



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

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Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director

James J. Golden
Regional Director

May 6, 2021

Mr. David Valdez
Skinquarter Landfill
20701 Hull Street Road
Mosley, Virginia 23120

DEFICIENCY LETTER

Re: Skinquarter CDD Landfill – Chesterfield County, VA
Solid Waste Permit (SWP) 604

Dear Mr. Valdez:

On December 29, 2020, the Virginia Department of Environmental Quality, Piedmont Regional Office staff conducted a Compliance Evaluation Inspection (CEI) of the solid waste management facility operating under SWP-604. During this inspection, the facility was evaluated for compliance with the Virginia Waste Management Act, Va. Code § 10.1-1400 *et seq.* (“Act”), the Virginia Solid Waste Management Regulations, 9 VAC 20-81-10 *et seq.* (“Regulations”), and SWP-604. A copy of the inspection checklist is enclosed.

Based on review of observations, responses, and documents obtained during this inspection, the Department has reason to believe that Skinquarter CDD Landfill, may be in violation of the Act, Regulations, and/or SWP-604. This information is noted on the enclosed inspection checklist and is summarized below:

- Observations:* During the inspection, DEQ staff observed leachate levels at Sump 1 reading 68.8”, which is greater than 30 centimeters (>12”) over liner. DEQ staff was notified within 24 hours of exceedances on December 5th and 28th, 2020. A 5-day follow-up notice was received on December 9, 2020, but no follow-up was received for the 28th exceedance.

Legal Requirements: 9 VAC 20-81-530.C.3 states “The permittee shall report to the department any noncompliance or unusual condition that

may endanger health or environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the circumstances and its cause; the period of occurrence, including exact dates and times, and, if the circumstance has not been corrected, the anticipated time it is expected to continue. It shall also contain steps taken or planned to reduce, eliminate, and prevent reoccurrence of the circumstances resulting in an unusual condition or noncompliance.”

2. *Observations:* It appears that soil was used as cover material on the side slopes, however the top deck, including the fluff layer in Cell 2, appeared to have had no cover applied for quite a while. The work-face appeared to be larger than practicable for the amount of machinery and manpower.

***Legal Requirements:* 9VAC20-81-140.C.1(b) states; “Compacted soil cover shall be applied as needed for safety and aesthetic purposes. A minimum one-foot thick progressive cover shall be maintained weekly such that the top of the lift is fully covered at the end of the work week. If the landfill accepts Category I or II nonfriable asbestos-containing material for disposal, daily soil cover shall be placed upon all exposed Category I or II nonfriable asbestos-containing material prior to the end of each operating day. The open working face of a landfill shall be kept as small as practicable, determined by the tipping demand for unloading.”**

These issues were discussed with facility representatives during the inspection. Please advise this office in writing within **30 calendar days** of receipt of this letter if your facility has taken or intends to take corrective action to address these issues, or if there is other information that DEQ should consider. A schedule should be provided for any intended actions.

Your letter will assist our staff in maintaining a complete and accurate record of the compliance status of your facility. Compliance may be verified by on-site inspection or other appropriate means.

Pursuant to Va. Code § 10.1-1455(G), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.* (“APA”). In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ’s [Process for Early Dispute Resolution](#), or you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.

If you have any questions, please contact your assigned Compliance Inspector, Doug Masini, at (804) 527-5101 or douglas.masini@deq.virginia.gov.

Skinquarter CDD Landfill – SWP-604

May 6, 2021

Page 3 of 3

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Kier".

PRO Land Protection/PReP Technical Reviewer

Ecc: Pricilla Rohrer, CO Solid Waste Compliance Coordinator
ECM – SWP-587



Compliance Inspection Report

Inspection Summary

Facility: Skinquarter Land CDD Landfill

Inspector: Jeremy Kazio

Permit: SWP604

Inspection Date: 12/29/2020

Region: Piedmont

Approximate Arrival Time: 0907

Inspection Type: Compliance Evaluation Inspection

Inspection Method: Announced

Facility Staff: David Valdez

Exit Interview: Yes

Other DEQ Staff: Douglas Masini (Solid Waste Inspector)

Weather Conditions: Sunny/45°F

Comments: Due to current Agency COVID restrictions and guidelines, this inspection was conducted onsite by Jeremy Kazio, while records review was conducted by Douglas Masini.

The record review period for this inspection covers September through November 2020.

Construction / Demolition / Debris (CDD) Landfill (Active)

Reference	Description	SL	Result
Compliance Area: Operator Information			
10.1-1408.1	Disclosure Statement	I	✓
10.1-1408.2	Operator Certification	II	✓
Compliance Area: Recordkeeping, Reporting & Permit			
20-81-80	Waste Assessment Program	II	
20-81-100.B	Compliance with the facility's permit	II	
20-81-100.E	Unauthorized waste program and inspection	II	✓
20-81-140.A.16	Facility self inspections	I	✓
20-81-140.A.17	Record maintained of waste received and processed	I	✓
20-81-485	Operations Manual	II	✓
20-81-530	Permittee recordkeeping and reporting	II	X
Compliance Area: Design, Construction & Operation			
20-81-110.B	Prohibited waste	II	✓
20-81-130	Facility design / construction	I	✓
20-81-140.A.1.4	Safety and fire control	II	✓
20-81-140.A.6	Pollutant discharge	III	✓
20-81-140.A.7	Stormwater control system maintenance	II	✓
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II	✓
20-81-140.A.9-13	Hazard and nuisance control	I	✓
20-81-140.C	Compaction and cover	I	X
20-81-610-660	Special Waste	II	✓
Compliance Area: Closure & Post-Closure Care			
20-81-160	Closure requirements	II	
20-81-170	Post-closure care requirements	II	
Compliance Area: Decomposition Gas Control			
20-81-200	Decomposition gas control	II	✓
Compliance Area: Leachate Control			
20-81-210	Leachate control	II	✓
Compliance Area: Groundwater Monitoring			
20-81-250	Groundwater monitoring program	II	
20-81-260	Corrective action program	II	
Compliance Area: Landfill Mining			

20-81-385 & 395	Landfill Mining	II	
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SL = Severity Level ✓ = In Compliance X = Alleged Violation N/A = Not Applicable Blank = Not Inspected

Alleged Violations

Reference	Comments
20-81-530	Permittee recordkeeping and reporting - During the inspection, DEQ staff observed leachate levels at Sump 1 reading 68.8", which is greater than 30 centimeters (>12") over liner. DEQ staff was notified within 24 hours of exceedances on December 5th and 28th, 2020. A 5-day follow-up notice was received on December 9, 2020, but no follow-up was received for the 28th exceedance.
20-81-140.C	<p>Compaction and cover - The facility was placing waste in Cell 1 and pushing waste down into Cell 2 to apply a fluff layer with acceptable waste. The rain flap was removed from Cell 2 on December 19, 2020, to allow filling. It appears that soil was used as cover material on the side slopes, however the top deck, including the fluff layer in Cell 2, appeared to have had no cover applied for quite a while. The work-face appeared to be larger than practicable for the amount of machinery and manpower.</p> <p>No areas showed signs of vegetation.</p> <p>Slope angles appeared to be less than 33%.</p> <p>Waste in place did not appear to contain unauthorized waste.</p>

General Comments

Reference	Comments
10.1-1408.1	Disclosure Statement - The facility Disclosure Statement is updated as required. Disclosure Statement information is listed at the bottom of this report.
10.1-1408.2	<p>Operator Certification - The facility has a licensed operator as required. Operator information is listed at the bottom of this report.</p> <p>Please note that, due to the state of emergency declared in response to the COVID-19 pandemic, the Department of Professional and Occupational Regulation (DPOR) has granted a temporary waiver which extends the validity of licenses, certifications, registrations, and other authorizations issued by the regulatory boards under DPOR. This waiver applies to licenses which expire while under the state of emergency, which was declared March 12, 2020, and extends their validity until 30 days after the date that the state of emergency is lifted. The state of emergency is still in effect as of the date of this report.</p>
20-81-100.E	Unauthorized waste program and inspection - An unauthorized waste control program appears to be implemented at this facility. Records of unauthorized waste inspection documents were requested to be submitted for review, for August through November, but the General Manager stated that files are too large to send and requested they be reviewed on site. Monthly Load totals were submitted and reviewed from September – November 2020, and appeared to meet or exceed the 1% in-state/10% out-of-state inspection frequency requirement. An unauthorized waste control program appears to be implemented at this facility. Records of unauthorized waste inspection documents were requested to be submitted for review, for August through November, but the General Manager stated that files are too large to send and requested they be reviewed on site. Monthly Load totals were submitted and reviewed from September – November 2020, and appeared to meet or exceed the 1% in-state/10% out-of-state inspection frequency requirement.
20-81-140.A.16	Facility self inspections - Monthly inspection record for October 2020, was reviewed and appeared to be complete and concise.
20-81-140.A.17	<p>Record maintained of waste received and processed - Intake records for September 2020 through November 2020 were submitted electronically for review, and reported the following:</p> <p>Month/Year ---- Total in Tons ---- Highest Daily Receipt</p> <p>Sep-2020 ----- 24,876 ----- 1511 tons (9-25)</p> <p>Oct-2020 ----- 23,490 ----- 1220 tons (10-7)</p> <p>Nov-2020 -----18,046 ----- 1100 tons (11-19)</p> <p>Intake records reviewed were observed to be below the permitted maximum daily intake of 5,500 tons per day.</p>
20-81-485	<p>Operations Manual - The current Operations Manual on record was revised in February 2019.</p> <p>Operations Manual Certification page was submitted for review, indicating that David Valdez certified the current Ops Manual compliant with current operations as of April 22, 2020.</p>

	Regulations require recertification by April 22, 2021.
20-81-110.B	Prohibited waste - This facility is authorized to accept demolition waste, construction waste, debris waste, land clearing debris waste, split tires and white goods (free of chlorofluorocarbons and PCB's prior to placement on working face). Municipal solid wastes, hazardous waste, friable asbestos, any free liquids, compressed gases or semi-liquids may not be accepted. No unauthorized wastes were observed at the time of the inspection.
20-81-130	Facility design / construction - Design and construction requirements appear to be properly maintained in accordance with this regulation. Facility access is controlled by natural barriers, fences, gates, and a scalehouse. Access roads were passable and well maintained. The facility was observed to have begun filling Cell 2.
20-81-140.A.1,4	Safety and fire control - The facility conducts regular safety training for facility staff. A fire control plan is maintained at the facility and is available for review by the public. Open burning of waste brought to the landfill is not permitted, and no open burning was observed during the inspection.
20-81-140.A.6	Pollutant discharge - No pollutants or solid wastes were reported or observed entering into surface waters, groundwaters or waters of the United States during this inspection.
20-81-140.A.7	Stormwater control system maintenance - The facility was inspected by DEQ VPDES compliance staff a week prior to this inspection. Run-on/run-off control systems appeared to be effective. No significant pooling or sediment discharges were noted.
20-81-140.A.8,14-15	Facility operation, maintenance, and training - Facility access is controlled by a scale attendant on duty during hours of operation, gates, fencing and natural barriers. No access issues were noted during the inspection. Facility appurtenances were observed to be properly maintained and operated. One tipper, 2 dozers, 2 compactors, and one excavator with magnet attachment were observed on the workforce.
20-81-140.A.9-13	Hazard and nuisance control - No odors were observed on- or off-site during the inspection. Blown litter is controlled using portable metal barriers that are placed around the working face as necessary. No blown litter was noted. Mud tracking is controlled through the use of crush-and-run on the access road leading to the work face.
20-81-610-660	Special Waste - General Manager indicated that no sludge, PCS, PCB, or ACM is accepted for disposal at the landfill. Records submitted report shipping 3 tons of tires on September 14, 2020, and 5 tons on September 30, 2020, to Emanuel Tire in Waverly (PBR595) for processing.
20-81-200	Decomposition gas control - 2020 LFG Boundary Probe monitoring records were submitted and reported the following results: 3rd Qtr. was conducted on August 24, 2020, and reported no exceedances of the Action Level; 4th Qtr. was conducted on November 24, 2020, and reported no exceedances of the Action Level.
20-81-210	Leachate control - During the inspection, the control panel serving the leachate pump in Sump #1 was observed to be in alarm mode, and the leachate depth readout was 68.8 inches. The sump depth below the liner was reported previously at 24", thus leachate over liner was determined to be 44.8" over the liner. 24-hour notification of the exceedance was reported on December 28, 2020. The General Manager indicated their engineering group was evaluating the design of the leachate system to address the persistent exceedances. Leachate is collected and stored into a 500,000 gallon Aboveground Storage Tank then pumped and hauled to the Proctors Creek WWTP (VA0060194). The facility hauled the following gallons per the corresponding months: September 2020 – 458,766 gallons October 2020 – 280,416 gallons November 2020 – 276,623 gallons

Disclosure Statement Details

Key Personnel

Title

David Valdez	General Manager
Michael Magee	Managing Partner

Disclosure Statement Last Updated: 2/27/2020

Waste Management Facility Operators

Licensed Operator	License #	Expiration Date
Colin Moore	4605002880	3/31/2022

PLEASE advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding any alleged violations.

PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act (VA Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.