

Class III/IV Disposal Facility Inspector Training Manual 2022



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Purpose

The purpose of this training manual is to provide Division of Solid Waste Management (DSWM) inspectors best practice policy information for noting areas of concern, violations (V1), and significant violations (V2) for Tennessee Class III/IV landfills. In this document, violations are cross-referenced to the DSWM rule citations from *0400-11-01-.04 SPECIFIC REQUIREMENTS FOR CLASS I, II, III, AND IV DISPOSAL FACILITIES*¹.

This document is organized by violations listed in order as found on the inspection form. Each violation is addressed first by giving the rule citation requirements as well as “green box” policy information following.

General inspector training information is provided in green text boxes for each violation number listed on the disposal inspection checklist. This information is for training and reference purposes for DSWM staff. The “green box” policy information in this document has been developed with the recognition that there are many factors to consider for any issue of concern or violation and can vary greatly from one landfill facility to another. As such, the “green box” policy information in this document is meant as relative rules of thumb developed to help improve consistency for the DSWM inspection program state-wide. This information does not supersede the regulations or individual permits.

¹ Authority: T.C.A. § 68-211-101 et seq., 68-211-701 et seq., 68-211-801 et seq., 11-13-111, Chapter 169 of the Private Acts of 1990, and 4-5-201 et seq. Administrative History; Original rule filed June 19, 2012; effective September 17, 2012. Amendments filed December 18, 2012; effective March 18, 2013

Explanations

Area of Concern:

An area of concern is an area that needs to be watched for problems. These areas have the potential to become violations if they should elevate to the V1 violation criteria level. Areas of concern should typically be noted for issues that are not direct violations of the rule citations but have the potential of becoming direct violations if some type of action isn't undertaken. However, notation of an area of concern should not be used as a pass or allowance for time to fix a first observed V1 violation.

Violations (V1) and Significant Violations (V2):

This manual provides training information for inspectors for distinguishing between areas of concern, violations (V1), and significant violations (V2). However, this information is primarily focused towards differentiating between areas of concern and violations (V1). Generally, for all violations listed in this manual, a significant violation (V2) results from non-corrective action after a V1 violation is given. There are circumstances where significant violations (V2) can be cited upon initial inspection, however. Training information is given for those circumstances in this document as well.

A V1 violation may only be issued if there is no present or imminent risk to public health or the environment. If a V1 is cited during an inspection, then a follow-up inspection will be needed, which requires a follow up inspection date (noted on the inspection form). The follow up inspection date is determined by the inspector and dependent on the type and condition of the violation. If the V1 violation has not been corrected by the follow-up inspection, a V2 violation may be cited. An extension may be issued by the inspector if suitable progress has been made or other circumstances warrant. The extension an inspector may give is based on the time of the initial violation date and follow up inspection. The total time of both may not exceed 45 days. Please remember that **corrective action for a violation should begin "immediately"**. The establishment of a **follow up inspection date** does not authorize a facility to remain out of compliance until that date. It is the responsibility of a facility to always be in compliance with the permit and applicable regulations. A follow up inspection date is a notification to the facility of the approximate date that DSWM staff is planning to conduct a follow-up inspection. In situations, such as additional citizen's complaints, DSWM staff may return to the facility prior to the follow up inspection date.

The DSWM Environmental Field Office Manager can allow more time to defer a V2 violation if extraordinary circumstances exist (e.g., the requirement of dry weather for repair). The facility must request an extension and provide a compliance

schedule in writing to allow more time to correct the V1 violation. Email correspondence is appropriate for this procedure.

General violation policy:

A comment or written observation can be noted on the inspection form. These comments or written observations are typically areas of concern that may indicate a *potential V1 violation*. However, V1 violations are typically considered problems that *need to be corrected* in an appropriate time frame. V2 violations can typically be considered problems that *should have already been corrected or problems that present an imminent risk to public health or the environment*.

Pre-Inspection:

Staff members shall prepare a Permit Specific Summary Sheet for each landfill that includes the following:

- A. Any FACILITY-SPECIFIC PERMIT CONDITIONS that address the daily operations of the landfill;
- B. The following from the Operational Manual:
 - 1. Access Control structures and procedures;
 - 2. Summary of Sequence of Operations;
 - 3. Any details of the Covering of Waste procedures
 - 4. List of Equipment;
 - 5. Any specific Litter Control Procedures;
 - 6. Any specific Dust Control Procedures;
 - 7. Any specific Fire Safety Equipment and Procedures;
 - 8. Check previous inspection report to determine if there are reoccurring problems or violation.
 - 9. Check to see if there have been complaints concerning the facility.
 - 10. Check for information on any current or new special wastes.
 - 11. Check records for random inspections, volume of waste received, asbestos received, gas monitoring records, groundwater monitoring record and personnel training.

Permit Specific Summary Sheets Parts A and B shall be updated when the permit is modified.

8010

Inadequate vector control

Citation Reference: 0400-11-01-.04(2)(a)1

General Facility Standards – Overall Performance Standard - The facility must be located, designed, constructed, operated, maintained, closed, and cared for after closure in such a manner as to minimize to the extent practicable the propagation, harborage, or attraction of birds and flies, rodents, or other disease vectors.

Inspector Information (8010)

Control of disease vectors is one of the main goals of the proper operation of a landfill. Vectors at Class III/IV landfills are unlikely because they do not take organic matter. *However, if the number of vectors is large, the evidence (rat burrows, maggots) is significant, or an indication that*

breeding or increasing numbers is observable, this violation (V1) may be cited.

It is acceptable for domestic animals to be onsite if they are fed, shelter and water is provided and they are being given proper care. If these animals are abandoned, creating a health or safety issue or are having to compete for food (ie. In the waste) then a violation may be issued.

8020

Access not limited to operating hours

Citation Reference: 0400-11-01-.04(2)(a)4

General Facility Standards – Overall Performance Standard - The facility must be located, designed, constructed, operated, maintained, closed, and cared for after closure in such a manner as to minimize to the extent practicable the exposure of the public to potential health and safety hazards through uncontrolled or unauthorized public access.

Inspector Information (8020)

If the public had access to the landfill when it was not in operation, scavenging, burning, and indiscriminate dumping would be possible. Resources would then have to be diverted from normal operations to restore acceptable conditions. *For this reason, public access should be limited to clearly posted hours that are consistent with facility's permit—if not, a V1 violation should be cited.* This violation concerns public access and not facility operation.

8030

Inadequate artificial or natural barrier

Citation Reference: 0400-11-01-.04(2)(b)1

General Facility Standards – Control of Access and Use - The facility must have an artificial or natural barrier which completely surrounds the active portion of the facility and must have a means to control entry, at all times, through the gate or other entrances to the active portion of the facility.

Inspector Information (8030)

The required barrier is intended to prohibit vehicular traffic (or easy foot traffic) from entering the active portion of the landfill when the site is not in operation. “Natural barriers” are usually described on plans or addressed in permit. “Artificial barriers” includes gates, cables, fencing, or other artificial means of *controlling* access (and are also usually described on plans or addressed in permit). A violation can be cited if evidence of access (e.g., ATV or 4x4 tracks, etc.) to controlled portions of the landfill exists; there should be clear indications of non-controlled access before a violation is cited. *If a breach in barrier by more natural means (e.g., tree fallen on fence, etc.) is observed, a written comment can be made and a chance given to avoid a V1 violation. If nothing is corrected upon follow-up or next inspection, a violation may be cited.*

8040

Inadequate information signs

Citation Reference: 0400-11-01-.04(2)(b)2

General Facility Standards – Control of Access and Use - If open to the public, the facility must have clearly visible and legible signs at the points of public access which indicate the hours of operation, the types of waste materials that either will or will not be accepted, emergency telephone numbers, schedule of charges (if applicable), and any other necessary information.

Inspector Information (8040)

Signage at Class III/IV landfills is usually described in the facility’s permit. The regulatory requirement of this signage requires, at the very least, visible and legible signs at points of public access that describes hours of operation, types of waste materials that will or won’t be accepted, emergency numbers, schedule of charges (if applicable), and any other necessary information. Questions regarding this violation should typically default to what is described in their permit. Also, as a reference, please refer to TCA 68-211-703(h) for more information on signage. However, it is possible that extreme weather events may occur (e.g. flooding or severe snow/ice storms) and consideration of such events should be given. The facility operator has the ability to adjust and modify daily operating hours in inclement weather conditions to ensure customer and

employee safety at the facility.

8050

Violation Number: **8050**

Unsatisfactory access road(s)/parking area(s)

Citation Reference: 0400-11-01-.04(2)(b)3

General Facility Standards – Control of Access and Use - If the facility is open to the public, or if it is otherwise necessary for proper operation, roads within the facility, easements, and parking areas shall be designed, constructed, and maintained so as to be accessible in all weather conditions. Traffic control signs shall be provided as necessary to promote an orderly traffic pattern to and from the solid waste discharge area to maintain efficient operating conditions.

Inspector Information (8050)

If operating portions of the landfill are not accessible and/or are potentially dangerous to access due to poor road conditions, a V1 violation should be cited. An uncorrected V1 violation can trigger a significant V2 violation upon follow-up. The regulatory language states that roads must be maintained so as to be accessible in all weather conditions. Weather can potentially affect normal operations and impede regular operations, however, roads should be maintained in order to not drastically slow or stop operations.

8060

Violation Number: **8060**

Trained personnel not present during operating hours

Citation Reference: 0400-11-01-.04(2)(b)4

General Facility Standards – Control of Access and Use –

The facility must have trained personnel present and on duty at all times it is in operation to assure compliance with operational requirements and to prevent entry of unauthorized waste

Inspector Information(8070)

Landfill Operator Training certification is not required for Class III/IV facilities. The facility must have trained personnel present and on duty at all times the facility is in operation. Training is to be in operational requirements and to prevent entry of unauthorized wastes. Documentation of training needs to be onsite. If trained by S.U.I.T. trained personnel, the documentation may be in the form of a signed and dated sheet documenting this training. Recertification of S.U.I.T. trainers will be annually. See example of training record document in appendix.

8070

Violation Number: **8070**

Unapproved salvaging of waste

Citation Reference: 0400-11-01-.04(2)(b)6

General Facility Standards – Control of Access and Use - There must be no scavenging at the facility. Any salvaging or recycling operations must be conducted at safe, designated areas (not the working face) and times, and in a sanitary manner.

Inspector Information (8070)

An important distinction for this violation is the difference between approved salvaging/recycling operations (conducted by landfill personnel usually in accordance with an approved plan) for the separation of reusable materials and scavenging from the public or site employees. Scavenging is prohibited; the landfill should be actively prohibiting this practice.

8080

Violation Number: **8080**

Evidence of open burning

Citation Reference: 0400-11-01-.04(2)(c)1

Fire Safety - Except as may be specifically authorized by the Department:

- (i) The operator must not permit or engage in open burning of solid wastes at the facility. Any open burning that does occur must be immediately extinguished.
- (ii) The operator must not allow solid wastes which are burning or smoldering to be deposited into the active portion of the facility. Any such wastes that are received must be deposited at a location safely removed from the

active portion and extinguished before being deposited into the active portion.

Inspector Information (8080)

As the rule describes above, no burning of waste should occur at the working face of the landfill. If burning is occurring at the working face, a V2 violation may be cited. Each permitted facility should have a fire control plan inside the operation manual.

Violation Number: **8090**

8090

Inadequate fire protection

Citation Reference: 0400-11-01-.04(2)(c)2

Fire Safety - The facility must have, on-site and continuously available, properly maintained fire suppression equipment in sufficient quantities to control accidental surface fires that may occur, or arrangements must be made with the local fire protection agency to provide immediate fire-fighting services when needed. Additional earth moving equipment shall be brought to the facility as necessary to help suppress an underground fire.

Inspector Information (8090)

This violation is typically permit-specific. In the permit, the operations manual should describe whether the facility is covered by a fire department or if the facility will use on-site fire suppressant equipment. Whatever the case, fire suppression equipment should be consistent with the permit conditions. If fire suppressant equipment is called for in the permit, the required equipment must be onsite and operational. If fire suppressant equipment is not available a V1 may be issued. If a minimal number is not operational a V1 may be issued. If a significant number are not operational then a V2 may be issued. By law fire extinguishers are to be checked at least annually. If a fire extinguisher has had the pin puller or not inspected within 12 months, it would not be considered operational. Facility personnel are required to do monthly inspections for lock pin, hose, gauge and to ensure that nothing is obstructing the hose. The fire extinguisher needs to be rotated to ensure the powder doesn't become hardened.

Violation Number: **8110**

8110

Unsatisfactory litter control

Citation Reference: 0400-11-01-.04(2)(d)

Litter Control - A facility must be operated and maintained in a manner to minimize litter. Fencing, diking and/or other practices shall be provided as necessary to confine solid wastes subject to dispersal. All litter must be collected for disposal in a timely manner.

Inspector Information (8110)

Class III/IV landfills should be active in addressing litter. Permits should address litter control in detail. The primary concern for this violation is whether litter is being addressed in a “timely manner” as stated by the rule. Windy conditions and presence of an active litter pickup crew should be considered in determining if a violation will be cited. If litter has been observed for a long period of time (e.g., as evidenced in comparable pictures or obvious “homesteading” is observed), then a V1 violation may be issued.

Litter that is in trees that are onsite, not easily accessible and has not left the landfill property, will receive an AOC if proper litter control measures are in place and other litter issues are being dealt with in accordance with Regulations.

Violation Number: 8120

8120 Inadequate employee facilities

Citation Reference: 0400-11-01-.04(2)(e)

Personnel Services - At Class I, and at Class II, Class III and Class IV disposal facilities, as may be specified in the permits, there must be provided:

1. A building or other shelter which is accessible to facility personnel and which has adequate screening, heating facilities, and lighting;
2. Safe drinking water; and
3. Sanitary hand washing and toilet facilities.

Inspector Information (8120)

These conditions should be covered in the permit and should be described as in the rule above. Bottled water and portable toilets are acceptable for satisfying this requirement. If those conditions are not met, a V1 violation may be cited. If not corrected by a follow-up date or next inspection, a significant V2 violation may be cited.

8130

No communication devices

Citation Reference: 0400-11-01-.04(2)(f)

Communications - The facility must have operating and effective communications devices (e.g., telephone, 2-way radio) capable of summoning emergency assistance on-site and available to facility personnel at all times the facility is in operation.

Inspector Information(8130)

Reasonable and effective communication (facility provided) equipment (e.g., radios, cellular phones, etc.) should be available to landfill personnel to summon emergency assistance. If those conditions are not met, a V1 violation may be cited. If not corrected by a follow-up date or next inspection, a significant V2 violation may be cited.

8140

Inadequate operating equipment

Citation Reference: 0400-11-01-.04(2)(g)

Operating Equipment - At Class I disposal facilities, and at Class II, Class III, and Class IV disposal facilities, unless the Commissioner deems some other arrangement as adequate for proper facility operation, there must be maintained on-site operating equipment capable of spreading and properly compacting the volume of solid wastes received, and capable of handling the earthwork required. Back-up equipment must be available within 24 hours of primary equipment breakdown.

Inspector Information (8140)

If equipment failure or unavailability of necessary equipment impedes the normal operation and/or daily cover requirements, then a V1 may be given. This violation will typically accompany another violation(s). If equipment failure/unavailability is causing another violation, then this violation may also be cited.

8150

Unavailability of backup equipment

Citation Reference: 0400-11-01-.04(2)(g)

Operating Equipment - At Class I disposal facilities, and at Class II, Class III and Class IV disposal facilities, unless the Commissioner deems some other arrangement as adequate for proper facility operation, there must be maintained on-site operating equipment capable of spreading and properly compacting the volume of solid wastes received, and capable of handling the earthwork required. Back-up equipment must be available within 24 hours of primary equipment breakdown.

Inspector Information(8150)

As specified in the facility's permit, back-up equipment must be available within 24 hours of primary equipment breakdown. The permit conditions could allow a contract service or secondary off-site equipment to be designated. It may be cited as a V1 violation if it is determined other violations can be traced back to lack of backup equipment.

8160

Unavailability of cover material

Citation Reference: 0400-11-01-.04(2)(h)

Availability of Cover Material - Cover material sufficient to meet the initial and intermediate cover requirements of this rule must be available at the facility. If such material must be hauled in from off-site, at least a 30-day supply shall be maintained on-site at all times.

Inspector Information(8160)

Cover should be available on-site to meet initial and intermediate requirements. The amount available for use at the site (soil borrow/storage areas) is usually addressed in the permit. If such material must be hauled in from off-site, at least a 30-day supply shall be maintained on-site at all times.

Inadequate maintenance of run-on/run-off system(s)

Citation Reference: 0400-11-01-.04(2)(i)1-5

Run-on, Run-off, and Erosion Control

1. The operator must design, construct, operate, and maintain a run-on control system capable of preventing flow onto the active portion of the facility for all flow up to and including peak discharge from a 24-hour, 25-year storm.
2. The operator must design, construct, operate, and maintain a run-off management system to collect and control at least the peak flow volume resulting from a 24-hour, 25-year storm.
3. Holding facilities (e.g., sediment basins) associated with run-on and run-off control systems must be designed to detain at least the water volume resulting from a 24-hour, 25-year storm and to divert through emergency spillways at least the peak flow resulting from a 24-hour, 100-year storm.
4. Collection and holding facilities associated with run-on and run-off control systems must be emptied or otherwise managed expeditiously after storms to maintain design capacity of the system.
5. Run-on and run-off must be managed separately from leachate unless otherwise approved by the Commissioner.

Citation Reference: 0400-11-01-.04(8)(c)4(i)

Closure and Post-Closure Standards - Closure Requirements

The final surface of the disposal facility or disposal facility parcel shall be graded and/or provided with drainage facilities in a manner that minimizes precipitation run-on from adjacent areas onto the disposal facility or disposal facility parcel.

The final surface of the disposal facility or disposal facility parcel shall be graded and/or provided with drainage facilities in a manner that provides a surface drainage system which is consistent with the surrounding area and in no way significantly adversely affects proper drainage from these adjacent lands.

Inspector Information (8170)

The performance standards should be adhering to permit plans. This violation will usually be coupled with 8180 regarding erosion control. The primary question for consideration of this violation is: Is improper maintenance leading to a run-on or run-off problem? If so, it is a V1 violation. With collaboration of the DSWM permit-writer/engineer, a determination can be made on how to mitigate the cited run-on/run-off issue. This violation is for improper maintenance of a 24-hour, 25-year storm designed run-on/run-off system as designed in the permit. If water exits the site outside of a DSWM permit approved system a V1 should be cited. For issues involving temporary run-on/run-off controls that are not designed for a 24-hour, 25-year storm, an area of concern can be noted. **Sometimes this should be obvious. If a check dam is blown out or a ditch filled with sediment, then a lot of consultation should not be needed.**

Violation Number: **8180**

0 Inadequate erosion control

8 **Citation Reference:** 0400-11-01-.04(2)(i)6

1 Run-on, Run-off, and Erosion Control - The operator must take other erosion control measures (e.g., temporary mulching or seeding, silt barriers) as necessary to control erosion of the site.

8 **Citation Reference:** 0400-11-01-.04(8)(c)4(ii)

Closure and Post-Closure Standards - Closure Requirements - The final surface of the disposal facility or disposal facility parcel shall be graded and/or provided with drainage facilities in a manner that minimizes erosion of cover material (e.g., no steep slopes).

Citation Reference: 0400-11-01-.04(8)(c)5

Closure and Post-Closure Standards - Closure Requirements - In order to minimize soil erosion, as soon as practicable after final grading, the operator shall take steps as necessary to establish a protective vegetative cover of acceptable grasses over disturbed areas of the site. These steps shall include seeding, mulching, and any necessary fertilization at a minimum, and may include additional activities such as sodding of steeper slopes and drainage ways if such are necessary.

Inspector Information(8180)

The facility must take permit-specified action for minimizing erosion. Erosion on side slopes should be evaluated. Minor erosion rills occurring on recently completed slopes where grass has yet to be established may not be a violation, as long as Best Management Practices (BMPs) are being utilized to minimize and correct the erosion. When BMPs are not being consistently implemented and there are obvious signs of erosion (such as hard channelizing, or erosion rills with a depth of 50% of the thickness of the **Regulatory** required cover) are present, **a V1 violation should be issued**. If a discharge from erosion is causing an objectionable contrast to receiving waters or visible loss of sediment from a site is observed, the Division of Water Resources (DWR) should also be notified (as described in MOA policy information, [PN084](#)).

Violation Number: **8190**

8190

Inadequate dust control

Citation Reference: 0400-11-01-.04(2)(j)

Dust Control - The operator must take dust control measures as necessary to prevent dust from creating a nuisance or safety hazard to adjacent landowners or to persons engaged in supervising, operating, and using the site. The use of any dust suppressants (other than water) must be approved in writing beforehand by the Department.

Inspector Information(8190)

Class III/IV facilities should be taking measures to control dust in some way. The facility should be able to show effort in adhering to their specific permit conditions regarding dust control. In order to cite a violation, dust must be causing a safety hazard to the public, personnel on site or adjacent property owners. If the source of the dust is from a special waste, the facility must adhere to the special handling conditions written in the special waste permit. If those special handling conditions are not met, this violation may be paired with Violation 8300 (mishandling of special waste) and a V2 may be warranted.

Violation Number: **8210**

8210

Unauthorized waste accepted

Citation Reference: 0400-11-01-.04(2)(k)1

Waste Restrictions - A facility may receive for disposal only those solid wastes it is allowed to manage under the terms of its permit.

Citation Reference: 0400-11-01-.01(3)(c) and (d)

Class III Disposal Facility refers to a landfill which is used or to be used for the disposal of farming wastes, landscaping and land clearing wastes, demolition/construction waste, shredded automotive tires, and/or certain wastes having similar characteristics and approved in writing by the Department.

Class IV Disposal Facility refers to a landfill which is used or to be used for the disposal of demolition/construction wastes, shredded automotive tires, and certain wastes having similar characteristics and approved in writing by the Department.

Inspector Information(8210)

Permitted Class III/IV wastes are specified in individual permits. If a facility is accepting wastes that have not been approved in the facility permit (e.g., liquid wastes, whole tires, properly controlled medical waste, radioactive wastes), then a violation should be cited. Refer to permit and special waste approvals. Refer to individual permit for any questionable waste acceptance practices. **Dead animals should be a V2 violation.**

Violation Number: **8220**

8220

Unapproved special waste accepted

Citation Reference: 0400-11-01-.01(4)(b)

General Requirement - Except as may be specifically allowed in the permit, an operator may not accept, for processing or disposal at his facility any special waste unless and until specifically approved to do so in writing by the Department. Facilities shall not process or dispose of special waste for which approval by the Department has expired. Special waste generators shall not send off-site to processing or disposal facilities special waste for which approval by the Department has expired unless the facility has specific authority in the permit to accept such waste.

Citation Reference: 0400-11-01-.01(4)(c)5

Procedures - Landfills and/or waste processing facilities shall not accept a special waste at their facilities without the written, special waste approval from the Department unless the waste is specifically authorized in the facility permit.

Citation Reference: 0400-11-01-.01(3)(c) and (d)

Class III Disposal Facility refers to a landfill which is used or to be used for the disposal of farming wastes, landscaping and land clearing wastes, demolition/construction waste, shredded automotive tires, and/or certain wastes having similar characteristics and approved in writing by the Department.

Class IV Disposal Facility refers to a landfill which is used or to be used for the disposal of demolition/construction wastes, shredded automotive tires, and certain wastes having similar characteristics and approved in writing by the Department.

Inspector Information(8220)

Class III/IV facilities are issued special waste approvals for individual waste streams that, by regulatory definition, are either difficult or dangerous to manage. Class III/IV facilities shall only accept Special Wastes that have similar characteristics to permitted wastes (see Special Waste Guidance [PN135](#)). Inspectors should be familiar with their site's approved special wastes. If a waste is in question at time of inspection, the inspector may confirm the approval of that special waste stream. If such a waste is observed at the disposal area and not approved, a V2 violation may be cited.

Violation Number: **8230**

8230

Tires improperly handled

Citation Reference: 0400-11-01-.04(2)(k)3.(i)

Waste Restrictions - Discarded Tires - No landfill shall accept for disposal any whole tires.

Inspector Information(8230)

Some discretion on the part of the inspector is required here; however, a violation is warranted only when whole tires are on the working face without an observable system of sorting and removing tires as described in the facility's individual permit. Previously, some leeway was given to removing observed whole tires from the working face due to safety concerns. If whole tires are observed, they should be removed if it can be done without creating undue safety issues.

8270

Exposed solid waste

Citation Reference: 0400-11-01-.04(2)(a)(3)Overall Performance Standard - The facility must be located, designed, constructed, operated, maintained, closed, and cared for after closure in such a manner as to minimize to the extent practicable: The potential for releases of solid wastes, solid waste constituents, or other potentially harmful materials to the environment except in a manner authorized by state and local air pollution control, water pollution control, and/or waste management control agencies.

Inspector Information(8270)

Regarding the overall performance standard, there should be no exposure of emplaced solid waste. An observance of waste being exposed due to erosion or cover stability should be cited as a violation. This will be coupled with an erosion control violation. For emplaced waste to have been exposed, erosion would have to exceed 50% in depth. If waste is found to have left the site this would be an unpermitted release of solid waste and may be a V2

8280

No permanent benchmark

Citation Reference: 0400-11-01-.04(2)(o)

Permanent Benchmark - There must be installed on-site a permanent benchmark (e.g., a concrete marker) of known elevation.

Inspector Information(8280)

The permanent benchmark is usually denoted in the permit plans. This benchmark, by rule, must be present and maintained.

Inadequate random inspection program

Citation Reference: 0400-11-01-.04(2)(s)

0400-11-01-.04(2)(s) - Random Inspection Program - The owner or operator of a permitted landfill must implement a program at the facility for detecting and preventing the disposal of regulated hazardous waste, unauthorized special waste, PCBs (>50 ppm), whole tires, lead-acid batteries, and liquid wastes. This program must include at a minimum:

1. Random inspection of five percent of the daily incoming loads.
2. Inspection of all suspicious loads.
3. Records of all inspections must be maintained in a bound notebook, and include the inspection date, vehicle identification, driver signature, identification of any unauthorized waste, disposition of any unauthorized waste, and facility inspector signature.
4. Training of facility personnel to recognize regulated hazardous waste.
5. Procedures for notifying the appropriate Division field office if an unauthorized waste is identified and left at the facility.

Inspector Information(8290)

Minimum requirements are listed above and in the rules. A random inspection program is also usually described in the facility's permit. This program should adhere to the facility's permit conditions and at a minimum the requirements above. If not, a V1 violation may be cited. See example in appendix.

Mishandling of special waste

Citation Reference: 0400-11-01-.01(4)(d)1.

Special Waste Approval Process - Conditional Approval - In his approval, the Commissioner shall specify those management conditions which he deems

necessary to prevent or minimize potential adverse impacts to public health, and the environment in order to promote safe and efficient facility operations. Failure to meet the required management conditions is unlawful disposal under the Act.

Inspector Information(8300)

Class III/IV facilities are issued special waste approvals for individual waste streams that, by regulatory definition, are either difficult or dangerous to manage. Class III/IV facilities shall only accept Special Wastes that have similar characteristics to permitted wastes (see Special Waste Guidance [PN135](#)). Special waste approvals usually specify special handling conditions for various types of waste. **If a special waste is observed that is not being handled as required by their special waste approval conditions, a V2 should be issued as unlawful disposal under the Act.**

Violation Number: **8310**

8310

Buffer zone standard violated

Citation Reference: 0400-11-01-.04(3)(a) and (c)

Buffer Zone Standards for Siting Landfills - Class I Disposal Facilities must be located, designed, constructed, operated, and maintained such that the fill areas are, at a minimum:

1. 100 feet from all property lines;
2. 500 feet from all residences, unless the owner of the residential property agrees in writing to a shorter distance;
3. 500 feet from all wells determined to be downgradient and used as a source of drinking water by humans or livestock; and
4. 200 feet from the normal boundaries of springs, streams, lakes, (except that this standard shall not apply to any wet weather conveyance nor to bodies of water constructed and designed to be a part of the facility),
5. A total site buffer with no constructed appurtenances within 50 feet of the property line.

Class III and Class IV Disposal Facilities must meet the same buffer zone standards for siting as Class I facilities (subparagraph (a) of this paragraph).

Inspector Information(8310)

Buffer Zone Standard minimums are stated in the rules above, but all questions regarding buffer requirements should be checked according to the facility's permit conditions. In consultation with the DSWM engineer, if reasonable questions arise regarding a buffer zone standard, the latest survey can be requested. A survey request may need to be made to check permitted buffer zone standards.

Violation Number: **8350**

8350

Leachate observed at the site

Citation Reference: 0400-11-01-.04(2)(a)(3)

Overall Performance Standard - The facility must be located, designed, constructed, operated, maintained, closed, and cared for after closure in such a manner as to minimize to the extent practicable: The potential for releases of solid wastes, solid waste constituents, or other potentially harmful materials to the environment except in a manner authorized by state and local air pollution control, water pollution control, and/or waste management control agencies.

Inspector Information(8350)

Leachate observed on an interior slope and has no potential to leave the cell is not an issue.

Leachate observed on an exterior slope will be dealt with using the following guidelines:

- If the leachate outbreak is found by facility personnel, contained to prevent possible further contamination, and the DSWM is notified and a corrective action plan established, then an area of concern may be issued. Identify, Contain, Notify, Correct. ICNC. Notification may be a phone call, email or some type of logbook so the inspector can be notified prior to beginning the inspection.
- If the leachate seep is discovered by the inspector and is still within the cell perimeter a V1 violation may be issued.
- If the leachate outbreak is outside the cell perimeter whether found by facility personnel or the inspector a V2 violation will be issued.

8360

Leachate entering run-off

Citation Reference: 0400-11-01-.04(2)(a)(3)

Overall Performance Standard - The facility must be located, designed, constructed, operated, maintained, closed, and cared for after closure in such a manner as to minimize to the extent practicable: The potential for releases of solid wastes, solid waste constituents, or other potentially harmful materials to the environment except in a manner authorized by state and local air pollution control, water pollution control, and/or waste management control agencies.

Inspector Policy (8360)

Leachate that enters runoff has a high potential for harm to the environment. This violation will be determined in part by the location of the violation. If the violation is in any runoff area that is outside the perimeter of the cell, then a V2 violation MUST be cited. Any leachate outside the cell perimeter has a high potential for impact on surface and/or groundwater. While it is required that this leachate be collected and properly dealt with, it is impossible to ensure that environmental impacts have not already occurred. If the leachate is STILL within the cell perimeter, then the inspector may apply the following approach:

- If the leachate outbreak is found by facility personnel, contained to prevent possible further contamination, and the DSWM is notified and a corrective action plan established, then an area of concern may be issued ICNC. Notification may be a phone call, e-mail or some type of logbook so the inspector can be notified prior to beginning the inspection.
- If the corrective action plan is not followed, then a V1 may be issued.
- If the leachate seep is discovered by the inspector and is still within the cell perimeter a V1 violation may be issued.
- If the leachate outbreak is outside the cell perimeter whether found by facility personnel or the inspector a V2 violation will be issued.

8370

Leachate entering a water course

Citation Reference: 0400-11-01-.04(2)(a)(3)

Overall Performance Standard - The facility must be located, designed, constructed, operated, maintained, closed, and cared for after closure in such a manner as to minimize to the extent practicable: The potential for releases of

solid wastes, solid waste constituents, or other potentially harmful materials to the environment except in a manner authorized by state and local air pollution control, water pollution control, and/or waste management control agencies.

Inspector Information (8370)

If leachate is observed entering surface water or likely groundwater (waters of the state), then a V2 violation should be cited. There should be no V1s cited for this violation. **In addition, normally a plan to conduct sampling of the body of water and/or coordination of an investigation with the DWR should be implemented. A violation could result in additional action from other state and Federal agencies (e.g., Division of Water Resources or the Army Corps of Engineers).**

Violation Number: **8380**

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Inadequate gas migration control system

Citation Reference: 0400-11-01-.04(5)(a) and (b)

Gas Migration Control Standards - Class I Disposal Facilities must be designed, constructed, operated, and maintained such that any gases generated by decomposition or other reaction of solid waste are collected and vented, recovered, or otherwise managed such that:

1. There is no buildup of gas pressure under the final cover such that the functions of such cover (including any cap) are compromised;
2. The concentration of explosive gases in facility structures (excluding gas control or recovery system components) does not exceed 25 percent of the lower explosive limit for the gases;
3. The concentration of explosive gases at the property boundary does not exceed the lower explosive limit for the gases.
4. The minimum frequency of monitoring shall be quarterly and the operator shall keep records to comply with the monitoring and records requirements at part (5)(a)9 of Rule 0400-11-01-.02; and monitoring shall include at least the following locations:
 - (i) Underneath or in the low area of each on-site building;
 - (ii) At locations along the boundary as shown in the permit;

- (iii) At any potential gas problem areas, as revealed by dead vegetation or other indicators; and
- (iv) At any other points required by the permit.

5. Within 60 days of detection above the limits set in parts 1, 2, and 3 of this subparagraph, implement a Department approved remediation plan for the methane gas releases. Pending the remediation, the owner/operator must take all necessary steps to ensure immediate protection of human health.

Class II and Class III Disposal Facilities must meet the standards for Class I disposal facilities in subparagraph (a) of this paragraph unless the operator demonstrates to the satisfaction of the Commissioner that, due to the nature of his solid wastes or operation, no significant amounts of gas will be generated within his facility.

Citation Reference: 0400-11-01-.04(5)(c)

Class IV Disposal Facilities shall not be required to have gas migration control features.

Inspector Information(8380)

Individual permits should require specific gas migration control system conditions. However, at a minimum, the rules above (Gas Migration Control Standards) require no buildup of gas pressure under the final cover system, exceeding the lower explosive (LEL) limits at the property boundary, and quarterly gas monitoring. If quarterly gas monitoring documents have not been submitted to the field office or are not available at the facility, a V1 should be cited; if these quarterly gas monitoring documents can't be produced at all, a V2 should be cited. This is a violation that may be directly related to the permit. Some Class III/IV permits do not require gas monitoring. If this is the case, then permit conditions supersede general policy.

Potential gas problem areas can be revealed by dead vegetation or odor. If gas problem areas have been identified, action is required that adheres to the rules cited above. Violations, at this point, would be cited if monitoring isn't implemented. DSWM does not regulate odors; however, this may indicate the gas collection system (if present) needs evaluation/repair/adjustment. If the problem areas mentioned above are outside the disposal area, a different course of action is needed compared to if the problems are within the disposal area.

Inadequate maintenance of gas migration control system

Citation Reference: 0400-11-01-.04(5)(a) and (b)

Gas Migration Control Standards - Class I Disposal Facilities must be designed, constructed, operated, and maintained such that any gases generated by decomposition or other reaction of solid waste are collected and vented, recovered, or otherwise managed such that:

1. There is no buildup of gas pressure under the final cover such that the functions of such cover (including any cap) are compromised;
2. The concentration of explosive gases in facility structures (excluding gas control or recovery system components) does not exceed 25 percent of the lower explosive limit for the gases;
3. The concentration of explosive gases at the property boundary does not exceed the lower explosive limit for the gases.
4. The minimum frequency of monitoring shall be quarterly and the operator shall keep records to comply with the monitoring and records requirements at part (5)(a)9 of Rule 0400-11-01-.02; and monitoring shall include at least the following locations:
 - (i) Underneath or in the low area of each on-site building;
 - (ii) At locations along the boundary as shown in the permit;
 - (iii) At any potential gas problem areas, as revealed by dead vegetation or other indicators; and
 - (iv) At any other points required by the permit.
5. Within 60 days of detection above the limits set in parts 1, 2, and 3 of this subparagraph, implement a Department approved remediation plan for the methane gas releases. Pending the remediation, the owner/operator must take all necessary steps to ensure immediate protection of human health.

Class II and Class III Disposal Facilities must meet the standards for Class I disposal facilities in subparagraph (a) of this paragraph unless the operator

demonstrates to the satisfaction of the Commissioner that, due to the nature of his solid wastes or operation, no significant amounts of gas will be generated within his facility.

Citation Reference: 0400-11-01-.04(5)(c)

Class IV Disposal Facilities shall not be required to have gas migration control features.

Inspector Information(8390)

In the case of above-ground components of the gas migration control system, the walkover inspection should reveal leaking joints, line breaks, bubbling low points, an indication of major pressure differentials (e.g., liners bubbling up), line displacement due to thermal expansion, etc., that need repairing. If any identification of these problems is observed, a V1 violation may be cited. This is a violation that may be directly related to the permit. Some Class III/IV permits do not require gas monitoring. If this is the case, then permit conditions supersede general policy

Violation Number: **8420**

8420

Potential for explosions or uncontrolled fires

Citation Reference: 0400-11-01-.04(2)(a)2

Overall Performance Standard - The facility must be located, designed, constructed, operated, maintained, closed, and cared for after closure in such a manner as to minimize to the extent practicable:

2. The potential for explosions or uncontrolled fires.

Citation Reference: 0400-11-01-.04(5)(a) and (b)

Gas Migration Control Standards - Class I Disposal Facilities must be designed, constructed, operated, and maintained such that any gases generated by decomposition or other reaction of solid waste are collected and vented, recovered, or otherwise managed such that:

1. There is no buildup of gas pressure under the final cover such that the functions of such cover (including any cap) are compromised;
2. The concentration of explosive gases in facility structures (excluding gas control or recovery system components) does not exceed 25 percent of the lower explosive limit for the gases;

3. The concentration of explosive gases at the property boundary does not exceed the lower explosive limit for the gases.
4. The minimum frequency of monitoring shall be quarterly and the operator shall keep records to comply with the monitoring and records requirements at part (5)(a)9 of Rule 0400-11-01-.02; and monitoring shall include at least the following locations:
 - (i) Underneath or in the low area of each on-site building;
 - (ii) At locations along the boundary as shown in the permit;
 - (iii) At any potential gas problem areas, as revealed by dead vegetation or other indicators; and
 - (iv) At any other points required by the permit.
5. Within 60 days of detection above the limits set in parts 1, 2, and 3 of this subparagraph, implement a Department approved remediation plan for the methane gas releases. Pending the remediation, the owner/operator must take all necessary steps to ensure immediate protection of human health.

Class II and Class III Disposal Facilities must meet the standards for Class I disposal facilities in subparagraph (a) of this paragraph unless the operator demonstrates to the satisfaction of the Commissioner that, due to the nature of his solid wastes or operation, no significant amounts of gas will be generated within his facility.

Citation Reference: 0400-11-01-.04(5)(c)

Class IV Disposal Facilities shall not be required to have gas migration control features.

Inspector Information (8420)

Generally, but not always, potential for explosions would be associated with the accumulation of landfill gas in confined situations such as within a structure. Quarterly monitoring and record keeping is required, at a minimum, at specified locations because of this potential problem. Potential for uncontrolled fires may occur is when a “hot” load is inadvertently off-loaded at the working face. If not caught early, this may develop into a serious predicament. Careful monitoring by the operator should usually prevent this. Another very rare possibility is the occurrence of spontaneous combustion. In these last two situations, smothering the affected area with a solid layer of soil should control and extinguish the fire. Depending on the severity of the observation an appropriate violation (V1 or V2) may be cited and **immediate** action should take place for correction.

Violation Number: **8430**

8430

Waste not confined to a manageable area

Citation Reference: 0400-11-01-.04(6)(b)1

Class II, Class III, and Class IV Disposal Facilities

1. Solid waste disposal activities shall be confined to the smallest practicable area. Compaction will be performed as necessary to ensure a stable fill.

Inspector Information (8430)

At Class III/IV disposal facilities, the unloading of solid wastes at the disposal area (working face) must be confined to the smallest practicable area and must be supervised by trained facility personnel to ensure safety and compliance with waste restriction requirements. Available equipment and capability at the individual facility should give a good indication what the smallest practicable area should be. For example, a violation may be cited if a facility with a very large working face with equipment that can't handle covering that amount of area within the time specified. An unmanageable area can also be an area that doesn't allow for proper compaction/stabilization of waste or application of initial cover.

8450

Improper compacting of waste

Citation Reference: 0400-11-01-.04(6)(b)1

Class II, Class III, and Class IV Disposal Facilities

Solid waste disposal activities shall be confined to the smallest practicable area. Compaction will be performed as necessary to ensure a stable fill.

Inspector Information(8450)

Compaction should be at a maximum practicable density. Maximum practicable density can generally be determined if the compactor is operating on top of the waste and not in the waste. A V1 should be cited if improper compaction is observed. It is TDEC's expectation that proper compaction equipment should be used to achieve maximum practicable density for compaction. However, if other equipment can be demonstrated to achieve maximum practicable density, facilities will be required to show that demonstration formally.

8460

Unsatisfactory initial cover

Citation Reference: 0400-11-01-.04(6)(b)2(ii)

Waste Handling and Cover Standards - Unless otherwise specified by the Commissioner, Class III disposal facilities must be covered at least once every 14 days with at least a six-inch layer of compacted soil or an adequate standard of other material as approved by the Commissioner.

Citation Reference: 0400-11-01-.04(6)(b)2(iii)

Waste Handling and Cover Standards - Unless otherwise specified by the Commissioner, Class IV disposal facilities must be covered at least once every 30 days with at least a six inch layer of compacted soil or an adequate standard of other material as approved by the Commissioner.

Inspector Information(8460)

At Class III/IV disposal facilities, the compacted solid waste must be covered with a cover consisting of a six-inch layer of compacted soil or an adequate standard of other material (e.g., alternate cover) as permit frequency requires or as approved by the Commissioner. It provides a means to minimize blowing litter and surface water infiltration. In addition, it provides a barrier against fires that may occur in the waste. The six-inch soil depth is a minimum, not an average, so that the cover should wind up being well over six inches in many areas of the daily cell. The surface should be sloped according to the plans and permit operating manual so that rainfall moves off the area rather than percolates into it. Alternative cover (e.g., tarps, shredder fluff) may be approved but should be clearly stated and approved within the permit or by the Commissioner in writing. "Compaction", as used in this context above, means a surface seal compaction and can usually be accomplished with tracked equipment.

Violation Number: **8480**

8480

Unsatisfactory final cover

Citation Reference: 0400-11-01-.04(2)(a)3

Overall Performance Standard - The facility must be located, designed, constructed, operated, maintained, closed, and cared for after closure in such a manner as to minimize to the extent practicable the potential for releases of solid wastes, solid waste constituents, or other potentially harmful materials to the environment except in a manner authorized by state and local air pollution control, water pollution control, and/or waste management control agencies.

Citation Reference: 0400-11-01-.04(6)(b)3

Upon achieving final grade or as otherwise required, final cover shall be placed as set forth in the closure standards of paragraph (8) of this rule.

Citation Reference: 0400-11-01-.04(8)(c)3(ii) and (iii)

Closure Requirements - The following requirements apply to active portions of the facility:

- (ii) At Class III and Class IV facilities, unless the Commissioner determines that a greater depth is needed to achieve the general performance standard of subparagraph (a) of this paragraph, the depth of final cover shall be at least 30 inches of compacted soil. The final cover consists of an 18 inch low permeability layer overlain by a 12 inch protective layer.

(iii) At Class I, II, III, and IV facilities, with approval of the Commissioner any other low permeability layer construction techniques or materials may be used to provide the final cover, provided it provides equivalent or superior performance to the requirements of this part.

Citation Reference: 0400-11-01-.04(8)(c)4(iii)

Closure and Post-Closure Standards - Closure Requirements - The final surface of the disposal facility or disposal facility parcel shall be graded and/or provided with drainage facilities in a manner that: optimizes drainage of precipitation falling on the disposal facility or disposal facility parcel (e.g., prevent pooling).

Inspector Information(8480)

Final cover construction is detailed in the permit plans and closure/post closure plan for each individual site.

Violation Number: 8490

8490

Excessive pooling of water

Citation Reference: 0400-11-01-.04(2)(a)3

Overall Performance Standard - The facility must be located, designed, constructed, operated, maintained, closed, and cared for after closure in such a manner as to minimize to the extent practicable the potential for releases of solid wastes, solid waste constituents, or other potentially harmful materials to the environment except in a manner authorized by state and local air pollution control, water pollution control, and/or waste management control agencies.

Citation Reference: 0400-11-01-.04(8)(c)4(iii)

Closure and Post-Closure Standards - Closure Requirements - The final surface of the disposal facility or disposal facility parcel shall be graded and/or provided with drainage facilities in a manner that optimizes drainage of precipitation falling on the disposal facility or disposal facility parcel (e.g., prevent pooling).

Inspector Information(8490)

This violation covers closed areas of the landfill and areas that are in post-closure. Excessive pooling of water on the landfill surface promotes the generation of leachate due to infiltration of that pooled water into the buried waste. It can also create mosquito breeding areas if not addressed in a timely manner. A V1 violation may be cited if any pooling is excessive. A V2 violation may follow if repeatedly not addressed or corrected.

Violation Number: **8510**

8510

Unsatisfactory stabilization of cover

Citation reference: 0400-11-01-.04(6)(b)3

Upon achieving final grade or as otherwise required, final cover shall be placed as set forth in the closure standards of paragraph (8) of this rule.

Citation Reference: 0400-11-01-.04(8)(c)3(ii)

- (ii) At Class III and Class IV facilities, unless the Commissioner determines that a greater depth is needed to achieve the general performance standard of subparagraph (a) of this paragraph, the depth of final cover shall be at least 30 inches of compacted soil. The final cover consists of an 18-inch low permeability layer overlain by a 12-inch protective layer.
- (iii) At Class I, II, III, and IV facilities, with approval of the Commissioner any other low permeability layer construction techniques or materials may be used to provide the final cover, provided that it provides equivalent or superior performance to the requirements of this part.

Citation Reference: 0400-11-01-.04(8)(c)4(iii)

Closure and Post-Closure Standards - Closure Requirements - The final surface of the disposal facility or disposal facility parcel shall be graded and/or provided with drainage facilities in a manner that:

- (iv) optimizes drainage of precipitation falling on the disposal facility or disposal facility parcel (e.g., prevent pooling).

Inspector Information (8510)

Cover must be stabilized in some fashion to prevent the loss of cover. That can mean either initial or final cover. When reaching final grade final cover must be placed on the cell as set forth in the permit.

8520

Dumping of waste into water

Citation Reference: 0400-11-01-.04(2)(a)3

Overall Performance Standard - The facility must be located, designed, constructed, operated, maintained, closed, and cared for after closure in such a manner as to minimize to the extent practicable the potential for releases of solid wastes, solid waste constituents, or other potentially harmful materials to the environment, except in a manner authorized by state and local air pollution control, water pollution control, and/or waste management control agencies.

Inspector Information (8520)

This violation could be cited on rare occasions. Historically, this violation has been interpreted by the DSWM to mean no dumping of waste into water at the landfill site (and not interpreted as dumping into waters of the state as that is a direct violation of the Clean Water Act, which we do not regulate).

8530

Unsatisfactory records or reports

Citation Reference: 0400-11-01-.01(4)(d)2

The Commissioner may require the operator to keep records on the receipt and management of certain special wastes. The operator shall keep copies of special waste approvals by the Department which the facility has accepted into the landfill and all certifications submitted by generators of such waste.

Citation Reference: 0400-11-01-.02(3)(a)4

Operators shall keep records of all data and supplemental information used to complete permit applications until the end of the post-closure care period.

Citation Reference: 0400-11-01-.02(5)(a)7

Duty to Provide Information - The permittee must furnish to the

Commissioner, within a reasonable time, any information which the Commissioner may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance

with this permit. The permittee must also furnish to the Commissioner, upon request, copies of records required to be kept by this permit. All records, including a copy of the permit and the approved Part I and Part II application, must be maintained at the facility or other locations as approved by the Commissioner.

Citation Reference: 0400-11-01-.02(5)(a)9

The minimum frequency of monitoring shall be quarterly and the operator shall keep records to comply with the monitoring and records requirements at part (5)(a)9 of Rule 0400-11-01-.02; and monitoring shall include at least the following locations:

- (i) Underneath or in the low area of each on-site building;
- (ii) At locations along the boundary as shown in the permit;
- (iii) At any potential gas problem areas, as revealed by dead vegetation or other indicators; and
- (v) At any other points required by the permit.

Citation Reference: 0400-11-01-.04(2)(k)3(i)(II)VI

Tires or shredded tires may not be stored for more than one (1) year without the written approval of the Division. The operator shall maintain records sufficient to establish the date each tire pile within a storage area was begun.

Citation Reference: 0400-11-01-.04(2)(s)

Random Inspection Program - The owner or operator of a permitted landfill must implement a program at the facility for detecting and preventing the disposal of regulated hazardous waste, unauthorized special waste, PCBs (>50 ppm), whole tires, lead-acid batteries, and liquid wastes. This program must include at a minimum:

1. Random inspection of five percent of the daily incoming loads.
2. Inspection of all suspicious loads.
3. Records of all inspections must be maintained in a bound notebook, and include inspection date, vehicle identification, driver signature, identification of any unauthorized waste, disposition of any unauthorized waste, and facility inspector signature.
4. Training of facility personnel to recognize regulated hazardous waste.

5. Procedures for notifying the appropriate Division field office if an unauthorized waste is identified and left at the facility.

Citation Reference: [0400-11-01-.04(7)(c)] referencing 0400-11-01-.04(7)(a)4(vii)

The operator must keep records of all ground water sampling activities conducted, the sample analysis results, and the associated ground water surface elevation throughout the active life of the facility and throughout the post-closure care period as well. Such records must be kept at the facility or at some other location within Tennessee as specified in the permit.

Citation Reference: 0400-11-01-.08(3)

Records - The owner/operators of all municipal solid waste disposal facilities or incinerators shall maintain written records of waste received in tons. All records for the current month shall be maintained at the facility and open for inspection by the Department during normal operating hours. All other records shall be maintained at suitable office space in order that they may be protected from damage or loss. These records shall also be open for inspection during normal working hours. The maintenance site for these records shall be designated on the date of the first payment to the Department. Any change in location shall be designated on the payment to the fund. Records shall be maintained for three years. In the event that records are damaged or destroyed, the amount of waste received for that month or quarter shall be based on the maximum day on record multiplied by the number of working days in the month or quarter. Records shall be maintained on a daily basis organized by month. Waste shall be measured at the gate on a vehicle by vehicle basis. Each facility must use a standard reporting form provided by the Department.

Inspector Information (8530)

Each inspection may include a complete records review. Policy ([PN072](#)) lists all the records that must be available and current. This would include training for recognition of hazardous waste and procedures for notification of the Division when hazardous waste is found. Violation of this item has potential for harm to human health and the environment and must be cited on the inspection form. A V1 violation may be cited if records are not in accordance to rules or specific permit. If records cannot be produced, a V2 may be cited.

8540

Groundwater monitoring system improperly maintained

Citation Reference: 0400-11-01-.02(5)(a)4.

Proper Operation and Maintenance - The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

Inspector Information (8540)

Monitoring wells should not be damaged and should be locked. If questions arise about groundwater monitoring system, inspectors should consult with the DSWM geologist for guidance. A V1 violation may be cited if wells are not locked or maintained.

8570

Operation does not correspond with engineering plans

Citation Reference: TCA 68-211-104(3), TCA 68-211-105(b)

Unlawful Methods of Disposal - It is unlawful to construct, alter, or operate a solid waste processing or disposal facility or site in violation of the rules, regulations, or orders of the commissioner or in such a manner as to create a public nuisance.

No new construction shall be initiated nor shall any change be made in any solid waste processing facility or disposal facility or site until the plans for such new construction or change have been submitted to and approved by the Department.

Citation Reference: 0400-11-01-.02(5)(a)1

Duty to Comply - The permittee must comply with all conditions of this permit, unless otherwise authorized by the Department in writing. Any permit noncompliance constitutes a violation of the Act and is grounds for termination, revocation and/or reissuance, or modification of the permit and/or the assessment of civil penalties by the Commissioner.

Inspector Information (8570)

Inspectors should be familiar with landfill plans and operating manual. Inspectors should understand that each permit may state conditions that may not be declared elsewhere. Those conditions need to be reviewed and understood. Any engineering questions regarding this violation should warrant a consultation with the DSWM engineer.

Violation Number: **8580**

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Operation does not correspond with permit condition(s)

Citation Reference: TCA 68-211-104(3)

Unlawful Methods of Disposal - It is unlawful to construct, alter, or operate a solid waste processing or disposal facility or site in violation of the rules, regulations, or orders of the commissioner or in such a manner as to create a public nuisance.

Citation Reference: 0400-11-01-.02(5)(a)1

Duty to Comply - The permittee must comply with all conditions of this permit-by-rule, unless otherwise authorized by the Department in writing. Any noncompliance constitutes a violation of the Act and is grounds for the assessment of civil penalties by the Commissioner.

Inspector Information (8580)

The permit may state conditions that may not be declared elsewhere. These conditions must be reviewed and understood by the inspector and operator. Consultation with DSWM permit writer may be warranted.

Violation Number: 8590

8590

Permits, plans, operating manual not available

Citation Reference: 0400-11-01-.02(5)(a)(7)

Duty to Provide Information - The permittee must furnish to the Commissioner, within a reasonable time, any information which the Commissioner may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee must also furnish to the Commissioner, upon request, copies of records required to be kept by this permit. All records, including a copy of the permit and the approved Part I and Part II application, must be maintained at the facility or other locations as approved by the Commissioner.

Inspector Information (8590)

All Class III/IV disposal facilities are required to keep a copy of the permit, engineering plans, and operating manual on site or at a site agreed upon by the Commissioner. If these items are not available at the time of inspection a V1 may be cited.

LANDFILL INCOMING WASTE RANDOM INSPECTION CHECKLIST

Use checklist for all suspicious loads and for 5% of all incoming loads of solid waste brought to the facility for disposal. Random inspections and records are required by the Rules promulgated under the Solid Waste Management Act at Rule 0400:11-01-.04(2)(s)

Date _____ Time _____

Customer _____ Vehicle License Plate # _____

Type Waste:

- Municipal /County Commercial Industrial Construction /Demo

Are there any unauthorized wastes?

- automobile batteries unauthorized hazardous waste
(corrosive, ignitable, reactive, TCLP Toxic
or listed hazardous waste)
- whole tires
- bulk liquid
- pcb's Other _____
- unauthorized special waste

Waste accepted?

- yes no

Comments: _____

Inspector's Name (Print) **Driver's Name (Print)**

Inspector's Signature /Date

Driver's Signature / Date

Notification of unauthorized waste:

- TN Division of Solid Waste Management

Name / Date

- Waste Hauler

Name /Date

- Waste Generator

Name /Date

pn073: Revision 1

Previous: August 1995

_____ **Solid Waste**
Statewide Uniform Inspection Training (S.U.I.T.)

Date: _____

By signing below, I state that I have attended and completed the professional development program *Statewide Uniform Inspection Training (S.U.I.T.)* for *Class III/IV Landfills*.

Print Name	Signature