



# Florida Department of Environmental Protection

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

## **ELECTONIC MAIL**

[Imarion@co.volusia.fl.us](mailto:Imarion@co.volusia.fl.us)

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

OCD-SW-09-0357

Volusia County - SW  
Tomoka Farms Road Landfill WACS # 27540  
Class I - Permit # S064-0078767-023  
Inspection Report Transmittal

Dear Mr. Marion:

On November 9, 2009, a representative 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 continues to actively flow from an eroded area west of the haul road. The seepage appears to remain in the lined area of the landfill.
2. Due to heavy winds, blown litter was excessive throughout the facility.

The inspection on November 9 revealed that the implementation of the fill sequence plan is in its initial phases. Within 10 days of receipt of this letter, please submit to the Department an implementation schedule regarding the completion of the initial work and when the disposal area will be shifted to address the south side slope seepage.

Please ensure that all blown litter is collected and disposed of in a timely manner.

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](mailto:Gloria.Depradine@dep.state.fl.us).

Sincerely,



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Gloria-Jean DePradine  
Compliance and Enforcement Supervisor

Date: November 24, 2009

GD/bw

Attachment: Solid Waste Inspection Report

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



Florida Department of  
Environmental Protection  
Inspection Checklist

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**FACILITY INFORMATION:**

**Facility Name:** TOMOKA FARMS ROAD LANDFILL

**On-Site Inspection Start Date:** 11/09/2009

**On-Site Inspection End Date:** 11/09/2009

**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:** Jennifer Stirk, Environmental Specialist

**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

Routine Operation Inspection for Landfill - Class I Closed - Long Term Care 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

SECTION 3.0 - LANDFILL LONG-TERM CARE

Inspection Date: 11/09/2009

**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)				✓

Inspection Date: 11/09/2009

**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)	✓			

Inspection Date: 11/09/2009

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)	✓			

Inspection Date: 11/09/2009

**SECTION 3.0 - LANDFILL LONG-TERM CARE**

## Requirements:

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Type Of Cover: Geosynthetic Cap

Closure/Final Cover Date:12/17/2003

Post-Closure No utilization

Surrounding Land Use: Functioning Landfill

Item No.	LANDFILL LONG-TERM CARE Completed	Ok	Not Ok	Unk	N/A
3.1	Is site access controlled to prevent any unauthorized dumping? 62-701.600(5)(i)	✓			
3.2	Are any unauthorized wastes stored or disposed at the site? 62-701.600(5)(i)	✓			
3.3	Is stormwater management system maintained and operated as required? 62-701.600(5)(h)	✓			
3.4	Is the final cover properly vegetated? 62-701.600(5)(f)2.	✓			
3.5	Are there any signs of erosion of the final cover? 62-701.600(5)(f)2.	✓			
3.6	Is there any evidence of damage to the barrier layer of the final cover? 62-701.620(1)	✓			
3.7	Are areas of differential settlement being properly filled? 62-701.600(5)(f)4.	✓			
3.8	Are there any areas of ponding water on the final cover? 62-701.600(5)(f)3.	✓			
3.9	Is the leachate collection and removal system maintained and operated as required? 62-701.500(2)(j), 62-701.500(8)(b) & (h)	✓			
3.10	Is leachate disposed of or treated as required? 62-701.500(8)(b), (c) and (d)	✓			
3.11	Are there any signs of leachate seeps at the closed landfill? 62-701.500(8)(b) and 62-701.620(1)	✓			
3.12	Condition of the ground water monitoring wells. 62-701.620(1) (Check any that are Not OK.) <input type="checkbox"/> Access to monitoring wells <input type="checkbox"/> Damage to monitoring wells <input type="checkbox"/> Monitoring wells protected, secured and labeled.	✓			
3.13	Are the wells for gas monitoring and detection intact and operable? 62-701.620(5)	✓			
3.14	Is the gas collection system (active or passive) operating and maintained? 62-701.620(5)	✓			
3.15	Is gas monitoring being conducted as required? 62-701.620(5)	✓			
3.16	Are there any signs of stressed vegetation of the final cover? 62-701.620(5)	✓			
3.17	Is there any evidence that gas pressure is interfering with or causing failure of the final cover? 62-701.530(1)(a)4.	✓			
3.18	If required, are survey monuments properly installed? 62-701.610(2)	✓			
3.19	Is there a potential hazard to public health and the environment resulting from the post-closure utilization of the landfill? 62-701.610(7)	✓			
3.20	Is there a potential hazard to public health resulting from land-use changes surrounding the closed landfill?	✓			
3.21	If waste is being relocated, is this performed according to the Department's requirements? 62-701.620(8)				✓
3.22	Are all specific conditions in the closure or long-term care permit being followed? 62-701.620(2)	✓			

Pre-existing Area Of Concern:

Inspection Date: 11/09/2009

Area: South Side Slope  
Rule: 62-701.500(8)(b), 62-701.500(2)(j), 62-701.500(8)(h)  
Question Number: 2.24  
Explanation: Leachate continues to actively flow on the south side slopes west of the haul road. As before, the leachate flow is directed to an area at the toe of the east side of the active cell and remains in the lined area of the landfill.  
Corrective Action: The facility is in the initial stages of implementing the approved sequence of fill plan. The facility believes that once the plan is in effect and the south side slopes are re-worked, the leachate problems will cease. The facility is to continue these efforts.

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Rule: 62-701.500(7)(i), 62-701.500(11)(f)  
Question Number: 2.22  
Explanation: Blown litter was considerable throughout the facility. Winds were heavy the day of the inspection and the blown litter consisted mostly of plastic bags.  
Corrective Action: The facility is to take efforts to further control blown litter.

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#### COMMENTS:

11/09/2009

Class I Landfill:

The facility is still in the initial phases of the sequence of fill plan. As noted in previous inspections, the facility believes this to be a final solution to the persistent leachate side slope issues that have been present since earlier this year. At the time of inspection, no leachate seepage was noted on the north side slopes. On the south side slopes, adjacent to the haul road, leachate is still actively flowing from an eroded area down the slopes as before. It is channeled into the bermed area at the toe of the east side of the active cell where uncovered waste is present. This waste has accumulated since the area has been dug out. At the time of the inspection, all leachate seepage was contained in the lined area of the landfill. Previously, leachate flowed down the haul road and into a stormwater system. This was prevented by raising the road and creating a stronger berm on the adjacent side.

The condensate pump (#4) on the south side slopes has been moved downslope and outside the liner with a larger vault system. Jennifer Stirk stated that this has also improved the lessening of the leachate seepage on these side slopes.

As before, once the new haul road on the west side is complete, the area will be reworked to cover eroded areas and activities will shift elsewhere to hopefully eliminate seepage in this area. The next step regarding the sequence of fill plan is the partial closure and liner installment on the west side of the active cell in the area of the new haul road.

The NW corner was previously excavated due to leachate riser repair. The waste has been covered, but the corner still remains excavated to assist the new haul road construction. The footprint of the road has been laid out in preparation for liner installation.

There was a large amount of waste protruding through cover (flagging) on the NE corner of the active cell. Additional cover is to be applied in this area in the near future. The facility has recently added additional cover to the top area near the previous working face and is finishing up in this area. Once this work is complete, the NE corner is to be addressed. The flagging was noted as a recent event (10/30/09) in the facility's post storm event checklist.



Inspection Date: 11/09/2009

**Class III and Yard Trash:**

The Class III landfill is in good order. The yard trash/land clearing debris piles have been reduced in size and fire lanes are adequate.

**Other Areas:**

Blown litter throughout the facility was considerable. It should be noted that winds were very strong during the entire inspection. Jennifer Stirk stated that the facility's laborers have been working continuously to address the issue. Their work day was over by the time of inspection, however. The blown litter consisted mostly of empty plastic bags.

The facility has started a post storm event checklist. This is completed monthly and immediately after a storm event. The last event noted was on October 30 regarding the previously mentioned NE corner flagging.

**ATTACHMENTS:**

Class III working face



bermed area (toe of E. side slope)



Class I NE corner



Class I NW corner



Inspection Date: 11/09/2009

Leachate flowing on S side slope



Top of Class I Working Face



North Side Slopes



Blown litter near leachate ponds



Inspection Date: 11/09/2009

**Signed:**

Brad Whidden

**PRINCIPAL INSPECTOR NAME**

Inspector

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

FDEP

**ORGANIZATION**

11/10/2009

**DATE**

Jennifer Stirk

**REPRESENTATIVE NAME**

Environmental Specialist

**REPRESENTATIVE TITLE**

NO SIGNATURE

**REPRESENTATIVE SIGNATURE**

Volusia County

**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.