



Dacey, Katy <katy.dacey@deq.virginia.gov>

Fwd: Skinquarter Landfill (SWP 604) Inspection Report 8/25/2020

1 message

Dacey, Katy <katy.dacey@deq.virginia.gov>
To: Priscilla Rohrer <priscilla.rohrer@deq.virginia.gov>

Thu, Sep 24, 2020 at 11:43 AM

Priscilla,

I forgot to copy you on the first email sent.

Sorry,

Katy Dacey

Solid Waste Inspector

(804) 527-5092

----- Forwarded message -----

From: **Dacey, Katy** <katy.dacey@deq.virginia.gov>
Date: Thu, Sep 24, 2020 at 11:39 AM
Subject: Skinquarter Landfill (SWP 604) Inspection Report 8/25/2020
To: David Valdez <DValdez@wbwaste.com>

Hi David,

Attached is the report for the inspection of the Skinquarter Landfill (SWP 604) that was conducted on 8/25/2020. A hard copy will not be mailed to you unless requested. Please let me know if you have any questions.

Thanks,

Katy Dacey

Solid Waste Inspector

(804) 527-5092

**SWP 604 8-25-2020 FCI WL.pdf**
162K



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

September 24, 2020

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

WARNING LETTER

Re: WL No. 2020-09-PRO-651
Skinquarter Landfill – Chesterfield County, Virginia
Solid Waste Permit (SWP) No. 604

Dear Mr. Valdez:

The Department of Environmental Quality (“DEQ” or “Department”) has reason to believe that Skinquarter Land CCD Landfill may be in violation of 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/or SWP 604.

This letter addresses conditions at the facility named above and also cites compliance requirements of the Act, Regulations, and SWP 604. 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”). DEQ requests that you respond within 30 days of the date of this letter.

OBSERVATIONS AND LEGAL REQUIREMENTS

On August 25, 2020, DEQ Piedmont Regional staff conducted a compliance inspection of the Skinquarter Land CDD Landfill facility. A copy of the inspection checklist is attached. The following describe the staff’s factual observations and identify the applicable legal requirements.

1. *Observations: During the inspection DEQ staff observed leachate over liner depth of greater than 30 centimeters or 12 inches, which was later confirmed*

via email by the facility's environmental consultant. The facility did not have any record of this exceedance, and DEQ has no record of 24-hour notification nor 5-day letter being submitted.

Legal Requirements: 9 VAC 20-81-530.C.3 states in part: "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: 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 75.8 inches. The facility's consultant (LaBella Associates) later confirmed via email that, at the leachate depth observed in the sump, approximately 16,000 square feet of the Cell 1 liner had a leachate-over-liner depth of greater than 30 centimeters (12 inches), excluding the sump area.*

Legal Requirements: 9 VAC 20-81-210.A.2 states in part: "The leachate collection system shall be designed and constructed to maintain less than a 30 cm depth of leachate over the liner, excluding manifold trenches and sumps."

ENFORCEMENT AUTHORITY

Va. Code § 10.1-1455 of the Waste Management Act provides for an injunction for any violation of the Waste Management Act, Waste Management Board regulations, an order, or permit condition, and provides for a civil penalty up to \$32,500 per day of each violation of the Waste Management Act, regulation, order or permit condition. In addition, Va. Code § 10.1-1455 (G) authorizes the Waste Management Board to issue orders to any person to comply with the Waste Management Act and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the Waste Management Act and regulations. Va. Code §§ 10.1-1455(D) and 10.1-1455(I) provide for other additional penalties.

FUTURE ACTIONS

After reviewing this letter, please respond in writing to DEQ **within 30 days of the date of this letter** detailing actions you have taken or will be taking to ensure compliance with state

law and regulations. If corrective action will take longer than 90 days to complete, you may be asked to sign a Letter of Agreement or enter into a Consent Order with the Department to formalize the plan and schedule. *It is DEQ policy that appropriate, timely, corrective action undertaken in response to a Warning Letter may avoid adversarial enforcement proceedings and the assessment of civil charges or penalties.*

Please advise us if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. 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. Also, if informal discussions do not lead to a satisfactory conclusion, 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. For further information on the [Process for Early Dispute Resolution](#), please see Agency Policy Statement No. 8-2005 posted on the Department's website under "Programs," "Enforcement," and "Laws, Regulations, & Guidance" (<http://www.deq.virginia.gov/Programs/Enforcement/Laws,Regulations,Guidance.aspx>) or ask the DEQ contact listed below.

Your contact at DEQ in this matter is Katy Dacey. Please direct written materials to her attention. If you have questions or wish to arrange a meeting, you may reach her directly at (804) 527-5092 or katy.dacey@deq.virginia.gov.

Sincerely,



Shawn Weimer
Land Protection Program Manager

cc: Katy Dacey, PRO Solid Waste Compliance Inspector
Priscilla Rohrer, CO Solid Waste Compliance Coordinator
ECM – SWP 604



Compliance Inspection Report

Inspection Summary

Facility: Skinquarter Land CDD Landfill
Permit: SWP604
Region: Piedmont
Inspection Type: Focused Compliance Inspection
Facility Staff: David Valdez
Other DEQ Staff: Jeremy Kazio (Technical Reviewer)

Inspector: Katy Dacey
Inspection Date: 8/25/2020
Approximate Arrival Time: 9:30am
Inspection Method: Announced
Exit Interview: Yes
Weather Conditions: 77°F sunny

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	✓
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	X
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	

Alleged Violations

Reference	Comments
20-81-530	Permittee recordkeeping and reporting - During the inspection DEQ staff observed leachate over liner depth of greater than 30 centimeters or 12 inches, which was later confirmed via email by the facility's environmental consultant. The facility did not have any record of this exceedance, and DEQ has no record of 24-hour notification nor 5-day letter being submitted.
20-81-210	<p>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 75.8 inches. The facility's consultant (LaBella Associates) later confirmed via email that, at the leachate depth observed in the sump, approximately 16,000 square feet of the Cell 1 liner had a leachate-over-liner depth of greater than 30 centimeters (12 inches), excluding the sump area. DEQ staff also confirmed with the facility's consultant that Sump #1 has an overall depth of 24 inches, so it is possible that leachate-over-liner depth was approximately 51.8 inches (75.8 inches observed, minus the 24 inch sump depth). It is suggested that the facility regularly monitor and record leachate depth over liner via the sump pump readout, and that 24-hour notification be submitted to DEQ if/when it is observed that leachate-over-liner depth exceeds 30 centimeters or 12 inches.</p> <p>Leachate is collected into leachate tanks on-site and ultimately pumped and hauled to the Proctors Creek WWTP (VA0060194). The facility hauled the following gallons per the corresponding months:</p> <p>June 2020 – 349,702 gallons July 2020 – 146,855 gallons August 2020 – 685,147 gallons</p>

General Comments

Reference	Comments
10.1-1408.1	Disclosure Statement - The facility's disclosure statement is updated as required and listed at the bottom of this report.
10.1-1408.2	Operator Certification - The facility has associated licensed operators. Operator information is listed at the bottom of this report.
20-81-100.B	Compliance with the facility's permit - The facility appeared to be in compliance with the permit during this inspection.
20-81-100.E	Unauthorized waste program and inspection - An unauthorized waste control program is being implemented at this facility. Records of unauthorized waste inspections were reviewed from June 2020 – August 2020 and were observed to meet the 1% in-state/10% out-of-state inspection frequency requirement.
20-81-140.A.17	<p>Record maintained of waste received and processed - Monthly waste intake records were reviewed from March 2020 - May 2020 and are listed below. Facility staff stated the current daily incoming waste is approximately 900 tons.</p> <p>June 2020 – 14,596 tons July 2020 – 20,494 tons August 2020 – 18,012 tons</p> <p>Intake records reviewed were observed to be below the permitted maximum daily intake of 5,500 tons per day.</p>
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.
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 - All run-on/run-off control systems were observed to be adequately constructed and maintained.
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 compactor, one dozers and one tipper were observed in operation at the working face. A back up dozer was also observed adjacent to the work face.
20-81-140.A.9-13	<p>Hazard and nuisance control - No off-site or on-site odors, blown litter, mud deposits, birds or other vectors were observed to be an issue during this inspection. Minimal fugitive was observed from truck traffic traveling to and from the work face.</p> <p>Post inspection, a complaint from Chesterfield County was received relaying a complaint from a citizen of fine particles/dust in the area surrounding the landfill in addition to out-of-state trucks going into the landfill and trucks pulling out in front of cars on to Hull</p>

	Street Road. The citizen was unsure if the air particles/dust were being emitted from the landfill. DEQ staff confirmed the dust during the inspection, informed the facility and responded to the citizens complaint.
20-81-140.C	Compaction and cover - The working face was observed to be small as practical and compaction was adequate. The facility is continuing to fill in Cell 1. Metals and other large CDD materials are screened at the work face and sent off-site to be recycled. A portion at the bottom of the South west side of the Cell 1 was observed to be uncovered. Facility staff stated this portion did not receive progressive cover due to needed maintenance to knockout pipes being buried by an operator. By the end of the day, evidence was received from facility staff that the uncovered portion observed during the inspection was completely covered.
20-81-610-660	Special Waste - No special wastes were observed during this inspection.

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
David Valdez	4605003577	12/31/2021

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.