5</u>
C.	Proper operation of air curtain destructor	<input type="checkbox"/>	
D.	Special provisions for immediate disposal of dead animals or highly putrescible waste (eggs, entrails, offal, etc.)	<input type="checkbox"/>	
E.	Provisions for handling asbestos or other waste requiring special handling	<input type="checkbox"/>	

Performance Points

75

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. Seismic Impact Zones (new and lateral expansions) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Unstable Areas | | | | |
| a. Signature and seal of registered GA P.E. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Certification of structural integrity | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

B. Procedures for Excluding Prohibited Waste

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|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| 1. Written procedures for random inspections | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Inspection records | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Personnel records of training | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Copies of notification sent to director when hazardous waste is discovered | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

C. Gas Monitoring

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|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| 1. Quarterly monitoring results | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. If methane exceeds limits provide written record | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a. Within 7 days, levels detected and steps taken to protect human health | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Within 60 days, implementation of remediation plan and Director notified | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

D. Liquid Waste Restrictions

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|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| 1. Liquid waste prohibited | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Liner and leachate collection system | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Gas condensate management | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Leachate management records | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

E. Groundwater Monitoring

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|----------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 1. Approved plan | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Certification of installation | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Monitoring reports | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

F. Closure and Post Closure Criteria

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| 1. Closure Criteria | | | | |
| a. Approved plan | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Notice of final closure | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Copy of deed to include: | | | | |
| 1. Notice of landfill operation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Legal description location | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Type of waste deposited | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Confirmation (written) of b & c recorded on deed | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Signed compliance certification by GA P.E. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Post Closure Criteria | | | | |
| a. Approved plan | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Results of all monitoring activities | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Notice to Director within 5 days of exceedance of standards | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Remediation plan within 30 days | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. copy of written approval for removal of any contaminated material | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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G. Financial Assurance

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|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| 1. Written cost estimates | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Copy of financial instrument | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Written justification for reduction in cost of reimbursements paid out | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Notice to Director for any of the above necessary | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

H. Measuring and Reporting Requirements

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|--------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 1. Quarterly tonnage reports | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Annual remaining capacity reports | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Annual tonnage fees | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Compliance evaluation reports | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Inspection Narrative:

Category I. Permit and D&O Plan Compliance

Construction Violations: The sediment basin silt gauges were not constructed and installed according to the D&O Plan. The need for clean-out was undetermined.

Operational and Maintenance: The sediment basin was not being properly maintained. The installed Retrofitting (Rt) was inadequate. Sediment accumulation was at the outfall and stream. The Storm Drain Outlet Protection (St) is not an approved design. The Rt and St design details are not listed in the D&O Plan.

Category III. Performance Requirements Compliance

1.A.2 Water: The Rock/Stone Checkdams were not being maintained. Checkdams were full of sediment and growing vegetation. They should be cleaned and re-established.

Temporary Slope Drains and Diversion Ditches were not installed at finished intermediate portions resulting in slopes washing-out and exposing waste. Silt Fencing was not installed at the toe of the slopes according to the D&O Plan.

1.C.2. Land: The landfill did not have adequate established vegetation resulting in a high rate of erosion. There were rills in slopes and other areas with washouts.

6. Final Cover: The slopes of the finished area has not been maintained resulting in the growth of thick woody vegetation including small trees. There is also an area midway up the slope where significant erosion has set-in.

9. Rubbish and Litter Control: There was widespread blown litter. There was no litter fencing or other barriers to control blown litter. Daily policing of litter was not taking place as required.

10. Fire Protection: The soil stockpile amount for firefighting within 200 feet of the working face was inadequate.