



Florida Department of Environmental Protection

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Mr. Lenny Marion
Solid Waste Director
3151 East State Road 44
DeLand, FL 32724

OCD-SW-09-0281

Volusia County - SW
Tomoka Farms Road Landfill WACS # 27540
Class I - Permit # S064-0078767-016
Inspection Report Transmittal

Dear Mr. Marion:

On August 27, 2009, representatives of the Florida Department of Environmental Protection conducted an inspection at the above referenced facility to determine the status of compliance with solid waste regulations.

At the time of the inspection, the following was noted:

1. On the south side of the Class I landfill leachate was seeping from the landfill and flowing outside the lined area. It appeared that the leachate was mixing with storm water. This was the same problem that was observed during previous inspections.
2. There were several areas of leachate seepage on the North and West side slopes of the Class I landfill.
3. The Yard Trash area contains sections greater than 100 ft. wide and fire lanes are needed so that no part of the debris is more than 50 ft. away from emergency equipment.
4. The NW corner of the class I landfill is currently excavated due to the leachate cleanout line replacement. This was observed during the inspection on 6/12/09.

The Department has received the submittal with the revised sequence of fill plan and has given the approval for implementation to address Items 1 and 2.

Within 10 days of receipt of this letter provide the Department with a written response and digital photographs documenting the corrective actions that have been taken or will be taken to correct items 3 and 4.

If you have any questions or need further information, please contact Gloria-Jean DePradine at (407) 893-3328 or by e-mail at Gloria.Depradine@dep.state.fl.us.

Sincerely,



Gloria-Jean DePradine
Compliance and Enforcement Supervisor

Date: September 21, 2009

GD/bw

Attachment: Solid Waste Inspection Report

cc: Jennifer Stirk, Volusia County, jstirk@co.volusia.fl.us
Chet Purves, Volusia County, cpurves@co.volusia.fl.us
Darrell Abrahamson, Volusia County, dabrahamson@co.volusia.fl.us



Florida Department of
Environmental Protection
Inspection Checklist

FACILITY INFORMATION:

Facility Name: TOMOKA FARMS ROAD LANDFILL

On-Site Inspection Start Date: 08/27/2009

On-Site Inspection End Date: 08/27/2009

WACS No.: 27540

Facility Street Address: 1990 TOMOKA FARMS ROAD

City: DAYTONA BEACH

County Name: VOLUSIA

Zip: 32114

INSPECTION PARTICIPANTS:

(Include ALL Landfill and Department Personnel with Corresponding Titles)

Principal Inspector: Brad Whidden, Inspector

Other Participants: Kim Rush, Inspector; Jennifer Stirk, Representative; Gloria-Jean Depradine, Inspector

INSPECTION TYPE:

Routine Operation Inspection for Landfill - Class I facility

Routine Operation Inspection for Landfill - Class III facility

Routine Operation Inspection for Other Facilities - Yard Trash Processing Facility

ATTACHMENTS TO THE INSPECTION CHECK LIST:

This Cover Page to the Inspection Checklist may include any or all of the following attachments as appropriate.

SECTION 1.0 - FILE REVIEW

SECTION 2.0 - LANDFILL OPERATION AND MAINTENANCE

Inspection Date: 08/27/2009

SECTION 1.0 - FILE REVIEW**Requirements:**

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	FILE REVIEW (Pre- or Post-Inspection, as appropriate.) Completed	Ok	Not Ok	Unk	N/A
1.1	For landfills, is the method and sequence of filling wastes according to plans? 62-701.500(2)(f)	✓			
1.2	For landfills, are the following records being reported to the Department?(Check any that are Not OK.) <input type="checkbox"/> Waste reports (quarterly) 62-701.500(4) <input type="checkbox"/> Annual estimate of remaining life 62-701.500(13)(c)	✓			
1.3	Is leachate sampled, tested and disposed as required? 62-701.500(8)(a) & 62-701.510(6)(c)	✓			
1.4	Is gas monitoring being performed as required by the permit? 62-701.500(9) & 62-701.530(2)	✓			
1.5	Are the results of the gas sampling reported to the Department quarterly? 62-701.530(2)	✓			
1.6	Is water quality sampling and testing performed according to standard procedures and at the required frequencies? See 62-701.510(2) for landfills; 62-701.730(4)(b) & (10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.	✓			
1.7	Do the results of the water quality testing suggest there may be adverse impacts to water quality from the operation of the solid waste facility? 62-701.510(3) & (4)			✓	
1.8	For closed landfills and C&D disposal facilities with final elevations higher than 20 feet above grade, has a final survey report verifying the final elevations and contours of the facility been submitted to the Department? 62-701.610(3) & 62-701.730(9)(c)	✓			
1.9	Is financial assurance adequate? See 62-701.630 for landfills; 62-710(7)(a) & (10)(a) for WPFs; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(a) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities. NOTE: The Solid Waste Financial Coordinator in Tallahassee can assist with this information.	✓			
1.10	Are cost estimates current and adjusted every year? See 62-701.630(4) for landfills; 62-701.710(7)(b) & (10)(a) for WPFs; 62-701.730(11)(b) for C&D debris facilities; 62-713.600(6)(b) & (c) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities.	✓			
1.11	For C&D debris disposal and disposal with recycling facilities, is an Annual Report submitted to the Department for the disposal operation by April 1st of each year? 62-701.730(12)				✓
1.12	For C&D recycling facilities with no disposal, is an Annual Report for the recycling operation submitted to the Department by April 1st of each year? 62-701.710(9)(b)				✓
1.13	For compost facilities, has the compost product been sampled and analyzed every 20,000 tons or every 3 months (whichever is sooner)? 62-709.530(1)				✓
1.14	For compost facilities, has the annual report been submitted by June 1st? 62-709.530(3)				✓

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SECTION 2.0 - LANDFILL OPERATION AND MAINTENANCE**Requirements:**

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(16)) Completed	Ok	Not Ok	Unk	N/A
2.1	Unauthorized disposal/storage prohibited, except yard trash, within 500' of a potable water well? 62-701.300(2)(b)	✓			
2.2	Unauthorized disposal/storage prohibited, except yard trash, within 1000' of a potable water well serving a community water system? 62-701.300(2)(h)	✓			
2.3	Unauthorized storage/disposal of yard trash prohibited within the minimum setbacks of (Check any that are Not OK) 62-701.300(12) <input type="checkbox"/> 100 feet for potable water wells (except on-site)? <input type="checkbox"/> 50 feet for water bodies? <input type="checkbox"/> 200 feet for community water supply wells?	✓			
2.4	Unauthorized disposal/storage prohibited in an area subject to frequent and periodic flooding unless flood protection measures in place? 62-701.300(2)(d)	✓			
2.5	Unauthorized disposal/storage prohibited in any natural or artificial body of water including ground water? 62-701.300(2)(e)	✓			
2.6	Unauthorized disposal/storage prohibited, except yard trash, within 200' of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(f)	✓			
2.7	Unauthorized open burning of solid waste prohibited except in accordance with Department requirements? 62-701.300(3)	✓			
2.8	Are the following prohibited wastes or special wastes properly controlled, managed and disposed? (Check any that are Not OK) <input type="checkbox"/> Hazardous waste 62-701.300(4) <input type="checkbox"/> Biomedical waste 62-701.300(6) <input type="checkbox"/> Yard trash 62-701.300(8)(c) <input type="checkbox"/> Whole waste tires 62-701.300(8)(e) <input type="checkbox"/> Used oil, except as exempted 62-701.300(11) <input type="checkbox"/> Lead-acid batteries, mercury-containing switches and lamps in WTEs 62- <input type="checkbox"/> PCB wastes 62-701.300(5) <input type="checkbox"/> Lead-acid batteries 62-701.300(8)(a) <input type="checkbox"/> White goods 62-701.300(8)(d) <input type="checkbox"/> Liquids 62-701.300(10)	✓			
2.9	Are only permitted waste types disposed at facility? 62-701.340(3), 62-701.500(6)(a)&(2)(c)	✓			

Item No.	LANDFILL OPERATION AND MAINTENANCE Completed	Ok	Not Ok	Unk	N/A
2.10	Is there a trained operator on-site at Class I and III landfills when receiving wastes? 62-701.500(1)	✓			
2.11	Is there at least one spotter at each working face when receiving wastes at Class I and III landfills? 62-701.500(1)	✓			
2.12	Are the following records or plans current and available on-site? (Check any that are Not OK.) <input type="checkbox"/> Training Plan 62-701.320(15)(a) <input type="checkbox"/> Operating Plan 62-701.500(2) <input type="checkbox"/> Waste weight records 62-701.500(4) <input type="checkbox"/> Precipitation records 62-701.500(8)(g) <input type="checkbox"/> Load-checking program records 62-701.500(6)(a) <input type="checkbox"/> Training records 62-701.320(15)(a)	✓			

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Item No.	LANDFILL OPERATION AND MAINTENANCE Completed	Ok	Not Ok	Unk	N/A
2.12	<input type="checkbox"/> Operation record 62-701.500(3) <input type="checkbox"/> Quantity of leachate 62-701.500(8)(f)	✓			
2.13	Is the operation plan substantially followed? 62-701.500(2)	✓			
2.14	Is incoming waste weighed? 62-701.500(4)(a)&(2)(d)	✓			
2.15	Is the method and sequence of filling wastes according to plans? 62-701.500(2)(f)	✓			
2.16	Is access properly controlled to prevent unauthorized waste disposal? 62-701.500(5)	✓			
2.17	Is waste compacted as required? 62-701.500(7)(a)	✓			
2.18	Are the working face and side slopes above ground graded to a slope no greater than 3 ft. horizontal to 1 ft. vertical rise? 62-701.500(7)(c)	✓			
2.19	Is a narrow working face practiced? 62-701.500(7)(d)	✓			
2.20	Is the frequency, amount and quality of initial cover, as required? 62-701.500(7)(e)	✓			
2.21	Is the frequency, amount and quality of intermediate cover, as required? 62-701.500(7)(f)	✓			
2.22	Is litter controlled and are litter control devices maintained? 62-701.500(7)(i) and (11)(f)	✓			
2.23	Is erosion control adequate? 62-701.500(7)(j)	✓			
2.24	Is the leachate collection and removal system maintained and operated as required? 62-701.500(2)(j), 62-701.500(8)(b) & (h)		✓		
2.25	Is leachate disposed of or treated as required? 62-701.500(8)(b), (c) and (d)	✓			
2.26	If leachate recirculation is practiced at the facility, is it done in accordance with Department requirements and the Operation Plan? 62-701.400(5)				✓
2.27	Is gas controlled to not cause objectionable odors beyond the property boundary? 62-701.530(3)(b)	✓			
2.28	Is gas controlled to not allow combustible gas concentrations to exceed specified limits? 62-701.530(3)(a)	✓			
2.29	Are gas vents intact and functioning properly? 62-701.500(9) & 62-701.530(1)(a)3.	✓			
2.30	Is mixing of leachate and stormwater prevented or minimized? 62-701.500(10) & 62-701.400(9)(c)		✓		
2.31	Is stormwater management system maintained and operated as required? 62-701.500(10)		✓		
2.32	Is there sufficient operating equipment? 62-701.500(11)(a)	✓			
2.33	Is there sufficient reserve equipment (or other arrangements)? 62-701.500(11)(b)	✓			
2.34	Are communication facilities adequate? 62-701.500(11)(c)	✓			
2.35	Are approved dust control methods adequate? 62-701.500(11)(d)	✓			
2.36	Are fire protection and fire fighting capabilities adequate and operational? 62-701.500(11)(e)	✓			
2.37	Are there required signs for operational directions and public information? 62-701.500(11)(g)	✓			
2.38	Are all-weather access roads and inside perimeter roads properly maintained? 62-701.500(12)	✓			
2.39	Are ground water wells intact and properly maintained? 62-701.510(2)(b), 62-701.620(9)	✓			
2.40	Are all specific conditions in the permit being followed? 62-701.320(1)	✓			

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Pre-existing Potential Violations:

Area: South Side Slope

Rule: 62-701.500(10), 62-701.400(9)(c)

Question Number: 2.30

Explanation: Leachate is seeping from the landfill's side slope to the toe of the slope and continues to flow towards the south to an area outside of the lined landfill. There is a potential for leachate to mix with storm water. In a June 9 2009 letter from the facility it is stated that an earth berm will be constructed to contain the leachate inside the lined landfill this berm has not been constructed.

Corrective Action: First construct the earth berm as stated in the June 9 2009 letter. Second devise and submit a plan to the Department stating how the leachate seeps will be stopped or minimized.

Rule: 62-701.500(2)(j), 62-701.500(8)(h), 62-701.500(8)(b)

Question Number: 2.24

Explanation: Leachate seepage continues to be an issue on the south side of the Class I infill area east of the landfill access road. Since the previous FDEP inspection the facility dug out the area and backfilled it with gravel to act as a drain. The gravel extends down to the toe of the south slope and connects to HDPE piping. The piping runs east along phase II of the east cell and discharges the leachate at the toe of the slope on the east side slope. Along the piping run leachate is collecting outside of the pipe but within the area below grade and constructed for the piping. The lateral gas tie-in on the south side of the landfill and west of the access road is holding leachate. Lateral gas collection lines were placed in the area and tie into the southern tie-in. These lateral gas lines were installed in February 2009. This piping could be contributing to the leachate seepage in this area. It appears that all the leachate is staying within the lined landfill.

Corrective Action: I discussed the leachate issue with Jennifer Stirk and Chet Purves; we agreed that the leachate would be collected and pumped directly into the leachate collection system via the leachate clean out number five and one respectively. On April 3 2009 Leonard Marion Chet Purves and I discussed the leachate issue on the telephone. Mr. Marion agreed that directing the leachate directly back into the collection system would suffice for a temporary fix. The facility will prepare a permanent solution to fix the issue. Additionally he insured me that the leachate has remained within the lined landfill.

Comments:

06/19/2009

East of the access road:

This area continues to seep leachate along the east side of the access road. The facility has built up a dirt berm to better contain the leachate at the toe of slope. Some of this dirt is discolored indicating that leachate has passed through the berm to the area outside the lined landfill and a pump is stationed outside of the lined landfill to transfer liquid back into the bermed area. At the time of inspection all leachate was contained within the area of the lined landfill.

The HDPE piping that was previously placed at the toe of slope to collect and direct the free flowing leachate into a leachate clean-out access point has moved above ground. The pipe moved due to heavy rains and is preventing the leachate from gravity flowing into the clean-out access point. The facility stated they would place the pipe back in the ground so leachate would flow again.

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West of the access road:

The facility submitted and installed a temporary fix of the leachate seepage on the west side of the access road. The fix was to collect the seeping leachate under ground and direct it into a leachate clean-out access point. At the time of inspection the area had leachate coming out of the ground and flowing south down the side slope. A "U" shaped berm was installed to keep the leachate inside the lined landfill; however, the dirt used for the berm is discolored indicating that leachate has passed through and around the berm to an area outside the lined landfill.

Pre-existing Area Of Concern:

Area: South Side Slope
Rule: 62-701.500(10), 62-701.400(9)(c)
Question Number: 2.30
Explanation: Leachate appears to be flowing into the stormwater ditch near the haul road on the south side slopes.
Corrective Action: The facility has submitted the revised sequence of fill plan and has DEP approval for implementation.

Attachments:

Discolored dirt berm



Stormwater Canal



Rule: 62-701.500(2)(j), 62-701.500(8)(h), 62-701.500(8)(b)
Question Number: 2.24
Explanation: The haul road that runs between the east and west portions of the Phase I Class I Landfill is acting as a pathway for seeping leachate to flow aboveground down to the southern toe of the landfill on the east side of the roadway. A lesser amount of leachate is seeping and ponding on the west side of the haul road where it intersects with the East Cell haul road. It appeared that all leachate is staying within the lined landfill. Birds and deer tracks were noted along the leachate flow at the time of inspection.
Corrective Action: It is not acceptable for the seeping leachate to flow as it is currently. Submit a plan as to how the leachate seeps corrected within 15 days of receipt of this inspection report.

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Rule: 62-701.500(2)(j), 62-701.500(8)(h), 62-701.500(8)(b)

Question Number: 2.24

Explanation: Some leachate seepage is still present on the Class I north side slopes. There were also seepage areas on the west side slopes. The leachate seepage appears to continue in the same areas on the south side slopes and in the areas of the current haul road. As before, it appears that leachate is seeping through the berm that is adjacent to the haul road and is flowing into a stormwater ditch.

Corrective Action: The facility is to continue pumping excess leachate into the leachate collection system in the areas that are currently being pumped. The facility has submitted the revised sequence of fill plan and has DEP approval for implementation.

COMMENTS:

08/27/2009

Class I:

Jennifer Stirk expects that the water treatment plant should be online within a year. The facility plans to keep the leachate ponds as backup and treated water storage.

The edge of the Eastern cell is still excavated and excess leachate is being pumped. Once this area is dry enough, it will be filled again and covered. The NW corner is still excavated as part of the leachate riser repair. The piping was replaced in this area by HDPE and the area will be filled in preparation for the haul road in the coming months. As part of the new sequence of fill plan, the direction of the haul road in this area will be from the north to the south.

The recent side slope excavations and repair on the north slopes have helped the leachate seepage, although some seepage areas are still present on these slopes. 2 seepage areas near the toe of the slope were seen. There were also leachate seeps on the west side slopes. As before, the facility expects the new sequence of fill plan to alleviate these problems.

Seepage areas are still present on the south side. The leachate riser area near the haul road was still excavated and is being pumped out as noted before in the previous inspection. The dirt berm appears to still be discolored and leachate again appears to be flowing into a stormwater canal.

The facility is preparing to implement the new sequence of fill plan. They expect this to be a final solution to the current major leachate issues. DEP has approved the plan and the facility is to begin implementation as soon as possible.

Class I working face area:

There was waste protruding from the cover (flagging) near the working face where waste is not being disposed. It is recommended that the facility place intermediate cover in this area. The 12 inches can be mixed with no greater than 50% of mulch material.

Class III:

The landfill is in compliance. According to Ms. Stirk, the county is planning to expand the footprint to 25 feet of canal. Another layer of intermediate cover was added to the SW corner of the landfill.

Yard Trash Area:

The area consists of piles of land clearing debris greater than 100 ft wide. Piles must have a fire

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lane in between where no part of the yard trash pile shall be more than 50 ft from access of fire vehicles.

General Comments:

GPS coordinates were taken for several of the groundwater monitoring wells on the south side of the property. It was discussed that the inclusion of rainfall data is to be added to the quarterly waste quantity reports. A repair log was suggested for the facility's equipment. Jennifer Stirk stated that the potable water well is no longer in use and has been plugged. .

ATTACHMENTS:

Class III working face



Yard Trash area



Class I overview



excavated toe on class I W. side



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NW corner (leachate riser repair)



Class I working face



Inspection Date: 08/27/2009

Signed:

Brad Whidden

PRINCIPAL INSPECTOR NAME

Inspector

PRINCIPAL INSPECTOR TITLE*Brad Whidden***PRINCIPAL INSPECTOR SIGNATURE**

9/8/2009

DATE

Kim Rush

INSPECTOR NAME

Inspector

INSPECTOR TITLE

NO SIGNATURE

INSPECTOR SIGNATURE

FDEP

ORGANIZATION

Jennifer Stirk

REPRESENTATIVE NAME

Representative

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE**Report Approvers:**

Gloria-Jean Depradine

SUPERVISOR NAME

Inspector

SUPERVISOR TITLE

NO SIGNATURE

SUPERVISOR SIGNATURE

FDEP

ORGANIZATION

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Not Ok" or areas of concern.