

Department of Environmental Protection

COPY

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November 5, 1998

CERTIFIED MAIL NO. Z 252 621 301
RETURN RECEIPT REQUESTED

Sebring Landfill, Inc.
C/O T. Alec Rigby
P.O. Box 1536
Sebring, Florida 33871

Re: Highlands County - SW
Sebring Landfill
Number: 0137465-001-SO/22
EMA - Lake Wales Ridge

Dear Mr. Rigby:

The referenced construction and demolition (C&D) debris disposal facility was inspected on November 2, 1998, copy enclosed, as the result of a complaint alleging the site was being operated outside of the hours listed in the permit application. The inspection indicated there may be violations of Chapter 403, Florida Statutes (F.S.), and the rules promulgated thereunder. Department personnel observed the following:

- 1) Garbage and a leaking one gallon plastic jug containing waste oil were noted at the working face.
- 2) The working face area was over 60 feet in width, over 75 feet in depth, and up to 12 feet in height. The area was not compacted or sloped to a 3 feet horizontal and 1 foot vertical ratio. According to the landfill operator, Elvis Mason, the waste had been in the working face area for three days and will be transported to another facility for final disposal.
- 3) A spotter was not present at the working face when waste was received.
- 4) The designated area containing on-site soil to be used for final cover at the landfill was not posted, "Final Cover Soil" with the dimensions; area and depth.

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- 5) C&D debris has been placed on the western slope of the facility in the area recently permitted for lateral expansion.
- 6) The permit application states that the facility will be operated Monday through Friday, except holidays, from 7:00 A.M. to 5:00 P.M. Signage and conversation with Mr. Mason, confirmed that the facility is also being operated on Saturday for half a day.
- 7) The vehicle scale is not being used. According to Mr. Mason, the scale is operational. The permit application states,

“If the scale incurs a malfunction, the facility shall temporarily close until repairs are made, or some other means of obtaining correct load weights will be utilized, (i.e. another certified scale located off-site). Weight volumes will never be received at the facility by approximation. Inaccurate weights may result in inadequate cash received. Waste received by this facility shall occur only after an accurate weight by a certified scale is obtained”.

8) Groundwater Monitoring

Please find attached a copy of our letter dated February 9, 1998 acknowledging notification of monitor well relocation and abandonment. As required by the permit, well completion and construction details, and elevation information were to be provided. The July 2, 1998 letter from Thomas Roberts did not include the top of casing elevation information necessary to calculate groundwater elevations. In addition, the annotated copy of an engineering drawing provided to our office (enclosed) does not appear to show the proper location of the relocated wells. Proper documentation of their location must be submitted also. Please provide this information with your response to this letter.

The current operating permit (0137465-001-SO/22) issued on June 17, 1998 requires groundwater to be sampled during the months of September and March. If monitoring wells MW-4 and MW-5 (replacing MW-1 and MW-2, respectively) were not sampled in September 1998, please make arrangements to have them sampled by the end of this month. Please be advised that the next routine sampling shall be in March 1999.

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With regard to the analytical results for groundwater samples collected on May 19, 1998, our review revealed lead concentrations of 0.025 mg/L and 0.039 mg/L in wells MW-4 and MW-5, respectively. The Department's water quality standard is 0.015 mg/L for groundwater. As required by the permit [pursuant to F.A.C. Rule 62-701.510(7)] the Department should have been notified of the lead concentrations within 14 days, unless the wells were resampled (within 15 days) and the results did not confirm concentrations above the standard. Since samples are to be collected by the end of this month, it is recommended that groundwater, which is intended to be analyzed for metals, be collected using low-impact purge and sampling techniques (i.e. peristaltic pump). This may reduce interferences from turbidity, if it exists. If the results of analysis reveal lead is still above standards, then assessment monitoring in accordance with F.A.C. Rule 62-701.510(7) will most likely be necessary.

If you have any questions concerning compliance with groundwater quality monitoring you should direct your calls to Jeffrey G. Gould, P.G. at (941) 332-6975 or write to the letterhead address.

It is a violation of Florida Administrative Code (F.A.C.) Rule 62-701.300(1)(a) and Specific Condition Number 2 of the permit to dispose of garbage or waste oil at a construction and demolition debris disposal facility. In accordance with F.A.C. Rule 62-701.730(7) (b) and Specific Condition Number 17 of the permit C&D debris shall be disposed by compacting and sloping to 3 feet horizontal to 1 foot vertical. It is a violation of F.A.C. Rule 62-701.730(7) (d) and Specific Condition Number 9 of the permit to fail to have a trained spotter on duty at the working face at all times waste is accepted at the working face. It is a violation of Specific Condition 21 of the permit to fail to post the area of on-site soil proposed for final cover. It is a violation of Specific Condition Number 1 of the permit to fail to give the Department reasonable advance notice to inspect the final stage of construction completion for the permitted lateral expansion. It is a violation of F.A.C. Rules 62-701.320(1), 62-701.730(7) (a), and Specific Condition Number 2 of the permit to make operational changes at the facility without notifying the Department, and modifying the permit accordingly. It is a violation of Specific Condition Number 34.g. of the permit not to provide well completion and construction details, and elevation information within 30 days after installation. It is a violation of Specific Condition Number 34.b. not to comply with field sampling during the months of September and March. It is a violation of F.A.C. Rule 62-701.510(7) and Specific Condition Number 34.h. not to report the results of monitoring which reveal concentrations above the Department's water quality standards within 15 days of its finding.

Any activity on the property that may be contributing to violations of the above described statutes and rules should be ceased immediately. continued activities on the property in violation of state statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties pursuant to Sections 403.141 and 403.161, F.S.

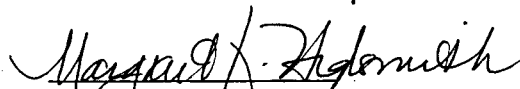
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You are requested to contact Bill Krumbholz or Robert Stewart at (941) 332-6975 within fifteen (15) days of receipt of this letter to discuss this matter. The Department is interested reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), F.S. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,



Margaret F. Highsmith
Director of
District Management

Enclosures
MFH/BK/JGG/jmw
cc: Jon Inglehart
Ghaus Minhaj
Jeff Gould ✓
Fred Royer