



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

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Secretary of Natural Resources

David K. Paylor  
Director

James J. Golden  
Regional Director

January 14, 2021

Mr. Bruce Coble  
Landfill Manager  
Shoosmith Bros., Inc.  
P.O. Box 2770  
Chesterfield, Virginia 23832

### DEFICIENCY LETTER

Re: Shoosmith Sanitary Landfill – Chesterfield County, VA  
Solid Waste Permit (SWP) 587

Dear Mr. Coble:

On December 2, 2020, the Virginia Department of Environmental Quality, Piedmont Regional Office staff conducted a Focused Compliance Inspection (FCI) of the solid waste management facility operating under SWP-587. 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-587. 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 Shoosmith Bros., Inc., may be in violation of the Act, Regulations, and/or SWP-587. This information is noted on the enclosed inspection checklist and is summarized below:

1. **Observations:** Copies of Site facility inspection logs for October 2020 were requested on December 16, 2020, but as of January 5, 2021, they have not been received for review.

**Legal Requirements:** 9 VAC 20-81-140.A.16 states “Each landfill shall implement an inspection routine including a schedule for inspecting all applicable major aspects of facility operations necessary to ensure

**compliance with the requirements of this chapter. Records of these inspections must be maintained in the operating record and available for review.”**

2. *Observations:* Leachate from the seep at Cell 24 ran down the side slope, inside a stormwater down spout, ran into the stormwater channel, then into a spillway that directed flow under the road and emptied into Sediment Basin 11. To keep storm water from flowing to the basin spillway, the facility maintenance crews created a closed forebay. The leachate pooled into the forebay and was prevented from spilling into the sediment basin.

***Legal Requirements: 9VAC20-81-210.F states; “If a leachate seep(s) occurs, the owner or operator shall repair the seep(s) and do the following:***

- 1. Take all immediate steps necessary to protect public health and safety including those required by the contingency plan.**
- 2. Take immediate action to minimize, control, or eliminate the seep, and to contain and properly manage the leachate at the source of the seep.**
- 3. Any leachate released outside the lined area permitted for waste disposal shall be properly collected and disposed.”**

These issues were discussed with facility representatives during the inspection. Please advise this office in writing within **30 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.

Your letter will assist our staff in maintaining a complete and accurate record of the compliance status of your facility. Compliance may be verified by on-site inspection or other appropriate means.

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 **(804) 527-5101** or [douglas.masini@deq.virginia.gov](mailto:douglas.masini@deq.virginia.gov).

Shoosmith Bros., Inc. – SWP-587

January 14, 2021

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Sincerely,

A handwritten signature in blue ink that reads "Doug Masini". The signature is written in a cursive style with a large initial "D" and a prominent flourish.

PRO Solid Waste Compliance Inspector

cc: Pricilla Rohrer, CO Solid Waste Compliance Coordinator  
ECM – SWP-587



# Compliance Inspection Report

## Inspection Summary

**Facility:** Shoosmith Sanitary Landfill

**Permit:** SWP587

**Region:** Piedmont

**Inspection Type:** Focused Compliance Inspection

**Facility Staff:** Bruce Coble – Operations Supervisor.

**Inspector:** Douglas Masini

**Inspection Date:** 12/2/2020

**Approximate Arrival Time:** 0940

**Inspection Method:** Announced

**Exit Interview:** Yes

**Weather Conditions:** Clear, 40 degrees F, Winds NNE 10-15 mph

**Comments:** Due to COVID-19 Governmental restrictions, a Focused Compliance Inspection (FCI) was conducted in lieu of a Compliance Evaluation Inspection (CEI) in order to review the facility for operational condition for the period between July 2020 and November 2020. Contact with the Landfill Manager was limited, with adherence of state and agency protocols and standards maintained to the strictest point possible. Operational records reviewed were limited to those noted within the report, sent electronically, with the balance of documents scheduled to be reviewed during the next full compliance inspection.

The facility was operating as permitted, placing waste in Cell 26F. No odors were detected off-site, however detected onsite in the area where a landfill gas project was underway to increase the gas header diameter size in Cell 26 and slopes of Cell 23. Sediment Basin 11 upgrades were being conducted which included Spillway upgrades and mucking operations to remove built up sediment. Leachate seeps were noted in three different areas, which included one seep that drained into Basin 11. All compliance issues are noted below. Facility records were reviewed for compliance from July 2020 through November 2020.

## Sanitary Landfill (Active)

Reference	Description	SL	Result
<b>Compliance Area: Operator Information</b>			
10.1-1408.1	Disclosure Statement	I	✓
10.1-1408.2	Operator Certification	II	✓
<b>Compliance Area: Recordkeeping, Reporting &amp; Permit</b>			
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	✓
<b>Compliance Area: Design, Construction &amp; Operation</b>			
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	✓
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.B	Compaction, cover & working face	I	✓
20-81-610-660	Special Waste	II	✓
<b>Compliance Area: Closure &amp; Post-Closure Care</b>			
20-81-160	Closure requirements	II	
20-81-170	Post-closure care requirements	II	
<b>Compliance Area: Decomposition Gas Control</b>			
20-81-200.A,B,E	Decomposition gas concentrations, monitoring & recordkeeping	II	✓
20-81-200.C	Decomposition gas-remediation	III	

20-81-200.D	Decomposition gas-odor management	I	✓
<b>Compliance Area: Leachate Control</b>			
20-81-210	Leachate control	II	X
<b>Compliance Area: Groundwater Monitoring</b>			
20-81-250	Groundwater monitoring program	II	
20-81-260	Corrective action program	II	
<b>Compliance Area: Landfill Mining</b>			
20-81-385 & 395	Landfill Mining	II	

SL = Severity Level

✓ = In Compliance

X = Alleged Violation

N/A = Not Applicable

Blank = Not Inspected

### Alleged Violations

Reference	Comments
20-81-140.A.16	Facility self inspections - According to the facility Operations Manual, daily, weekly, and monthly inspections are conducted to ensure proper operational conditions. Copies of Site facility inspection logs for October 2020 were requested on December 16, 2020, but as of January 5, 2021, they have not been received for review.
20-81-210	<p>Leachate control - Shoosmith directly discharges leachate to the Chesterfield County Sanitary Sewer System (CTP0023).</p> <p>Total leachate recovered and discharged was reported as follows:</p> <p>July-2020 = 1,191,051 gallons;  August-2020 = 1,183,769 gallons;  September-2020 = 1,207,800 gallons.  October-2020 = 972,890 gallons;  November-2020 = 1,154,580 gallons.</p> <p>Seeps were noted during the onsite inspection in three specific areas, Cells 23/23P, Cell 8, and Cell 24.</p> <p>In Cell 23 and 23P, leachate from seeps ran off the slopes, into the stormwater channels, and pooled in a low area that also appears to collect stormwater. Portable pumps were stationed beside the Cell to pump liquids out of the pool in Cell 23P and another pump to remove liquids out of Cell 25. Liquid in both Cells were reported being treated as stormwater and flushed into the stormwater channels. The Facility Manager was notified that the liquid pooling in Cell 23P was contaminated with leachate and must be treated as such.</p> <p>In Cell 8, two seeps were noted during the inspection running from the side slope and heading towards the stormwater channel. The seeps caused the vegetation to be distressed.</p> <p>Leachate from the seep at Cell 24 ran down the side slope, inside a stormwater down spout, ran into the stormwater channel, then into a spillway that directed flow under the road and emptied into Sediment Basin 11. To keep storm water from flowing to the basin spillway, the facility maintenance crews created a closed forebay. The leachate pooled into the forebay and was prevented from spilling into the sediment basin.</p> <p>The facility had responded with a 5-day follow-up notification with pictures stating the facility took steps to stop seeps, pumped all liquids out and placed into the leachate storage system, and remediated all soils contaminated with leachate.</p> <p>Records of Sumps that are equipped with transducers where leachate over liner is monitored and recorded monthly was requested but not received for review.</p>

### General Comments

Reference	Comments
10.1-1408.1	Disclosure Statement - The facility has a Disclosure Statement on file for which the information is listed at the bottom of this report.
10.1-1408.2	<p>Operator Certification - The facility has a licensed operator as required. Operator information is listed at the bottom of this report.</p> <p>Please note that, due to the state of emergency declared in response to the COVID-19 pandemic, the Department of Professional and Occupational Regulation (DPOR) has granted a temporary waiver which extends the validity of licenses, certifications, registrations, and other authorizations issued by the regulatory boards under DPOR. This waiver applies to</p>

	licenses which expire while under the state of emergency, which was declared March 12, 2020, and extends their validity until 30 days after the date that the state of emergency is lifted. The state of emergency is still in effect as of the date of this report.
20-81-100.B	<p>Compliance with the facility's permit - Facility maintains an active Noise Management Plan, dated May 19, 2005, and reported no complaints for 2020.</p> <p>2020 Annual MSE Berm Inspection report was submitted to DEQ on December 23, 2020.</p> <p>All other plans reviewed below under their respective regulatory citing.</p>
20-81-100.E	<p>Unauthorized waste program and inspection - A Control Program for Unauthorized Waste (UAW) Is documented and was last revised on October 29, 2020. UAW training took place on November 24, and December 22, 2020, for all required personnel, including personnel performing UAW inspections.</p> <p>Records of UAW inspections performed in October 2020 were requested, submitted, and reviewed, and appeared to meet the required 1% inspection rate for in-state loads received monthly. However, the number of reported inspection did not match the numbers of inspections reports that were submitted for review. The facility manager was requested to review and reconcile the report submitted, including supplying missing inspection forms. The facility had not responded by January 4, 2021.</p> <p>No out of state loads were reported as received during the review period.</p> <p>Facility records indicate that there have been no discovery of unauthorized waste during the review period.</p> <p>One load was reported as rejected during the review period for sludge odors.</p>
20-81-140.A.17	<p>Record maintained of waste received and processed - The facility is permitted for a maximum daily disposal rate of 5350 tons per day.</p> <p>Intake records for July through November 2020 were submitted electronically for review, and reported the following:</p> <p>Month/Year ----- Total in Tons ---- Highest Daily Receipt</p> <p>July 2020 -----82,878 ----- 4246 tons  August 2020 -----80,423 ----- 4235 tons  September 2020 --- 79,193 ----- 3921 tons  October 2020 ----- 85,608 ----- 4373 tons  November 2020 ---- 71,304 ----- 3752 tons</p> <p>Facility stated no out of state waste was accepted/landfilled during the review period.</p> <p>13,410 tons of sludge was reported landfilled during the review period.</p> <p>Records appear to indicate the facility is in compliance for the review period.</p>
20-81-485	<p>Operations Manual - The facility Operations Manual was last revised December 31, 2019 and contained the plans specified in the VSWMR. The Manual was certified as consistent with current operations and regulatory requirements on December 31, 2019 by Bruce Coble, Manager of Landfill Operations. Re-certification of the Operations Manual was due by December 31, 2020.</p> <p>A copy of the complete Operations Manual, including tables and appendices, were requested and partially submitted. Additional requests will be made to ensure compliance.</p>
20-81-530	<p>Permittee recordkeeping and reporting - One incident requiring notification under this regulation, during the review period, was recorded during the onsite inspection and relating to leachate seeps. 24-hour and 5-day follow-up reporting was received as required. The incident is detailed below.</p>
20-81-130	<p>Facility design / construction - No design changes noted during the review period.</p> <p>Facility has begun to excavate soil in Cell 25 to use as cover material in Cell 26F and in preparation to commence Cell construction.</p> <p>Landfill Gas header replacement project is still ongoing to increase throughput capacity.</p>
20-81-140.A.1,4	<p>Safety and fire control - Monthly safety training records were reviewed for July through November 2020 and appeared adequate. All training records and associated documents are maintained onsite for review.</p> <p>No open burning was noted during the onsite review.</p>

20-81-140.A.6	Pollutant discharge - No pollutants or solid wastes were observed, or reported, entering into surface waters, ground waters, or waters of the United States.
20-81-140.A.7	<p>Stormwater control system maintenance - The run-on/runoff control system constructed and maintained around the landfill appear to be adequate to control stormwater resulting from a 24-hour, 25-year storm event.</p> <p>The control system includes 5 sediment basins used to control runoff to reduce the chance of discharging pollutants into waters of the United States.</p> <p>Sediment Basin 11 appeared to be undergoing upgrades to the spillway during the onsite review.</p>
20-81-140.A.8,14-15	<p>Facility operation, maintenance, and training - Facility access is controlled by a scale house, gates, fences, and natural barriers. Scale attendants were on site and controlling access at the time of inspection.</p> <p>Facility appurtenances appeared to be properly maintained and operated as designed and approved in the facility permit.</p> <p>Facility equipment operating at the workface appeared adequate with 1 tipper, 2 dozers, 2 compactors, and 1 track-hoe.</p>
20-81-140.A.9-13	<p>Hazard and nuisance control - Excess blown litter was noted along the Northwest slope of Cell 23 and the stormwater conveyance channel beside the access road from Cell 23 to the stormwater channel running beside Cell 26F. Landfill Manager indicated that this was due to recent high wind and rain events. Litter was also noted by an additional tipper stationed on the top deck of Cell 12 and 13. Facility Manager sent follow-up pictures to show litter was cleaned up. Litter picking records are presumed noted on facility inspection records which have not been received as requested. They will be reviewed upon receipt and evaluated for compliance.</p> <p>Landfill gas odors were detected during the onsite inspection in and around Cells 23, 25, and 26. Facility is currently upgrading the landfill gas header by increasing the pipe diameter. Facility indicated that odors noted are a result of the ongoing LFG header upgrade project.</p> <p>Facility submitted an odor log that recorded 15 odor complaints received during the review period. The facility maintains an Odor Management and Control Plan dated August 30, 2019.</p> <p>There were no observed disease vectors during the onsite inspection.</p> <p>Salvaging is not noted during the onsite inspection.</p> <p>Fugitive dust is controlled by an onsite water truck and street sweeper. Mud appeared to be tracked out onto Rt. 10 from the facility entrance and causing fugitive dust to be generated. The facility responded by conducting cleanup activities and notifying DEQ when activities were completed.</p> <p>Internal roads are maintained and were passable by ordinary vehicles.</p>
20-81-140.B	<p>Compaction, cover &amp; working face - The facility appears to be spreading, compacting, and confining the workface area as small as practicable based on waste received, machinery available, and equipment operators onsite. The facility is currently filling in Cell 26F.</p> <p>Clean soil and RusFoam, an approved ADC, are currently being used as daily cover at the workface, with 3 days of cover stockpiled in close proximity to the workface. It was also noted that the facility was actively excavating soil out of Cell 25 to use as daily and intermediate cover. RusFoam is used only in dry conditions.</p> <p>Due to recent storm events, cracks and rills were noted on side slopes of Cells 23, 26E, and 26D. These areas are being addressed during daily maintenance activities.</p> <p>Vegetation on the side slopes of the closed landfill cells appeared to well established and mowed within the past year.</p> <p>Slope angles at the landfill area appeared to not exceed 33% on the capped portions.</p> <p>No prohibited wastes were noted in the waste mass during the onsite inspection or noted as received during the review period. However due to the confined area of the workface and traffic conditions, visible observations were conducted at a distance.</p>
20-81-610-660	<p>Special Waste - There were no special wastes being managed at the facility during the time of the inspection.</p> <p>The facility reported no PCBs or ACM was disposed of at the landfill during the review period.</p> <p>Facility Manager stated that tires are no longer processed onsite (shredding/grinding) but when needed, they are shipped off-site for proper processing. It was reported that no tires were shipped off-site during the review period.</p> <p>White goods are segregated for processing and recycling upon receipt. No white goods were reported as received during the</p>

	review period. No PCS was reported onsite or received during the review period.
20-81-200.A,B,E	Decomposition gas concentrations, monitoring & recordkeeping - 3rd Qtr. 2020 Gas Probe monitoring was conducted on September 24, 2020, and recorded no exceedances of the standard. 4th Qtr. 2020 Gas Probe monitoring was conducted on December 11, 2020, and recorded no exceedances of the standard.
20-81-200.D	Decomposition gas-odor management - The facility maintains an active Odor Management and Control Plan, revised August 30, 2019, and reviewed annually. Last annual review was conducted and submitted on March 1, 2020, for 2019. Odor logs for the review period were submitted and are under review for completion.

### Disclosure Statement Details

Key Personnel	Title
Bruce Coble	Landfill Manager/Environmental Coordinator
Fletcher Kelly	VP Shoosmith Bros. Inc.
Fred Nichols	VP Shoosmith Bros. Inc.
Lawrence McGee	CFO/VP Shoosmith Bros. Inc.
Tim Inge	Grounds Maintenance Manager

Disclosure Statement Last Updated: 11/10/2016

### Waste Management Facility Operators

Licensed Operator	License #	Expiration Date
Bruce Coble	4605001728	12/31/2021
Tim Inge	4605002080	12/31/2020

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.