



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE

13901 Crown Court, Woodbridge, Virginia 22193

(703) 583-3800

www.deq.virginia.gov

Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
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Regional Director

May 7, 2019

David Howard
Waste Management
10001 Furnace Road
Lorton, Virginia 22079

VIA EMAIL: dhowar15@wm.com

DEFICIENCY LETTER

**Re: Lorton CDD Landfill - 10001 Furnace Road, Lorton
Solid Waste Permit (SWP) 331**

Dear Mr. Howard:

On May 1, 2019, the Virginia Department of Environmental Quality Northern Regional Office conducted a compliance inspection of the solid waste management facility operating under SWP 331. During this inspection, the facility was evaluated for compliance with the Virginia Waste Management Act, Va. Code § 10.1-1400 *et seq.* ("Act"), the Virginia Solid Waste Management Regulations, 9 VAC 20-81-10 *et seq.* ("Regulations"), and SWP 331. A copy of the inspection checklist is enclosed.

Based on review of observations, responses, and documents obtained during this inspection, the Department has reason to believe that **Lorton CDD Landfill** may be in violation of the Act, Regulations, and/or SWP331. This information is noted on the enclosed inspection checklist(s) and is summarized below:

1. *Observations:* Sediment Basin 2 appeared to be full of sediment (Photo 1 and 2).

Legal Requirements: 9 VAC 20-81-140.A.7 states ...

"Owners or operators shall maintain the run-on/runoff control systems designed and constructed in accordance with 9VAC20-81-130 H."

Legal Requirements: 9 VAC 20-81-130.H.2 states
Facilities shall be designed to provide and maintain:

“A run-off control system from the active portion of the landfill to collect and control at least the water volume resulting from a 24-hour, 25-year storm.”

This issue was discussed with facility representatives during the inspection. Please advise this office in writing within 20 calendar days of receipt of this letter if your facility has taken or intends to take corrective action to address these issues, or if there is other information that DEQ should consider. A schedule should be provided for any intended actions.

Pursuant to Va. Code § 10.1-1455(G), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 et seq. (APA). In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's [Process for Early Dispute Resolution](#), or you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.

If you have any questions; please contact me at (703) 583-3832 or Jeffrey.modliszewski@deq.virginia.gov.

Sincerely,



Jeffrey Modliszewski
Solid Waste Inspector

cc: Priscilla D. Rohrer, Solid Waste Compliance Coordinator
Brandy Mueller, Fairfax County
ECM SWP 331



Compliance Inspection Report

Inspection Summary

Facility: Lorton Construction Landfill

Inspector: Jeffrey Modliszewski

Permit: SWP331

Inspection Date: 5/1/2019

Region: Northern

Approximate Arrival Time: 9:15 a.m.

Inspection Type: Compliance Evaluation Inspection

Inspection Method: Announced

Facility Staff: David Howard

Exit Interview: Yes

Weather Conditions: Cloudy, 59° Fahrenheit

Construction / Demolition / Debris (CDD) Landfill (Inactive)

Reference	Description	SL	Result
Compliance Area: Operator Information			
10.1-1408.1	Disclosure Statement	I	✓
10.1-1408.2	Operator Certification	II	✓
Compliance Area: Recordkeeping, Reporting & Permit			
20-81-80	Waste Assessment Program	II	✓
20-81-100.B	Compliance with the facility's permit	II	✓
20-81-100.E	Unauthorized waste program and inspection	II	✓
20-81-140.A.16	Facility self inspections	I	✓
20-81-140.A.17	Record maintained of waste received and processed	I	✓
20-81-485	Operations Manual	II	✓
20-81-530	Permittee recordkeeping and reporting	II	✓
Compliance Area: Design, Construction & Operation			
20-81-110.B	Prohibited waste	II	✓
20-81-130	Facility design / construction	I	✓
20-81-140.A.1,4	Safety and fire control	II	✓
20-81-140.A.6	Pollutant discharge	III	✓
20-81-140.A.7	Stormwater control system maintenance	II	X
20-81-140.A.8,14-15	Facility operation, maintenance, and training	II	✓
20-81-140.A.9-13	Hazard and nuisance control	I	✓
20-81-140.C	Compaction and cover	I	✓
20-81-610-660	Special Waste	II	✓
Compliance Area: Closure & Post-Closure Care			
20-81-160	Closure requirements	II	
20-81-170	Post-closure care requirements	II	
Compliance Area: Decomposition Gas Control			
20-81-200	Decomposition gas control	II	✓
Compliance Area: Leachate Control			
20-81-210	Leachate control	II	✓
Compliance Area: Groundwater Monitoring			
20-81-250	Groundwater monitoring program	II	
20-81-260	Corrective action program	II	
Compliance Area: Landfill Mining			
20-81-385 & 395	Landfill Mining	II	N/A

SL = Severity Level

✓ = In Compliance

X = Alleged Violation

N/A = Not Applicable

Blank = Not Inspected

Alleged Violations

Reference	Comments
20-81-140.A.7	Stormwater control system maintenance - Sediment Basin 2 appeared to be full of sediment (Photo 1 and 2).

General Comments

Reference	Comments
10.1-1408.1	Disclosure Statement - The Disclosure Statement was reviewed; no compliance issues were noted.
20-81-80	Waste Assessment Program - The 2018 Solid Waste Information and Assessment Program (SWIA) Form DEQ 50-25 was accepted by the DEQ on April 11, 2019.
20-81-100.E	Unauthorized waste program and inspection - The facility ceased accepting construction demolition and debris on August 3, 2018.
20-81-140.A.16	Facility self inspections - The facility conducted self-inspections in February, March, and April 2019.
20-81-485	Operations Manual - David Howard recertified the operations manual on May 1, 2019.
20-81-140.A.6	Pollutant discharge - The landfill was inspected; no leachate seeps were observed.
20-81-140.C	Compaction and cover - Erosion rills were observed in the facilities cover; it had rained within seven days of the inspection.
20-81-200	Decomposition gas control - Methane was not detected above the action level during the March 2019 quarterly monitoring. It was noted that the monitoring occurred over two days. The quarterly gas monitoring should be conducted over the same day where possible. The gas flare and blower was inspected; no compliance issues were noted.
20-81-210	Leachate control - The above ground storage tanks (ASTs) where leachate is stored and treated before being discharged to the sanitary sewer were inspected; no compliance issues were noted.

Disclosure Statement Details

Key Personnel	Title
Dan Bergan	Environmental Protection Manager
David Howard Jr.	Senior District Manager
John Dottellis	Area Engineering Manager

Disclosure Statement Last Updated: 9/24/2018

Waste Management Facility Operators

Licensed Operator	License #	Expiration Date
David Howard	4605002135	4/30/2021
William Williams	4605003459	3/31/2020

PLEASE advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding any alleged violations.

PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act (VA Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

Northern Regional Office

Photos have not been altered except to change the size of the file.

Site Name: Lorton Construction Landfill **Permit#** SWP331
Camera: Olympus F3-47
Taken By: Jeffrey Modliszewski



Photo Number: 1
Date: 5/1/2019
Comments: Sediment Basin 2 viewed towards the south.



Photo Number: 2
Date: 5/1/2019
Comments: Sediment Basin 2 viewed towards the south.