



STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
JACKSON ENVIRONMENTAL FIELD OFFICE  
**DIVISION OF SOLID WASTE MANAGEMENT**  
1625 Hollywood Drive  
JACKSON, TENNESSEE 38305-4316

May 4, 2015

The Honorable Jimmy Sain  
County Mayor  
Hardeman County  
P.O. Box 250  
Bolivar, TN 38008

**CERTIFIED MAIL 7011 3500 0001 2947 6671**  
**RETURN RECEIPT REQUESTED**

RE: NOTICE OF VIOLATION  
Hardeman County Landfill, SNL 35-101-0223  
Hardeman County Landfill Baling/Recycle Center, SWP 35-101-1295

Dear Mayor Sain:

This letter confirms the observations made on April 17, 2014, during Division of Solid Waste Management (DSWM) inspections of the Hardeman County Landfill (SNL 35-101-0223) and the Hardeman County Landfill Baling/Recycle Center (SWP 35-101-1295). It also addresses ongoing compliance issues and includes the scheduling of a compliance review meeting which has been scheduled for **May 20, 2015, at 12:30 pm** in the DSWM central office in Nashville.

During the course of the April 17, 2015, inspections, violations of the Rules and Regulations Governing Solid Waste Processing and Disposal Facilities in Tennessee (0400-11-01-.04) were observed.

Specifically, the following violations were observed at the landfill:

- There were waste handling and cover violations. Bales of waste were stacked over too large of an area and at heights that prevent proper placement of daily cover over the waste. In addition to the lack of daily cover, in areas of the landfill where intermediate cover has been placed, erosion and washouts of solid waste were observed.
- Leachate was observed at the site. Leachate breakouts were observed along the northeast part of the landfill in the Phase III section where there is intermediate cover. Also, leachate was observed flowing from the Phase III cell area of the facility into the Phase IV area, which has not been approved for waste disposal.
- A large depression where water and leachate are pooling is present along the north central part of the Phase III area. This water/leachate was being pumped into an area where it drained into the Phase IV area. The pooled water/leachate was not being collected in a

tank for proper disposal, and drainage control measures have not been undertaken to prevent pooling in this area.

- There was inadequate vector and litter control at the facility. The large amount of uncovered waste at the landfill has resulted in a large population of buzzards. The litter control fence along the northern edge of the facility was down in places and blown litter was observed outside of the landfill footprint in ditches that border the landfill near Highway 64.
- Tires were improperly handled. Stacks of tires were observed in three locations at the landfill. Although it appears the tires are being pulled from the waste, they are not being taken to a tire storage facility in a timely manner.

At the Baling/Recycle Center the following violations were observed:

- Solid waste was improperly stored. Over 100 bales of waste were observed stored uncovered outside in the weather. Many of the bales appear to have been sitting in the open for over a month.
- Leachate and/or rainwater that has been in contact with the baled waste was observed draining off paved areas where bales are stacked and flowing onto the ground surface. Since the ground surface in this area is unlined, there is a potential for the release of leachate or waste constituents into the groundwater.

Failure to adequately apply and maintain daily and intermediate cover is a violation of Division Rules 0400-11-01-.04(6)(a)3., 4., and 5., which state:

(6) Waste Handling and Cover Standards

(a) Class I Disposal Facilities

3. The compacted solid waste must be covered at the end of each operating day with an initial cover consisting of at least a six inch layer of compacted soil or an adequate standard of other material as approved by the Commissioner.
4. Except for those completed portions to be finally closed (e.g., the final lift), all surfaces which will be left exposed for a period of over thirty days (e.g., initial and intermediate lifts) must be covered by an intermediate cover consisting of at least a one-foot layer of compacted soil or other material approved by the Commissioner.
5. All initial and intermediate cover depths must be maintained until either additional wastes are placed over the area or final cover is applied.

Failure to prevent leachate from flowing onto the Phase IV cell, which has not been approved for use, is a violation of leachate migration control standards and a violation of Division Rule 0400-11-01-.04(4)(a)5., which states, in pertinent part:

5. A leachate collection and removal system is required immediately above the liner that is designed, constructed, maintained, and operated to collect and remove leachate from the facility.

The failure to maintain adequate vector control is a violation of Division Rule 0400-11-01-.04(2)(a)1., which 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:
    1. The propagation, harborage, or attraction of birds and flies, rodents, or other disease vectors;

The failure to maintain litter control is a violation of Division Rule 0400-11-01-.04(2)(d), which states:

- (d) Litter Control - A facility must be operated and maintained in a manner to minimize litter. Fencing, diking and/or other practices shall be provided as necessary to confine solid wastes subject to dispersal. All litter must be collected for disposal in a timely manner.

The failure to properly handle discarded tires is a violation of Division Rule 0400-11-01-.04(2)(k)3., which states, in pertinent part:

3. Discarded Tires

- (i) No landfill shall accept for disposal any whole tires. Tires received at class I, class II, class III and class IV disposal facilities shall be managed as follows:
  - (I) Tires may be disposed of in the same manner as other waste after they have been shredded, chipped, chopped, sliced, or have been otherwise processed and are rendered not whole to effectively prevent floating.
  - (II) Whole tires or shredded, chipped, chopped or circumferentially sliced tires may be stored on site provided that the tire storage areas conform with the following standards:
    - I. The storage area shall be surrounded by an 18 inch high earthen berm to manage run-on and run-off and be sufficient to contain water in the event of a fire, and to provide that:

- A. All surface run-off is directed around the site;
  - B. All rain water collected within the berm must be directed to an appropriate release point; and
  - C. All fire control water can be contained until release is approved.
- II. Tire piles shall be restricted to the following dimensions - 200 feet long, 50 feet wide, and 15 feet high. Whole tires shall be covered by a material sufficient to shield the tires from precipitation or an effective insect vector and rodent control program shall be established.
- III. A buffer zone of at least 50 feet wide shall separate tire piles from each other and from active disposal areas.

At the Baling and Recycle Center, the failure to prevent the potential for releases of solid waste is a violation of Division Rule 0400-11-01-.02(2)(a)1.(ii)(III), which states:

- (ii) The facility is constructed, operated, maintained, and closed in such a manner as to minimize:
- III. The potential for releases of solid wastes or solid waste constituents to the environment except in a manner authorized by state and local air pollution control, water pollution control, and/or waste management agencies;

At the Baling and Recycle Center, the failure to properly store solid waste is a violation of Division Rule 0400-11-01-.02(2)(a)1.(ix), which states:

- (ix) There is no storage of solid wastes at the facility except in the containers, bins, lined pits or on paved surfaces, designated for such storage;

Copies of the Solid Waste Disposal Facility Evaluation checklists for the date of the inspections are attached.

Actions to correct these violations should be taken immediately upon receipt of this letter. A follow up inspection will be conducted to confirm compliance.

There have been ongoing compliance issues at the Hardeman County Landfill. A Director's Order was issued on May 9, 2014. While some of the requirements of the order have been met, the requirement to maintain compliance with waste handling and cover standards has not been achieved on a consistent basis. In addition, a plan addressing the connection of the leachate lines into the new Phase IV cell has not been submitted, as was required by the order. Many of the operational issues are related to the delay in moving into the new cell. The delay has also

resulted in deterioration of the new cell, and it appears extensive repair work on the new cell will be required if it is to be utilized.

In light of these issues, the DSWM has scheduled a compliance review meeting to discuss the extensive work that is needed to bring the landfill into compliance. The compliance review meeting is scheduled at **12:30 pm on May 20, 2015**, in the Division of Solid Waste Management Central Office located at the William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks, Ave. 14<sup>th</sup> Floor in Nashville. The purpose of this meeting is to provide you with an opportunity to discuss the steps you intend to take to bring your facility into compliance. Please be advised that this matter has been referred to our Central Office Enforcement section for review.

If you have any questions concerning this correspondence, please contact James Warren at (731) 512-1337.

Sincerely,



Michael David, P.G.  
Geologist  
Division of Solid Waste Management  
Jackson Environmental Field Office



James Warren  
Field Office Manager  
Division of Solid Waste Management  
Jackson Environmental Field Office

cc: Gene Mills, Hardeman Co. Solid Waste  
Lisa Hughey, DSWM/Nashville Central Office  
Ashley Holt, DSWM/Nashville Central Office  
Chris Lagan, DSWM/Nashville Central Office  
DSWM, NCO file  
DSWM, JFO file

Attachments: Inspection checklists



**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
DIVISION OF SOLID WASTE MANAGEMENT  
SOLID WASTE PROCESSING (SWP) FACILITY &  
TRANSFER FACILITY (TRF) EVALUATION**

<b>NAME OF SITE</b> Hardeman Co. Processing		<b>REGISTRATION NUMBER</b> SWP-35-101-1295		<b>DATE</b> 4-17-15	
<b>LOCATION (physical)</b> Walton Rd, Bolivar				<b>TIME</b> 1030	
<b>OWNER/OPERATOR</b> Hardeman Co		<b>TYPE OF EVALUATION:</b> <input type="checkbox"/> COMPLETE <input checked="" type="checkbox"/> FOLLOW-UP <input checked="" type="checkbox"/> COMPLAINT <input type="checkbox"/> OTHER			
<b>VIOLATION</b>	<b>RULE CITATION</b>	<b>CODE</b>	<b>V1</b>	<b>V2</b>	
SWP:TRF: Inadequate vector control	1200-1-7-.02(1)(c)1(i)(II)I	01			
SWP:TRF: Potential for explosions or uncontrolled fires	1200-1-7-.02(1)(c)1(i)(II)II	02			
SWP:TRF: Potential for releases of solid waste	1200-1-7-.02(1)(c)1(i)(II)III	03	✓		
SWP:TRF: Unauthorized or uncontrolled access	1200-1-7-.02(1)(c)1(i)(II)IV	04			
SWP:TRF: Inadequate artificial or natural barrier	1200-1-7-.02(1)(c)1(i)(III)	05			
SWP:TRF: Inadequate information sign	1200-1-7-.02(1)(c)1(i)(IV)	06			
SWP:TRF: Personnel not present during operating hours	1200-1-7-.02(1)(c)1(i)(V)	07			
SWP:TRF: Inadequate employee facilities	1200-1-7-.02(1)(c)1(i)(VI)	08			
SWP:TRF: Unsatisfactory access roads/parking areas	1200-1-7-.02(1)(c)1(i)(VII)	09			
SWP:TRF: Waste handling not conducted on paved surfaces	1200-1-7-.02(1)(c)1(i)(VIII)	10			
SWP:TRF: Improper storage of solid waste	1200-1-7-.02(1)(c)1(i)(IX)	11	✓		
SWP:TRF: Evidence of burning	1200-1-7-.02(1)(c)1(i)(X)	12			
SWP:TRF: Unapproved scavenging of waste	1200-1-7-.02(1)(c)1(i)(XI)	13			
SWP:TRF: Unsatisfactory litter control	1200-1-7-.02(1)(c)1(i)(XII)	14			
SWP:TRF: Unapproved discharge of liquid residue	1200-1-7-.02(1)(c)1(i)(XIII)	15			
SWP:TRF: Unapproved handling of special wastes	1200-1-7-.02(1)(c)1(i)(XIV)	16			
SWP:TRF: No provision for alternative waste handling	1200-1-7-.02(1)(c)1(i)(XV)	17			
SWP:TRF: Inadequate fire protection	1200-1-7-.02(1)(c)1(i)(XVI)	18			
SWP: Unapproved disposal of waste residue	1200-1-7-.02(1)(c)1(i)(XVII)	19			
SWP:TRF: Improper closure	1200-1-7-.02(1)(c)1(i)(XVIII)	20			
SWP:TRF: Unauthorized waste accepted	1200-1-7-.02(1)(c)3	21			
SWP:TRF: Unsatisfactory records or reports	1200-1-7-.02(1)(c)1	22			
SWP:TRF: Authorization letter not available	1200-1-7-.02(1)(c)1	23			
SWP:TRF: Operation does not comply with notification	1200-1-7-.02(1)(c)3	24			
<b>COMMENTS:</b> Improper storage of baled waste. Have over 100 bales stacked outside in weather. Appear to have been outside for many days. Leachate observed running from bales off paved surface. Landfill operator says road to landfill has been too wet to take bales to working face at landfill.					
<b>PERSON INTERVIEWED</b> (Signature) <i>[Signature]</i>		<b>INSPECTED BY</b> (Signature) <i>[Signature]</i>			
<b>TITLE</b>		<b>TITLE</b> Geologist			
<b>COMPLIANCE DATE</b>		<b>WEATHER CONDITIONS</b> Cloudy, 60's			

Distribution: Facility – Canary

Field Office – White

Central Office - XC



**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
DIVISION OF SOLID WASTE MANAGEMENT  
SOLID WASTE DISPOSAL FACILITY EVALUATION**

NAME OF SITE <i>Hardeman Co. Landfill</i>		REGISTRATION NUMBER <i>SNL 35-101-0223</i>		DATE <i>4-17-15</i>		
LOCATION (physical) <i>Walden Rd. Bolivar</i>		PURPOSE <input checked="" type="checkbox"/> Complete <input type="checkbox"/> Follow-up <input type="checkbox"/> Complaint <input type="checkbox"/> Other				
OWNER/OPERATOR <i>Hardeman Co.</i>		TYPE OF FACILITY <input checked="" type="checkbox"/> CLASS I <input type="checkbox"/> CLASS II <input type="checkbox"/> CLASS III <input type="checkbox"/> CLASS IV				
		V1	V2		V1	V2
Inadequate vector control	8010	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Leachate improperly managed	8330	<input type="checkbox"/>
Access not limited to operating hours	8020	<input type="checkbox"/>	<input type="checkbox"/>	Inadequate leachate collection		<input type="checkbox"/>
Inadequate artificial or natural barrier	8030	<input type="checkbox"/>	<input type="checkbox"/>	system	8340	<input type="checkbox"/>
Inadequate information signs	8040	<input type="checkbox"/>	<input type="checkbox"/>	Leachate observed at the site	8350	<input checked="" type="checkbox"/>
Unsatisfactory access road(s)/parking area(s)	8050	<input type="checkbox"/>	<input type="checkbox"/>	Leachate entering runoff	8360	<input type="checkbox"/>
Certified personnel not present during operating hours	8060	<input type="checkbox"/>	<input type="checkbox"/>	Leachate entering a water course	8370	<input type="checkbox"/>
Unapproved salvaging of waste	8070	<input type="checkbox"/>	<input type="checkbox"/>	Inadequate gas migration control system	8380	<input type="checkbox"/>
Evidence of open burning	8080	<input type="checkbox"/>	<input type="checkbox"/>	Inadequate maintenance of gas migration control system	8390	<input type="checkbox"/>
Inadequate fire protection	8090	<input type="checkbox"/>	<input type="checkbox"/>	Potential for explosions or uncontrolled fires	8420	<input type="checkbox"/>
Unsatisfactory litter control	8110	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Waste not confined to a manageable area	8430	<input checked="" type="checkbox"/>
Inadequate employee facilities	8120	<input type="checkbox"/>	<input type="checkbox"/>	Improper spreading of waste	8440	<input checked="" type="checkbox"/>
No communication devices	8130	<input type="checkbox"/>	<input type="checkbox"/>	Improper compacting of waste	8450	<input type="checkbox"/>
Inadequate operating equipment	8140	<input type="checkbox"/>	<input type="checkbox"/>	Unsatisfactory initial cover	8460	<input checked="" type="checkbox"/>
Unavailability of backup equipment	8150	<input type="checkbox"/>	<input type="checkbox"/>	Unsatisfactory intermediate cover	8470	<input checked="" type="checkbox"/>
Unavailability of cover material	8160	<input type="checkbox"/>	<input type="checkbox"/>	Unsatisfactory final cover	8480	<input type="checkbox"/>
Inadequate maintenance of runoff/runoff system(s)	8170	<input type="checkbox"/>	<input type="checkbox"/>	Excessive pooling of water	8490	<input checked="" type="checkbox"/>
Inadequate erosion control	8180	<input type="checkbox"/>	<input type="checkbox"/>	Unsatisfactory stabilization of cover	8510	<input checked="" type="checkbox"/>
Inadequate dust control	8190	<input type="checkbox"/>	<input type="checkbox"/>	Dumping of waste into water	8520	<input type="checkbox"/>
Unauthorized waste accepted	8210	<input type="checkbox"/>	<input type="checkbox"/>	Unsatisfactory records or reports	8530	<input type="checkbox"/>
Unapproved special waste accepted	8220	<input type="checkbox"/>	<input type="checkbox"/>	Groundwater monitoring system improperly maintained	8540	<input type="checkbox"/>
Tires improperly handled	8230	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Operation does not correspond with engineering plans	8570	<input type="checkbox"/>
Medical waste improperly handled	8240	<input type="checkbox"/>	<input type="checkbox"/>	Operation does not correspond with permit condition(s)	8580	<input type="checkbox"/>
Dead animals improperly handled	8250	<input type="checkbox"/>	<input type="checkbox"/>	Permit, plans, operating manual not available	8590	<input type="checkbox"/>
Washout of solid waste	8270	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No operating scales	8610	<input type="checkbox"/>
No permanent benchmark	8280	<input type="checkbox"/>	<input type="checkbox"/>			
Inadequate random inspection program	8290	<input type="checkbox"/>	<input type="checkbox"/>			
Mishandling of special waste	8300	<input type="checkbox"/>	<input type="checkbox"/>			
Buffer zone standard violated	8310	<input type="checkbox"/>	<input type="checkbox"/>			
Inadequate maintenance of leachate management system	8320	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
COMMENTS: <i>Have had rain events over last few days. Working face is not being adequately covered. Have had difficulties getting cover material to top of hill due to wet conditions. Waste is stacked too high to adequately cover. Leachate breakouts on NE corner of site. Ponded water/leachate in NE corner is being pumped but needs continual pumping &amp; then discharges in area. Leachate &amp; water from ponded area is draining into new cell area. Extensive work needed to bring site into compliance.</i>						
PERSON INTERVIEWED (Signature) <i>Larry Baber</i>		INSPECTED BY (Signature) <i>Michael David</i>				
TITLE		TITLE <i>Geologist</i>				
TIME OF DAY <i>1125</i>	WEATHER CONDITIONS <i>cloudy, low 60s, wet</i>		COMPLIANCE DATE			

Distribution: Facility - White

Field Office - Canary

Central Office - XC