



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Solid Waste Management
Columbia Environmental Field Office
1421 Hampshire Pike, Columbia, Tennessee 38401

March 30, 2022

Aaron Patsch
Responsible Official
1400 16th Street, Suite 320
Denver, CO 80202

CERTIFIED MAIL
#9489 0090 0027 6350 4540 49
RETURN RECEIPT REQUESTED

**RE: COMPLIANCE EVALUATION INSPECTION
NOTICE OF VIOLATION
GREEN DUCK RLF CLASS II LANDFILL
IDL600000017**

Dear Mr. Patsch:

On March 24, 2022 the Tennessee Department of Environment and Conservation, Division of Solid Waste Management (DSWM) conducted a compliance inspection at the Green Duck RLF Class II Landfill. 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., 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. The attached Inspection Report/Notice of Violation (NOV) details the observations made by DSWM personnel during the inspection of the facility. Corrective measures for each violation must be implemented immediately and completed by April 5, 2022. A follow-up inspection will be conducted to confirm that the violations have been corrected.

If you have any questions or comments concerning this correspondence, please contact me by email steven.wintheiser@tn.gov or by phone (931) 449-9028.

Sincerely,

Steven D. Wintheiser
Environmental Field Office Manager
Division of Solid Waste Management

Attachments: Solid Waste Inspection Report
Inspection Checklist with Pictures

cc: Rob Ashe, Deputy Director, Field Office Operations

SOLID WASTE INSPECTION REPORT

SITE/PHYSICAL LOCATION

RLF Green Duck Class II Landfill
2262 Monsanto Road
Columbia, TN 38401

PRIMARY CONTACT

Aaron Patsch
Responsible Official

DATE/TIME OF INSPECTION

March 24, 2022, 9:35 p.m.

INSPECTION PARTICIPANTS

Steve Wintheiser, DSWM

REPORT PREPARED BY

Steve Wintheiser
Division of Solid Waste Management
1421 Hampshire Pike
Columbia, Tennessee 38401
931-449-9028

PURPOSE OF INSPECTION

This inspection was conducted by DSWM as a routine monthly compliance inspection, to evaluate the solid waste disposal 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:

The Green Duck Class II Landfill (IDL600000017) is a Class II Landfill located near Columbia, Tennessee that is permitted to accept phosphorus containing demolition waste materials.

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 1200-1-7 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. Any permit noncompliance, except as otherwise authorized by the Department, constitutes a violation of the Act and is grounds for enforcement action, or for permit termination, revocation and reissuance, or modification.

During the course of the inspection, it was found that the following permit terms and conditions were not met:

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

- (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 Standard – 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 or local air pollution control, water pollution control, and/or waste management control agencies;

Observation

While on the inspection DSWM personnel observed leachate leaking from air relief valves on the leachate forcemain and discharging from an open high-density polyethylene (HDPE) pipe. Discharged leachate was observed flowing down the outside perimeter berm of the landfill.

Division Rule 0400-11-01-.04(4)(b) states:

- (b) Class II Disposal Facilities must be located, designed, constructed, operated, and maintained in accordance with the standards for Class I disposal facilities in subparagraph (a) of this paragraph unless a waiver from one or more of those standards is obtained as set forth in paragraph (5) of Rule 0400-11-01-.01.

Division Rule 0400-11-01-.04(4)(a)7(i) states:

- (7) The leachate collection and removal system must, at a minimum, meet the following requirements:
 - (i) The leachate collection and removal system must be designed, constructed, operated, and maintained such that the leachate depth over the liner does not exceed one foot as calculated referencing the infiltration volume of the 25-year 24-hour storm through the intermediate cover.

Observation

Sump 2 (102"), Sump 3 (100") and Sump 4 (69") were all observed over the compliance limit of 60".

Steven D. Wintheiser
Environmental Field Office Manager

Attachments

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