



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

November 8, 2018

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

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

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

Dear Mr. Fickle:

On November 1, 2018 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 *Tennessee Solid Waste Disposal Act*, Tennessee Code Annotated § 68-211-101 *et seq.* and with 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 were identified. The attached Inspection Report/Notice of Violation (NOV) details the observations made by Division personnel during the inspection of your facility. Corrective measures for each violation must be implemented immediately and completed by December 15, 2018. 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

SOLID WASTE INSPECTION REPORT

SITE/PHYSICAL LOCATION

Kingsport Demolition Landfill
DML 82-000-0016
1921 Brookside Dr.
Kingsport, TN 37660
423-224-2475

PRIMARY CONTACT

Bob Fickle
Landfill Manager

DATE/TIME OF INSPECTION

November 1, 2018, 1:45 p.m.

INSPECTION PARTICIPANTS

Brett Woodward, DSWM

REPORT PREPARED BY

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

PURPOSE OF INSPECTION

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

Facility Description:

Kingsport Demolition Landfill (DML 82-000-0016), is a permitted Class IV Landfill. Wastes that are accepted for disposal in this facility are limited to demolition waste and land clearing waste.

INSPECTION FINDINGS

During the course of the inspection the following violations were identified.

Division Rule 0400-11-01-.04(2)(j).

- (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.

(j) Dust Control

The operator must take dust control measures as necessary to prevent dust from creating a nuisance or safety hazard to adjacent landowners or to persons engaging in supervising, operating, and using the site. The use of any dust suppressants (other than water) must be approved in writing beforehand by the Department.

Violation Observation:

Inadequate dust control – Access roads are extremely dry and dusty. Observed several trucks and vehicles

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 and Leachate entering run-off – Leachate observed flowing out of south-southeast facing slope into storm water ditch. Leachate is then flowing from the storm water ditch through the culvert and into the sediment pond.

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:

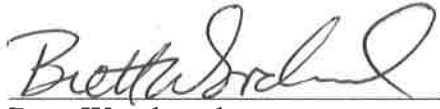
Inadequate erosion control – Erosion rills approximately 6” deep or more were discovered on the south-southeast facing slope of the landfill. Bales were placed on the slope to control erosion, but were not effective in preventing erosion rills.

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

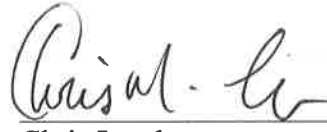
- (6) Waste Handling and Cover Standards
 - (b) Class II, Class III, and Class IV Disposal Facilities
 - 2. Emplaced solid wastes shall be covered with soil or other material approved by the Commissioner of such depths and at such intervals as the Commissioner deems necessary to prevent fire hazards, promote a stable fill, minimize potential harmful releases of solid wastes or solid waste constituents, and control disease vectors.

Violation Observation:

Unsatisfactory stabilization of cover – Cover on south-southeast facing slope is not satisfactory enough to prevent or inhibit erosion rills.



Brett Woodward
Environmental Scientist III



Chris Lamb
Environmental Field Office Manager

Attachments:

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

**TENNESSEE DIVISION OF SOLID WASTE MANAGEMENT
CLASS III FACILITY INSPECTION CHECKLIST***

RESET

**CLASS III
FACILITY**

SITE			DATE	TIME	WEATHER
Kingsport Demolition Landfill DML820000016 1921 Brookside Drive Kingsport			20181101	01:45	cloudy, windy, 73
INSPECTOR				EFO	
Brett Woodward				JCITY	

*SEE DISCLAIMER ON LAST PAGE

VIOLATION	REGULATION		OBSERVATION			
			NVO	AOC	V1	V2

COMMUNICATIONS

8130	NO COMMUNICATION DEVICES	0400-11-01-.04(2)(f)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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COMMENTS							
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COVER MATERIAL

8160	UNAVAILABILITY OF COVER MATERIAL.	0400-11-01-.04(2)(h)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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COMMENTS							
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DEAD ANIMALS

8250	DEAD ANIMALS IMPROPERLY HANDLED	0400-11-01-.04(2)(k)5.(ii) (I-III)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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COMMENTS	none accepted						
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DUST CONTROL

8190	INADEQUATE DUST CONTROL	0400-11-01-.04(2)(j)	?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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COMMENTS	Access roads extremely dry and need dust control.						
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DUTY TO PROVIDE INFORMATION

8530	UNSATISFACTORY RECORDS OR REPORTS	0400-11-01-.02(5)(a)7 TCA 68-211-862(a)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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COMMENTS							
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8590	PERMITS, PLANS, OPERATING MANUAL NOT AVAILABLE	0400-11-01-.02(5)(a)(7)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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COMMENTS							
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FIRE SAFETY

8080	EVIDENCE OF OPEN BURNING	0400-11-01-.04(2)(c)1	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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COMMENTS							
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VIOLATION		REGULATION	OBSERVATION			
			NVO	AOC	V1	V2
FIRE SAFETY						
8090	INADEQUATE FIRE PROTECTION	0400-11-01-.04(2)(c)2	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS	fire extinguishers inspected June 2018					
GENERAL FACILITY STANDARDS						
8010	INADEQUATE VECTOR CONTROL	0400-11-01-.04(2)(a)1	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
8020	ACCESS NOT LIMITED TO OPERATING HOURS	0400-11-01-.04(2)(a)4	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
8030	INADEQUATE ARTIFICIAL OR NATURAL BARRIER	0400-11-01-.04(2)(b)1	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
8040	INADEQUATE INFORMATION SIGNS	0400-11-01-.04(2)(b)2 TCA 68-211-703(h)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS	all signs in good shape					
8050	UNSATISFACTORY ACCESS ROAD(S)/PARKING AREA(S)	0400-11-01-.04(2)(b)3	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
8070	UNAPPROVED SALVAGING OF WASTE	0400-11-01-.04(2)(b)6	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
LITTER CONTROL						
8110	UNSATISFACTORY LITTER CONTROL	0400-11-01-.04(2)(d)	?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMENTS	litter needs to be picked up regularly					
OPERATING EQUIPMENT						
8140	INADEQUATE OPERATING EQUIPMENT	0400-11-01-.04(2)(g)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						

VIOLATION		REGULATION	OBSERVATION			
			NVO	AOC	V1	V2
OPERATING EQUIPMENT						
8150	UNAVAILABILITY OF BACKUP EQUIPMENT	0400-11-01-.04(2)(g)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
OVERALL PERFORMANCE STANDARD						
8270	WASHOUT OF SOLID WASTE	0400-11-01-.04(2)(a)(3)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
8350	LEACHATE OBSERVED AT THE SITE	0400-11-01-.04(2)(a)(3) 0400-11-01-.04(4)(a)6,	?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COMMENTS	Leachate observed flowing out of south-southeast facing slope into ditch.					
8360	LEACHATE ENTERING RUN-OFF	0400-11-01-.04(2)(a)(3) 0400-11-01-.04(4)(a)6	?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COMMENTS	Large amount of leachate in ditch and flowing into sediment pond.					
8370	LEACHATE ENTERING A WATER COURSE	0400-11-01-.04(2)(a)(3) 0400-11-01-.04(4)(a)6	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
PERMANENT BENCHMARK						
8280	NO PERMANENT BENCHMARK	0400-11-01-.04(2)(o)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
PERSONNEL SERVICES						
8120	INADEQUATE EMPLOYEE FACILITIES	0400-11-01-.04(2)(e)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS	all facilities in good condition					
PROPER OPERATION AND MAINTENANCE						
8540	GROUNDWATER MONITORING SYSTEM IMPROPERLY MAINTAINED	0400-11-01-.02(5)(a)4	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
RANDOM INSPECTION PROGRAM						

VIOLATION		REGULATION	OBSERVATION			
			NVO	AOC	V1	V2
RANDOM INSPECTION PROGRAM						
8290	INADEQUATE RANDOM INSPECTION PROGRAM	0400-11-01-.04(2)(s)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS	random inspections look good					
RUN-ON, RUN-OFF, AND EROSION CONTROL						
8170	INADEQUATE MAINTENANCE OF RUN-ON/RUN-OFF SYSTEM(S)	0400-11-01-.04(2)(i)1-5 0400-11-01-.04(8)(c)4(i)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
8180	INADEQUATE EROSION CONTROL	0400-11-01-.04(2)(i)6 0400-11-01-.04(8)(c)4(ii)	?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COMMENTS	Erosion rills observed on south-southeast facing slope. Bales were placed on slope to control erosion, but are not effective in preventing erosion rills.					
SPECIAL WASTE APPROVAL PROCESS						
8300	MISHANDLING OF SPECIAL WASTE	0400-11-01-.01(4)(d)1	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS	Kingsport Demo does not receive special waste					
UNLAWFUL METHODS OF DISPOSAL						
8570	OPERATION DOES NOT CORRESPOND WITH ENGINEERING PLANS (EVALUATE AND RECORD THE APPROXIMATE INTERIOR AND EXTERIOR SLOPE OF THE LANDFILL)	TCA 68-211-104(3) TCA 68-211-105(b)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
8580	OPERATION DOES NOT CORRESPOND WITH PERMIT CONDITIONS	TCA 68-211-104(3) 0400-11-01-.02(5)(a)(1)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
WASTE RESTRICTIONS						
8210	UNAUTHORIZED WASTE ACCEPTED	0400-11-01-.04(2)(k)1 0400-11-01-.04(2)(k)6	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
8220	UNAPPROVED SPECIAL WASTE ACCEPTED	0400-11-01-.01(4)(b) 0400-11-01-.01(4)(c)5	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS	Special waste not accepted					

VIOLATION		REGULATION	OBSERVATION			
			NVO	AOC	V1	V2
WASTE RESTRICTIONS						
8230	TIRES IMPROPERLY HANDLED	0400-11-01-.04(2)(k)3.(i)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
8240	MEDICAL WASTE IMPROPERLY HANDLED	0400-11-01-.04(2)(k)4.(i-iv)	?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS	not accepted					

LEACHATE LEVELS

N/A

**Disclaimer: The information contained in these documents (checklists/notes, etc.) is not intended to be all inclusive and is subject to change. These documents are intended solely for use by DSWM staff. These documents are not a substitute for evaluation of compliance in accordance with applicable laws and regulations. These documents are not intended for, nor can they be relied upon, to create any rights, substantive or procedural, enforceable or useable by any party in litigation with the State of Tennessee or its employees.*

SAVE

December 15, 2018

Compliance Date

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VIOLATION		REGULATION	OBSERVATION NVO AOC V1 V2
BUFFER ZONE STANDARDS FOR SITING LANDFILLS			
8310	BUFFER ZONE STANDARD VIOLATED	0400-11-01-.04(3)(a)	? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
COMMENTS			
WASTE HANDLING AND COVER STANDARDS			
8460	UNSATISFACTORY INITIAL COVER	0400-11-01-.04(6)(a)3 0400-11-01-.04(6)(a)5	? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
COMMENTS			
8480	UNSATISFACTORY FINAL COVER	0400-11-01-.04(6)(a)6 0400-11-01-.04(8)(c)4	? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
COMMENTS			
8510	UNSATISFACTORY STABILIZATION OF COVER	0400-11-01-.04(6)(a)5,6	? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
COMMENTS	Cover on south-southeast facing slope is not satisfactory enough to prevent or inhibit erosion rills		
OVERALL PERFORMANCE STANDARD			
8490	EXCESSIVE POOLING OF WATER	0400-11-01-.04 (2)(a)3 0400-11-01-.04(8)(c)4(iii)	? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
COMMENTS			
8520	DUMPING OF WASTE INTO WATER	0400-11-01-.04 (2)(a)3	? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
COMMENTS			

Brett Woodward

ADDITIONAL COMMENTS

Erosion rills have been an issue on the south-southeast facing slope. Bales were placed along the top of the slope and the bottom of the slope to inhibit erosion. The bales are not effective and rills continue to be an issue, some erosion rills approximately 6" deep. A flowing leachate outbreak observed on the same slope. Leachate is flowing into the storm water ditch and ultimately flowing into the sediment pond.

AOC issued for:
8110 unsatisfactory litter control

V1 violation issued for:
8190 inadequate dust control
8350 leachate observed at site
8180 inadequate erosion control
8510 unsatisfactory stabilization of cover

V2 violation issued for:
8360 leachate leaving the site.

Routing maintenance and stabilization of cover need to be performed to control the erosion. ICNC not performed for the leachate outbreak. Leachate map system needs to be in place for ICNC.

Litter and dust control need to be addressed.

White goods/metal pile extremely large and needs to be addressed.

Nov 1, 2018 at 2:29:06 PM



Leachate in ditch

Leachate outbreak

Leachate stream

Leachate enters culvert here

Nov 1, 2018 at 2:27:42 PM



Nov 1, 2018 at 2:27:37 PM



Nov 1, 2018 at 2:23:30 PM



Nov 1, 2013 at 2:23:11 PM



Nov 1, 2018 at 2:22:30 PM



Nov 1, 2018 at 2:22:22 PM



Nov 1, 2018 at 2:22:10 PM



Nov 1, 2018 at 2:22:03 PM



Nov 1, 2018 at 2:20:53 PM



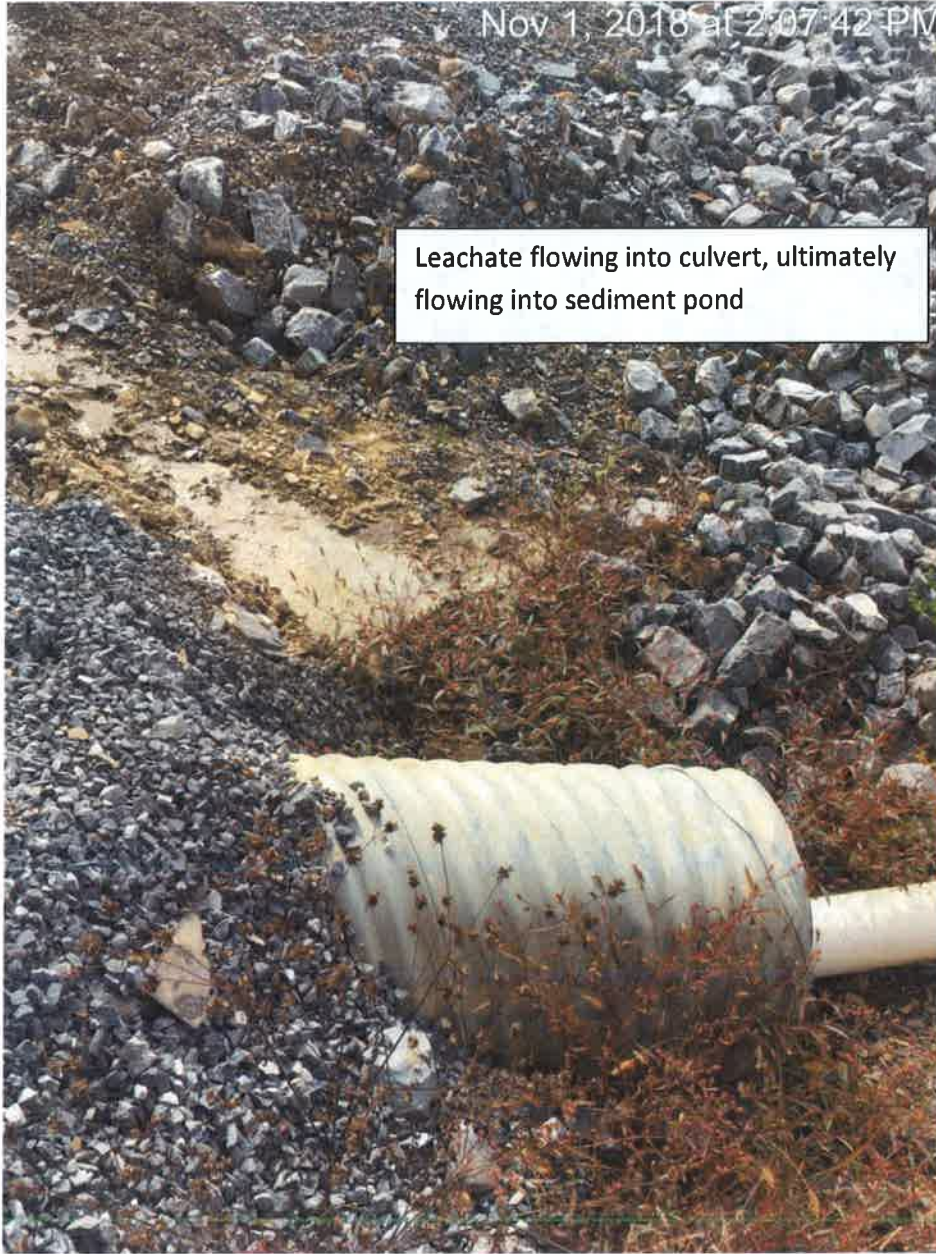
Nov 1, 2018 at 2:09:29 PM

Erosion rill approximately 6" deep or more. iPhone for scale.

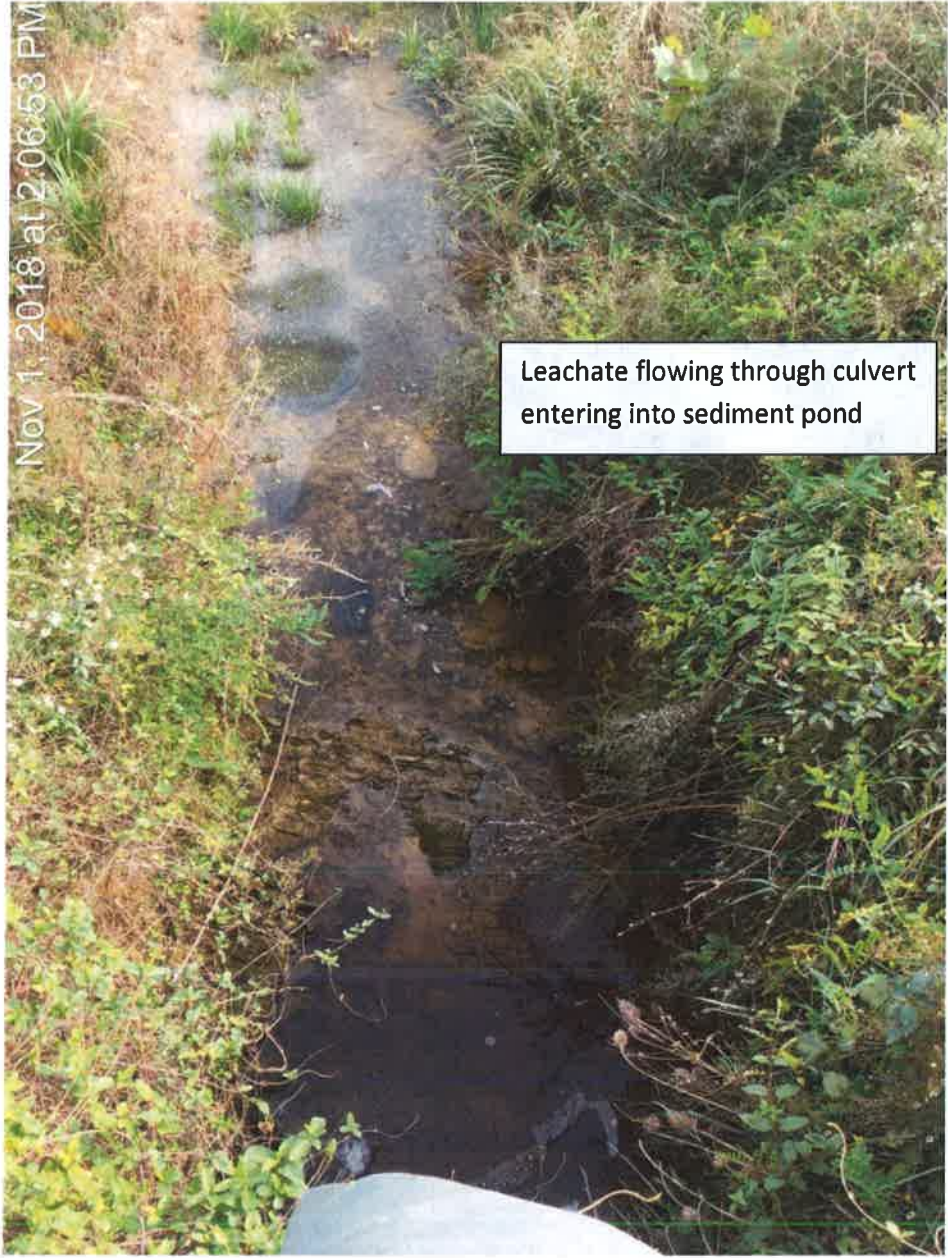


Nov 1, 2018 at 2:07:42 PM

Leachate flowing into culvert, ultimately flowing into sediment pond



Nov 1, 2018 at 2:06:53 PM

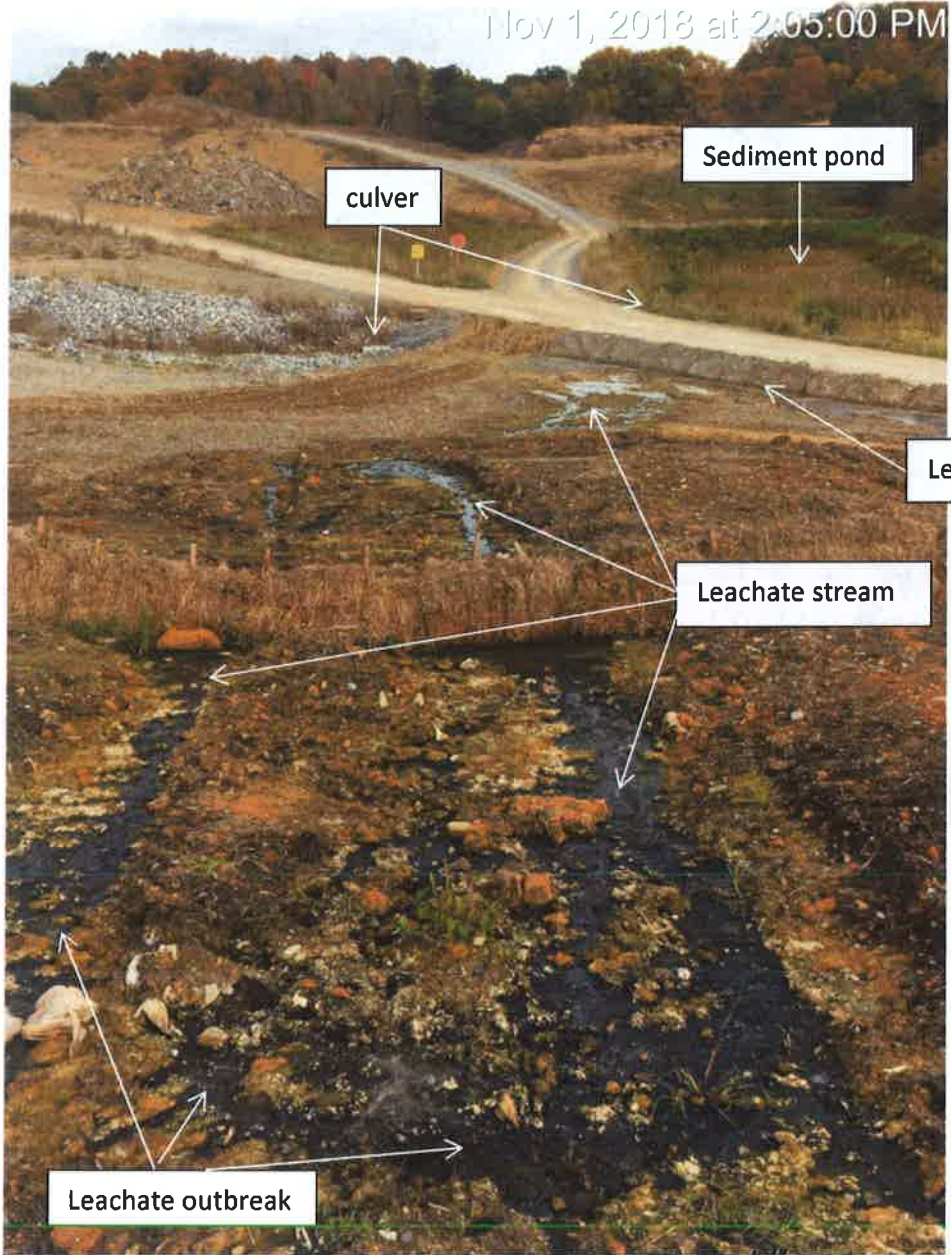


Leachate flowing through culvert entering into sediment pond

Nov 1, 2018 at 2:06:01 PM



Nov 1, 2018 at 2:05:00 PM



culver

Sediment pond

Leachate in ditch

Leachate stream

Leachate outbreak

Nov 1, 2018 at 2:04:43 PM



Nov 1, 2018 at 2:04:25 PM



Nov 1, 2018 at 2:03:24 PM



Nov 1, 2018 at 2:06:20 PM



Nov 1, 2018 at 2:02:33 PM



Nov 1, 2018 at 2:00:24 PM

South-southeast facing slope erosion rills



Nov 1, 2018 at 1:59:33 PM



Nov 1, 2018 at 1:59:06 PM



