



STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF SOLID WASTE MANAGEMENT
JOHNSON CITY ENVIRONMENTAL FIELD OFFICE
2305 SILVERDALE ROAD
JOHNSON CITY, TENNESSEE 37601-2162
(423) 854-5400 STATEWIDE 1-888-891-8332 FAX (423) 854-5401

June 16, 2020

Mr. Bob Fickle
Landfill Manager
1921 Brookside Drive
Kingsport, TN 37660

CERTIFIED MAIL # 7019-1120-0000-1630-5950

RETURN RECEIPT REQUESTED

**RE: COMPLIANCE EVALUATION INSPECTION
NOTICE OF VIOLATION
KINGSPORT DEMOLITION LANDFILL
DML 82-000-0016**

Dear Mr. Fickle:

On June 8, 2020 the Division of Solid Waste Management (Division) conducted a Compliance Evaluation Inspection at the referenced facility. The inspection was conducted to evaluate the facility's compliance with the and *Tennessee Solid Waste Disposal Act*, Tennessee Code Annotated § 68-211-101 *et seq.*, the facility's permit and Tennessee's Solid Waste Regulations (Division Rule Chapter 0400-11-01) promulgated pursuant to that Act.

During the inspection, violations of Tennessee's solid waste management regulations and the facility's permit terms and conditions were identified. These same issues were noted on previous inspections and have not been corrected. The attached Inspection Report/Notice of Violation (NOV) details the observations made by Division personnel during the inspection of the facility. Corrective measures for each violation must be implemented immediately and completed by July 13, 2020. A follow-up inspection will be conducted to confirm that the violations have been corrected.

The Division appreciates the courtesy and cooperation shown by Kingsport Demolition Landfill during the inspection. If you have any questions or comments concerning this correspondence, please contact me by email Brett.Woodward@tn.gov or by phone (423) 854-5463.

Sincerely,

Brett Woodward
Environmental Scientist III
BW/200120168

SOLID WASTE INSPECTION REPORT

SITE/PHYSICAL LOCATION

Kingsport Demolition Landfill
DML 82-000-0016
1921 Brookside Drive
Kingsport, TN 37660

PRIMARY CONTACT

Bob Fickle
Landfill Manager

DATE/TIME OF INSPECTION

June 8, 2020, 10:00 a.m.

INSPECTION PARTICIPANTS

Bob Fickle, Landfill Manager
Brett Woodward, DSWM

REPORT PREPARED BY

Brett Woodward
Division of Solid Waste Management
2305 Silverdale Drive
Johnson City, TN 37601
423-854-5463

PURPOSE OF INSPECTION

This inspection was conducted to evaluate the solid waste facility's compliance with the applicable requirements of the rules, regulations, permit terms and conditions promulgated pursuant to the *Tennessee Solid Waste Disposal Act*.

Facility Description:

Kingsport Demolition Landfill (DML 83-000-0016), is a permitted Class IV Landfill.

INSPECTION FINDINGS

Failure to meet the required permit terms and conditions is a violation of the following:

Tennessee Code Annotated §§ 68-211-104(3) and (4) provide:

It is unlawful to:

- (3) Construct, alter, or operate a solid waste processing or disposal facility or site in violation of the rules, regulations, or orders of the commissioner or in such a manner as to create a public nuisance.
- (4) Transport, process, or dispose of solid waste in violation of this chapter, the rules and regulations established under the provisions of this chapter or in violation of the orders of the commissioner or board.

Item 16 of the Permit Terms and Conditions states:

Applicable Standards: All applicable facility standards of Rule Chapter 0400-1-11-.01 solid Waste Processing and Disposal Amendments shall be considered conditions of this registration.

Item 2 of the Permit Terms and Conditions states:

Duty to Comply: The permittee must comply with all conditions of this permit, unless otherwise authorized by the Department in writing. Any permit noncompliance constitutes a violation of the Act and is grounds for termination, revocation and/or reissuance, or modification.

Division Rule 0400-11-01-.04(2)(i)6.

- (2) General Facility Standards - Unless specifically noted otherwise, the standards of this paragraph apply to Class I, Class II, Class III, and Class IV disposal facilities.
 - (i) Run-on, Run-off, and Erosion Control
 6. The operator must take other erosion control measures (e.g., temporary mulching or seeding, silt barriers) as necessary to control erosion of the site.

Violation Observation:

Inadequate erosion control – Erosion rill 6” deep or more were discovered on the south-southeast facing slope of the landfill exposing solid waste. Other erosion rills less than 6” deep were observed.

Division Rule 0400-11-01-.04(2)(a)3.

- (2) General Facility Standards - Unless specifically noted otherwise, the standards of this paragraph apply to Class I, Class II, Class III, and Class IV disposal facilities.
 - (a) Overall Performance Standards – The facility must be located, designed, constructed, operated, maintained, closed, and cared for after closure in such a manner as to minimize to the extent practicable:
 3. The potential for releases of solid wastes, solid waste constituents, or other potentially harmful materials to the environment except in a manner authorized by state and local air pollution control, water pollution control, and/or waste management control agencies.

Violation Observation:

Leachate observed at the site – Leachate observed flowing out of south-southeast facing slope. The leachate observed during the inspection appears to be the same leachate seeps observed during the previous inspection that were given a VI.

Brett Woodward

Digitally signed by Brett Woodward
DN: cn=Brett Woodward, o=TDEC, ou=DSWM,
email=brett.woodward@tn.gov, c=US
Date: 2020.06.16 11:59:11 -04'00'

Brett Woodward
Environmental Scientist III

Chris M. Lamb

Digitally signed by Chris M. Lamb
DN: cn=Chris M. Lamb, o=State of Tennessee, TDEC,
ou=Division of Solid Waste Management,
email=Chris.Lamb@tn.gov, c=US
Date: 2020.06.16 12:03:26 -04'00'

Chris Lamb
Environmental Field Office Manager

Attachments:

- (1) Facility Evaluation Form
- (2) Photographs of violations



Figure 1 - Leachate stream on southeast facing slope



Figure 2 - Leachate outbreak on southeast facing slope



Jun 8, 2020 at 11:04:08 AM

Figure 3 - Exposed waste in erosion rill



Figure 4 - Leachate outbreak and stream on southeast facing slope



Jun 8, 2020 at 11:03:31 AM
Figure 5 - Exposed waste in erosion rill



Figure 6 - Leachate outbreak and stream on southeast facing slope