

Virginia Regulations for Solid Waste Management Regulations
9VAC20-80-10 *et seq.* – Amendment 7
Technical Advisory Committee Meeting July 21, 2008

F. Scott Reed—Dominion Virginia Power

Bob Dick—Virginia Waste Industries Association (VWIA) and private consultants

Atman Fioretti—Sierra Club, Virginia Chapter

Rick Guidry—King George County Landfill, Inc.

Mike Thomas—King George County Landfill, Inc.

Jerry Martin—Augusta County Service Authority

Jimmy Sisson—Virginia Recycling Markets Development Council

Fouad Arbid—Solid Waste Association of North America

Steve Yob—Solid Waste Association of North America

Joe Levine—Southwest Virginia Solid Waste Management Association

(Others in attendance): (1) Leslie Beckwith--facilitator; other staff members that were present to answer questions raised by the TAC: Sanjay Thirunagari, Jason E. Williams, and Geoff , and **(2)** names of public attendees: Jenny Johnson (Joyce Engineering), Ron DiFrancesco (Golder), Terri Phillips (Golder) and Bob Hundley (Resource International).

Leslie Beckwith began the meeting by announcing that the next two TAC meetings, August 25 and September 29, would be held at DEQ's Piedmont Regional Office. The agenda for today's meeting is to discuss Section 170, Post-Closure Care Requirements; Section 210, Leachate Control; and Section 250 Groundwater monitoring Program.

Three actions items were discussed. Action Item 1 – a handout of revised definitions will be distributed at the end of the meeting. Action Item 2 - Scott Reed asked that the definition for “gypsum” be reevaluated. Scott and Jason E. Williams will revise the definition and send out once again. Action Item 3 - Joe Levine has drafted changes to Section 160 and is waiting on comments. Leslie Beckwith will distribute changes to the TAC.

Section 170 – Post-Closure discussion

The TAC discussed when is a facility certified closed and post-closure begins, how to address deficiencies and lag time from the certification of the P. E. to DEQ review and approval. The TAC reached a consensus that Section 170 B 1 would be revised to change the order of the first and second sentence and remove the last sentence. Section 3 a will be changed such that the certification verifying that decreasing the post-closure care period will “be sufficient to protect” human health and the environment. Section 3 b will delete “licensed in the Commonwealth” after professional engineer and be changed throughout the regulation. Section 170 B 3 b and C 1 b will replace “harm” with “increased risk” to human health. Section 170 D 1 delete “disposal unit.” Remove “care” from post-closure care plan review in part D. TAC reached consensus on all items above.

Section 210 Leachate Control

The TAC discussed what is meant by transfer, collection, and disposal of leachate. The consensus was reached to revise Section 210 a to have the design plan provide for leachate management. The TAC also came to a consensus to revise Section 210 A 2 to reflect the subtitle D wording in 40 CFR Section 258.40 – “constructed to maintain less than a 30 cm depth of leachate over the liner.” After discussion of liner systems and leachate control the TAC decided to remove Section 210 A 5 because it is not used anymore. Section B will be split into two sections. Jason Williams will propose new language.

The TAC also decided to revise Section 210 D. The phrase “in the order of preference” will be deleted and add D5 to read “other methods as approved by the Department.”

Section 210 F discusses leachate seeps. The consensus of the TAC is to delete the requirement to notify the Department within 5 days of a leachate seep. Language in this section will also be revised to control the seep at the source and address seep control outside the lined footprint permitted for disposal. Jason Williams will submit revised language for this section.

After the lunch break Leslie Beckwith reviewed the goals for amendment 7 and some of the progress the TAC has made to reach those goals.

Section 250 Ground Water Monitoring Program

Geoff Christe then reviewed the major concepts of ground water monitoring – applicability, monitoring, statistics, and record keeping requirements. The TAC discussed Alternate Concentration Limits, ACLs. Landfills have two options for ACLs – use the Department’s numbers or come up on their own ACL algorithm. Historically, 99% use the Department’s numbers. Should regulations direct other 1% to go to 40 CFR for criteria or include in our regulations? The Federal regulations never defined the process to accept ACLs. The TAC discussed when a facility should look for updated numbers and know which set of values to use. Geoff Christe will propose language for the TAC to review.

Next the TAC discussed alternate source demonstration (ASD), when to implement corrective action and timelines for ASD and NES, DEQ response time to facility submittals, extensions requests, calculating flow rates of plumes, sampling events, and public notice. The TAC came to a consensus that the last sentence in Section 250 B 2 a (1) should be deleted and that Section B needs to be split into two sections. Geoff Christie will revise language for TAC review. The TAC also came to a consensus on replacing “accepted” with “are accepting” in Section 250 B 1 e.

Before the meeting was adjourned, the TAC received a handout of definitions and was asked to submit comments by August 1 to Leslie Beckwith.