



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

February 4, 2014

CERTIFIED MAIL 7007 2680 0002 4419 4400

The Honorable Willie E. Spencer
County Mayor
Hardeman County
P.O. Box 250
Bolivar, TN 38008

RE: NOTICE OF VIOLATION
Hardeman County Landfill, SNL 35-101-0223

Dear Mayor Spencer:

This letter confirms the observations made on January 14, 2014, during a Division of Solid Waste Management (DSWM) inspection of the Hardeman County Landfill (SNL 35-101-0223). It also addresses the requirement to submit a permit modification request which details how the leachate migration control standards at the landfill will be met.

During the course of the January 14, 2014, inspection, 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:

- 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.
- The disposal area (working face) of the landfill was too large to be covered by the removable tarp cover system (alternate daily cover), and there was also inadequate intermediate cover over portions of the landfill.
- There was inadequate vector control at the facility.

Failure to properly construct, maintain and operate the leachate collection and removal system is 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.

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.

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;

A copy of the Solid Waste Disposal Facility Evaluation checklist for the date of the inspection is attached.

In order to correct these violations, a temporary berm should be installed to contain the leachate on top of the liner in the Phase IV cell area. In order to minimize leachate, control vectors and odors at the site, additional cover dirt should be placed on all exposed waste. In addition, initial and intermediate lifts should be covered by an intermediate cover of at least one foot of soil.

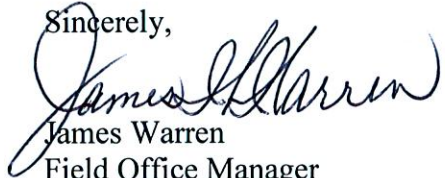
Actions to correct these violations should be taken within 15 days of the receipt of this letter. A follow up inspection will be conducted to confirm compliance.

In addition to the violations noted above, Hardeman County has failed to comply with the Division's September 30, 2013, request to submit a permit modification detailing how the leachate migration control standards would be met. This request was made due to the fact that Phase IV of the disposal facility was not constructed in accordance with the permit. The design changes have caused the facility to be in violation of Division Rule 0400-11-01-.04(4)(a)5.

Until such time that the leachate collection and removal system can be constructed to properly tie in the Phase III and Phase IV cells, leachate at the site cannot be properly managed. Please submit the previously requested permit modification within fifteen (15) days of the receipt of this letter.

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

Sincerely,



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

cc: DSWM, NCO file
DSWM, JFO file

Attachments: Inspection checklist
Letter- September 30, 2013



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

NAME OF SITE <i>Hardeman County Landfills</i>		REGISTRATION NUMBER <i>SNL-35-101-0223</i>	DATE <i>1-14-14</i>		
LOCATION (physical) <i>Walton Land</i>		PURPOSE <input checked="" type="checkbox"/> Complete <input type="checkbox"/> Follow-up <input type="checkbox"/> Complaint <input type="checkbox"/> Other			
OWNER/OPERATOR <i>Hardeman County</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"/>	Leachate improperly managed	8330		
Access not limited to operating hours	8020	Inadequate leachate collection			
Inadequate artificial or natural barrier	8030	system	8340		
Inadequate information signs	8040	Leachate observed at the site	8350	<input checked="" type="checkbox"/>	
Unsatisfactory access road(s)/parking		Leachate entering runoff	8360	<input checked="" type="checkbox"/>	
area(s)	8050	Leachate entering a water			
Certified personnel not present		course	8370		
during operating hours	8060	Inadequate gas migration control			
Unapproved salvaging of waste	8070	system	8380		
Evidence of open burning	8080	Inadequate maintenance of gas			
Inadequate fire protection	8090	migration control system	8390		
Unsatisfactory litter control	8110	Potential for explosions or			
Inadequate employee facilities	8120	uncontrolled fires	8420		
No communication devices	8130	Waste not confined to a			
Inadequate operating equipment	8140	manageable area	8430		
Unavailability of backup equipment	8150	Improper spreading of waste	8440		
Unavailability of cover material	8160	Improper compacting of waste	8450		
Inadequate maintenance of		Unsatisfactory initial cover	8460	<input checked="" type="checkbox"/>	
runon/runoff system(s)	8170	Unsatisfactory intermediate			
Inadequate erosion control	8180	cover	8470	<input checked="" type="checkbox"/>	
Inadequate dust control	8190	Unsatisfactory final cover	8480		
Unauthorized waste accepted	8210	Excessive pooling of water	8490		
Unapproved special waste accepted	8220	Unsatisfactory stabilization of			
Tires improperly handled	8230	cover	8510		
Medical waste improperly handled	8240	Dumping of waste into water	8520		
Dead animals improperly handled	8250	Unsatisfactory records or reports	8530		
Washout of solid waste	8270	Groundwater monitoring system			
No permanent benchmark	8280	improperly maintained	8540		
Inadequate random inspection		Operation does not correspond			
program	8290	with engineering plans	8570		
Mishandling of special waste	8300	Operation does not correspond			
Buffer zone standard violated	8310	with permit condition(s)	8580		
Inadequate maintenance of leachate		Permit, plans, operating manual			
management system	8320	not available	8590		
		No operating scales	8610		
COMMENTS:					
<i>Install berm to contain leachate on top of liner —</i>					
<i>as described to operator</i>					
<i>Need to cover waste when weather permits</i>					
PERSON INTERVIEWED (Signature) <i>Kent Maxwell</i>		INSPECTED BY (Signature) <i>James Warren</i>			
TITLE		TITLE <i>Manager</i>			
TIME OF DAY <i>1:30 p.m.</i>	WEATHER CONDITIONS <i>Sunny & wet</i>		COMPLIANCE DATE		

Distribution: Facility - White

Field Office - Canary

Central Office - XC



RECEIVED

OCT 15 2013

JACKSON E.A.C.

STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Solid Waste Management
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Ave, 14th Floor
Nashville, Tennessee 37243

September 30, 2013

Willie E. Spencer
County Mayor
Hardeman County
P. O. Box 250
Bolivar, TN 38008

CERTIFIED MAIL #7008 0500 0001 1525 4790
RETURN RECEIPT REQUESTED

RE: Phase IV Construction
Hardeman County, SNL35-0223

Dear Mayor Spencer:

The purpose of this letter is to inform you that Hardeman County may not accept solid waste for disposal into Phase IV of the Hardeman County Class I Disposal Facility, SNL 35-0223 due to the fact that Phase IV was not constructed in accordance with the permit. This is a violation of *Tennessee Code Annotated §68-211-105(b)* and the terms and conditions of your operating permit.

T.C.A. §68-211-105(b) provides:

No new construction shall be initiated nor shall any change be made in any solid waste processing facility or disposal facility or site until the plans for such new construction or change have been submitted to and approved by the department.

On April 10, 2013, the Division of Solid Waste Management received the Construction Quality Control Report certified by Construction Material Laboratory, Inc. prepared for Barge Waggoner Sumner & Cannon, Inc. detailing design changes that were made during the construction of Phase IV of the facility. These design changes constitute modifications of the operating permit that were not approved in accordance with the procedures outlined in Division Rule 0400-11-01-.02(6)(b).

Division Rule 0400-11-01-.04(4)(a)7.(i) states, in pertinent part, that "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..." The design changes created a difference in elevation between the cell floor of Phase III and Phase IV

Willie E. Spencer
September 30, 2013
Page 2

of the disposal facility. This difference in elevation has created head of greater than one foot over an undetermined surficial area of the floor of Phase III of the facility.

Further the design changes have caused the facility to be in violation of Division Rule 0400-11-010.04(5) which states, in pertinent part, "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. Observation made by Mr. James Warren and Mr. Ron Potts, during their August 7, 2013 inspection indicate the temporary leachate line located underneath the constructed Phase IV is transporting significant amounts of leachate.

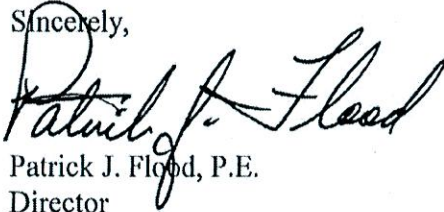
Leachate flow through the temporary leachate pipe located below the Phase IV liner must be eliminated. Also, any penetrations through the Phase II or Phase III primary liner must be properly repaired in accordance with the Construction Quality Assurance Plan.

The alignment of the main leachate line located in Phase IV of the disposal facility is approximately 30 feet south of the Phase III leachate main line. Also, the connection of the Phase II leachate main line to the Phase IV leachate collection main is not located on the as-built drawings.

Within thirty (30) days of the receipt of this letter, please submit a permit modification request which details how the leachate migration control standards specified in Division Rule 0400-11-01-.04(4) will be met. Placement of waste into Phase IV may begin upon approval of the permit modification.

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

Sincerely,



Patrick J. Flood, P.E.
Director

cc: James Warren, DSWM-Jackson EFO
Jeff Norman, DSWM-CO
Bryant Bondurant, Barge Waggoner Sumner and Cannon, Inc.
David Evans, Construction Materials Laboratory
Rudy Collins, Jackson EFO