

CITIZEN'S ADVISORY BOARD

Cherry Island Landfill

January 12, 2015

Notes

The January 12, 2015 meeting of the Citizen's Advisory Board (CAB) convened at approximately 5:10 p.m. at the Cherry Island Landfill (CIL), 1706 E. 12th Street, Wilmington.

Attendees:

CAB

Vince D'Anna
Sandra Smithers
Darius Brown

DSWA

Robin Roddy
Michael Parkowski
Jason Munyan
Uriel Rodriguez

DNREC

Brad Richardson
Mark Lyon

Department of Natural Resources and Environmental Control (DNREC) Update

Mr. Richardson presented DNREC's update on their activities at CIL (see attached).

Mr. Richardson reported that there were no odor complaints reported for the 4th quarter 2014 or the calendar year 2014.

On November 10, 2014 DNREC issued a Notice of Violation (NOV) to CIL for the accumulation of sediment within a stormwater swale which caused storm water to overflow and runoff. On December 11, DSWA met with DNREC to discuss the issue and agree upon a course of action. On December 17, DSWA issued a letter responding to the NOV indicating what actions had been completed along with additional measures which will be implemented to prevent a reoccurrence of the sediment build up and associated stormwater runoff. This letter is currently under review.

During the 4th quarter, DSWA issued two (2) citations to Econo Haul and one (1) to Jay D.C. Enterprises for violating the yard waste ban.

DSWA conducted pipe abandonment and liner penetrations repairs on the north side of the landfill as part of the approved filling and operations plans. The completed work was approved by DNREC.

During the 4th quarter 2014, DNREC's onsite inspections reported that DSWA controlled litter, dust and odors both on and off-site in accordance with their permit. There were no fires or prohibited waste reported during the 4th quarter 2014.

Mr. Richardson continued with the CAB's request regarding Peninsula/WORC status update. He noted that he was not the Compliance Officer responsible for Peninsula/WORC, but would update the CAB with what information he could.

Mr. D'Anna enquired as to what's going to happen with the waste at that site, which Ms. Smithers expressed definite interest also.

Mr. Richardson explained that on October 20, 2014 DNREC issued the Secretary's Order to Peninsula to immediately stop taking waste and begin closing the facility, which is expected to be fully closed by March 31, 2015. Peninsula is appealing the Secretary's Order and the scheduled date for that is March 10, 2015. Peninsula is currently working towards closure and they have met specific deadlines. They were issued an NOV late December 2014 and is expected to be in compliance by January 16, 2015.

Mr. D'Anna enquired if there is a closure plan that's relevant to what's out there?

Mr. Richardson explained that the financial assurance is very critical to the closure and believes that the post closure would be part of the original permit.

Ms. Smithers enquired as to what was the basis of the appeal.

Mr. Richardson believes that they are appealing because they don't believe that they have enough time to move the material. They are hoping to sell the majority of the material.

Ms. Smithers enquired as to what other option they have besides selling the material?

Mr. Richardson replied that they could probably give the material away, however many facilities like CIL, are expected to be compensated for using the material. So there is potential for a very significant financial swing based on what they can negotiate for that material.

CIL Update

Mr. Munyan reported that an NOV was issued to DSWA by DNREC on November 10, for sediment build-up

Mr. Munyan explained that as part of the approved design, we are supposed to fill and stabilize areas in a specific sequence. The first step in this sequence was to fill certain areas

with waste, which we have recently done. Once waste is placed, a substantial storm water control system is to be installed. The controls will cover the area between the top of the waste that had been placed at elevation 90 and the lower access road at elevation 60. Included are several significant berms that will direct stormwater into a sediment basin where the sediment will drop out. The clean stormwater will then continue to a down-shoot and eventually to an outfall structure. Once installed these controls should function to prevent accumulation of sediment in the swale. Unfortunately in this instance however, we were unable to get the waste placed and controls installed prior to receiving substantial amounts of rainfall. This overwhelmed the small low-flow swale located adjacent to the access road and we experienced the aforementioned sedimentation issues and associated stormwater runoff. We met with Mr. Richardson on site and explained what was happening and what our plans to address the situation were. We also discussed additional temporary measures which could help address the issue in the interim.

Mr. D'Anna enquired if this was a short term problem and what is the purpose of the swale?

Mr. Munyan responded that the problem was short-term and explained that the swale is designed to collect water coming down from a small section of the side slopes and is not meant to carry large flows. The bulk of the water now entering this swale will be diverted into more robust stormwater control structures once the designed berms have been completed.

Ms. Roddy elaborated that when filling a landfill, the facility is like a construction site. During the construction phase, the site relies on temporary stormwater and sediment control measures, which may not be the final designed controls. Once the construction (i.e. filling) is completed, it is possible to install berms and establish vegetation which will control the water better. So, yes, this is a short-term problem.

Mr. Munyan continued to update and stated that on October 31, CIL performed pipe penetration abandonments and the associated liner repairs. This included the removal of pipes that penetrated the liner and were installed during the initial construction as part of the stormwater control of certain areas where filling was not taking place. However, prior to utilizing these areas and beginning waste placement we had to remove the stormwater outlets and patch the liner where they had penetrated. That was done according to the original liner installation specifications.

Mr. Munyan stated that CIL entered into a new two (2) year agreement with Clean Earth, Inc. for the supply of cover soil.

DSWA Summary

Ms. Roddy presented a power point presentation on DSWA which will be forwarded to the CAB members.

Mr. D'Anna enquired as to the manner in which the construction material and asbestos gets handled at the other landfills.

Ms. Roddy explained that the construction material at our central facility is being landfilled, but at our southern facility, the construction and demolition (C&D) material is processed and used as daily cover. The asbestos from both sites come to CIL.

Mr. Parkowski noted that Republic operates a Transfer Station in Kent County at which they recycle C&D, so there is a recycling outlet in Kent, Sussex and New Castle County for C&D.

Ms. Roddy noted that DSWA holds the Household Hazardous Waste (HHW) events throughout the state that is free to residents.

The next meeting is scheduled for Monday, 04/06/15 at 5:00 p.m. at CIL

Meeting adjourned at approximately 6:00 p.m.

DSWA Cherry Island Landfill Summary for the Citizens Advisory Board
Prepared by Brad Richardson, DNREC Solid & Hazardous Waste Management Section
January 12, 2015

1. During the 4th quarter of 2014 and the entire 2014 calendar year, DSWA recorded no complaints in their Odor Complaints Log. The last odor complaint was reported in 2013.
2. On November 10, 2014, the Department issued a Notice of Violation (NOV) 14-SW-12 to Cherry Island Landfill (NOV received by DSWA on November 26, 2014). The NOV was issued to DSWA as a result of the accumulation of sediment in the Low-Flow Swale between the Central Pump Station and the southern end of the MSE wall. This caused the uncontrolled stormwater runoff and overflow of drainage channels. On December 11th, DSWA met with DNREC representatives to discuss initiatives to remedy the drainage problems. On December 17th, DSWA issued a letter: Response to Notice of Violation. The response letter is currently under review.
3. There were no fires reported at the CIL during the 4th quarter of 2014.
4. No prohibited wastes were reported as received at the landfill during the 4th quarter of 2014.
5. During the 4th quarter of 2014, DSWA issued three citations for yard waste at the working face. Econo-Haul was issued two citations in October and Jay/D.C. Enterprises was cited once for violating the Yard Waste Ban in November.
6. DSWA conducted pipe abandonment and liner penetrations on the north side of the landfill and on December 10th, submitted a Memorandum detailing and certifying the work. On December 19th, the Department submitted to DSWA a letter approving the described work and allowing DSWA to commence placement of permitted waste in this area.
7. According to our on-site inspections during the 4th quarter of 2014, DSWA has controlled odors, litter and dust both on site and off in accordance with the conditions of their solid waste facility permit.

DSWA Cherry Island Landfill Summary for the Citizens Advisory Board
Prepared by Brad Richardson, DNREC Solid & Hazardous Waste Management Section
January 12, 2015
Extraneous Agenda Items (not Relevant to CIL)

Peninsula/WORC

- On October 20, 2014, DNREC issued Secretary's Order No. 2014-WH-0023 requiring Peninsula Compost to immediately stop accepting waste and to begin closure of its composting facility with full closure expected by March 31, 2015.
- Peninsula is appealing the Secretary's Order and a hearing before the Environmental Appeals Board is set for March 10, 2015.
- Peninsula currently is working towards closure (processing and disposition of material)
- Peninsula has met specific deadlines so far.
- Peninsula was issued an NOV in late December 2014 and is expected to be in compliance by Jan. 16, 2015.

Green Recovery Technologies (GRT)

A Public Hearing was held on Wednesday, October 22, 2014 at the DNREC office building in, New Castle. Since then, on December 22nd, GRT voluntarily withdrew the Coastal Zone Permit Application. GRT is expected to reissue the Coastal Zone Permit Application.

Prior to operating, the facility may also need a Resource Recovery Facility Permit, which is a DNREC-SHWMS process. DNREC has requested additional information in order to make this determination. To date, the requested information has not been received.