

D R A F T

State of Tennessee
Department of Environment
and Conservation
Division of Solid Waste Management

Solid Waste Management Program
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**REGISTRATION AUTHORIZING SOLID WASTE
DISPOSAL ACTIVITIES IN
TENNESSEE**

Registration Number: DML300000062

Date Issued: DRAFT

Issued to: Town of Greeneville, Tennessee

Activities Authorized: Construction, operation, closure, and post-closure care of a Class III disposal facility located in Greene County, Tennessee, approximately 2 ¾ miles northeast of the Town of Greeneville, at 1555 Old Stage Road, for the disposal of demolition/construction wastes, shredded automotive tires, and certain wastes having similar characteristics and approved in writing by the Department.

By my signature this registration is issued in compliance with the provisions of the Tennessee Solid Waste Disposal Act (Tennessee Code Annotated, Section 68-211-101, et seq.), and applicable regulations developed pursuant to this law and in effect; and in accordance with the conditions and other terms set forth in this registration document and attached Registration Conditions.

D R A F T
Patrick J. Flood, P.E., Director
Division of Solid Waste Management

PERMIT TERMS AND CONDITIONS

1. Re-certification by Permittee for Facilities Whose Initial Operation is Delayed - If the facility does not initiate construction and/or operation within one year of the date of this permit, the permittee must re-certify the application in accordance with Rule 1200-1-7-.02(2)(d).
2. 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 re-issuance, or modification.
3. Need to Halt or Reduce Activity Not a Defense - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
4. Duty to Mitigate - In the event of noncompliance with the permit, the permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent adverse impacts on human health or the environment.
5. Proper Operation and Maintenance - The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.
6. Permit Actions - This permit may be modified, revoked and re-issued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and re-issuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any existing permit condition.
7. Property Rights - This permit does not convey any property rights of any sort, or any exclusive privilege.
8. Duty to Provide Information - The permittee shall furnish to the Commissioner, within a reasonable time, any relevant information which the Commissioner may request to determine whether cause exists for modifying, revoking and re-issuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Commissioner, upon request, copies required to be kept by this permit.

9. Inspection and Entry - The permittee shall allow the Commissioner, or an authorized representative, to:

- (i) Enter at any reasonable time the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- (ii) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (iii) Inspect at any reasonable time any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit (Note: If requested by the permittee at the time of sampling, the Commissioner shall split with the permittee any samples taken.);
- (iv) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Act any substances or parameters at any location; and
- (v) Make photographs for the purpose of documenting items of compliance or noncompliance at waste management units, or where appropriate to protect legitimate proprietary interests, require the permittee to make such photos for the Commissioner.

10. Monitoring and Records

- (i) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- (ii) The permittee shall retain records of all required monitoring information. The permittee shall maintain records for all groundwater monitoring wells and associated ground-water surface elevations, for the active life of the facility, and for the post-closure care period as well. This period may be extended by request of the Commissioner at any time.
- (iii) Records of monitoring information shall include:
 - (I) The date, exact place, and time of sampling or measurements;
 - (II) The individual(s) who performed the sampling or measurements;
 - (III) The date(s) analyses were performed;
 - (IV) The individual(s) who performed the analyses;
 - (V) The analytical techniques or methods used (including equipment used); and
 - (VI) The results of such analyses.

11. Reporting Requirements

- (i) The permittee shall give notice to the Commissioner as soon as possible of any planned physical alterations or additions to the permitted facility.
- (ii) Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (iii) The permittee shall report orally within 24 hours from the time the permittee becomes aware of the circumstances of any release, discharge, fire, or explosion from the permitted solid waste facility which could threaten the environment or human health outside the facility. Such report shall be made to the Tennessee Emergency Management Agency, using the 24-hour toll-free number 1-800-262-3300.
- (iv) Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Commissioner, it shall promptly submit such facts or information.

12. Periodic Survey

- (i) Within 60 days of his receipt of the written request of the Commissioner to do so, the permittee shall cause to be conducted a survey of active and/or closed portions of his facility in order to determine if operations (e.g., cut and fill boundaries, grades) are being conducted in accordance with the approved design and operational plans. The permittee must report the results of such survey to the Commissioner within 90 days of his receipt of the Commissioner's request.
- (ii) The Commissioner may request such a survey:
 - (I) If he has reason to believe that operations are being conducted in a manner that significantly deviates from the approved plans; and/or
 - (II) As a periodic verification (but no more than annually) that operations are being conducted in accordance with the approved plans.
- (iii) Any survey performed pursuant to this part must be performed by a qualified land surveyor duly authorized under Tennessee law to conduct such activities.

13. Duration of Permits - This permit shall be effective for the operating life of the facility.

14. Effect of Permit - The issuance of this permit does not authorize the permittee to injure persons or property or to invade other private rights, or to violate any local law or regulations.

15. Transfer, Modification, Revocation and Re-issuance, and Termination of Permits - This permit may be transferred, modified, revoked or reissued, or terminated as set forth in 1200-1-7-.02(5).

16. 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.
17. Penalties - Any violation of the conditions or other terms of this registration may subject the registrant to the penalties set forth in Tennessee Code Annotated Section 68-211-114 and 68-211-117.
18. Hazardous Waste Restriction - No hazardous waste, as regulated by the Tennessee Hazardous Waste Management Act (TCA Section 68-212-101, et seq.), and the Rules adopted pursuant to that Act, shall be accepted at this facility.
19. Construction and Operation - The permittee shall construct and operate the facility in accordance with the approved engineering plans and operations manual which becomes a condition of this permit as Attachment I.
20. Financial Assurance - Prior to beginning operation, the permittee must file a Financial Assurance Instrument in accordance with Rule 1200-1-7-.03(1).
21. Special Waste - Except as specifically provided for in the Facility-Specific Conditions of this permit, the permittee may not accept for disposal any special waste unless approved to do so in writing by this Department.
22. Automobile Batteries - This facility is specifically prohibited from accepting automobile batteries for disposal.

VARIANCES AND WAIVERS

The following variances or waivers from standards or requirements in Rule 0400-11-01, Solid Waste Processing and Disposal Amendments, are hereby granted in accordance with Rule 0400-11-01-.01(5):

1. Buffer Zone Standards for Siting New Landfills DSWM Rule 0400-11-01-.04(3)(a)1. One hundred (100) feet from all property lines:

This facility is situated on property recently purchased and/or leased from the adjacent property owners. During negotiations with the property owners, the proposed design was described in detail. The steep ridge and existing trees act as a natural buffer and are not to be disturbed by landfill activities. The negotiated property lines were set to satisfy the Owner's land use with full knowledge of the proposed fill limits. The natural buffer (ridge top) varies from 200 feet to over 400 feet from the fill limits.

2. Buffer Zone Standard for any constructed appurtenance DSWM Rule 0400-11-01-.04(9(c)(3)(a)5.

A monitoring well is proposed within the 50-foot buffer.

3. Leachate Migration Control Standards DSWM Rule 0400-11-01-.04(4).

This facility's northern fill slopes will be against the closed class I landfill. The Designer proposes that the two feet of 1×10^{-7} clay liner is less permeable than five feet of 10^{-5} buffer. The area of class I fill from pre-1990 will have a GCL installed which is equivalent to a two-foot clay cap.

4. Gas Migration Control Standards DSWM Rule 0400-11-01-.04(5)(b).

Wastes accepted at the facility will be limited to those materials that were described in the original permit and the DSWM regulations for a class IV landfill. Wastes included in the list of acceptable wastes for a class III landfill but not for a class IV landfill (i.e. farming wastes, landscaping and land clearing wastes) will not be accepted. Because this facility will continue to only accept those wastes as originally allowed for a class IV disposal facility even after the permit is upgraded to class III disposal facility, a gas monitoring and migration control system will not be necessary for this facility.

FACILITY-SPECIFIC PERMIT CONDITIONS

The following conditions of this permit are established pursuant to Rule 0400-11-01-.02(5)(b):

1. No household waste, other than construction/demolition waste, is to be accepted for disposal in the landfill.
2. A roll-off or other container shall be placed onsite to receive any unauthorized waste inadvertently delivered to the site. Such waste is to be re-routed to the transfer station for proper disposal.
3. During construction, bedrock pinnacles are to have their tops surveyed in, with accurate horizontal and vertical coordinates recorded. The facility must delineate the extent of the required five-foot buffer over the pinnacles and all associated down slopes to the subgrades shown on the plans. This information is to be recorded on the as-built drawing deliverable in the construction certification report. The facility must report to the Division when pinnacles have been exposed, but before the padding has been emplaced.
4. The facility must sample the Raymond Trombley well at 1715 Old Stage Road for the same parameters and on the same frequency as the class III landfill's groundwater monitoring system. The Alvin Miller well at 450 Morgan Road the Donna Hefferman well at 560 Morgan Road, and the spring at Res-12 at 513 Morgan Road are to be monitored for field parameters only (pH, specific conductance, and temperature) on the same frequency as the other groundwater monitoring points.
5. For any off-site borrow pits, the facility must provide an excavation plan, volume estimate, and any additional soil quality information required for the borrow sources before the soil is used. The off-site sources must be properly graded, re-seeded, and stabilized when the necessary soil has been removed. Appropriate erosion and sediment control structures must be utilized as long as the borrow sources are open and until vegetation is established after the sources are closed.
6. When Lift Four reaches the elevation of the south side perimeter ditch, flow from this ditch must be diverted to the sediment pond.
7. A professional hydrogeologist or geotechnical engineer shall be onsite to inspect the excavation as the base elevations are approached, but prior to re-establishment of finished grade. Wet zones, porous zones and/or other anomalous features encountered during the excavation must be immediately reported to the Division of Solid Waste Management. When base grades of excavation for a phase are reached, Division of Solid Waste Management staff at the Johnson City Environmental Field Office must inspect the site prior to further site preparation.