COUNTY AGENDA REQUEST

Department:	Solid Waste	Presenter(s):	Vanessa Birrell
Meeting Date:	Thursday, March 26, 2015	Type of Request:	Public Hearing

Wording for the Agenda:

Public Hearing on the proposed issuance of a permit for an Inert Landfill Facility located at 221 First Manassas Mile Road, Fayetteville, Georgia 30214.

Background/History/Details:

Fayette County has operated its own inert landfill under the Permit-by-Rule provisions of the Georgia Rules since 1990. Approximately 1,200 tons of broken concrete, mud, gravel and dirt from road and water system repairs, and ditching 56 miles of gravel roads is disposed in the inert landfill each year. This inert landfill is full and is now being closed. Unlike the1990 permit by rule requirements, Fayette County must apply under stricter solid waste permit requirements to operate a new inert landfill.

Approximately 3.5 acres of land within the the closed Northside Landfill on 1st Manassas Mile Road is well suited to stage the new inert landfill. The location for the new inert landfill is close to the existing yard waste area; meaning both landfills can use the same equipment. This newly proposed inert landfill meets new, more stringent buffer requirements; specifically being 200 feet within the property boundaries. Additionally, there is another 200 feet from the landfill boundary to the backyard property boundaries of Oak Street residents within the Deep Forest subdivision.

It is anticipated to fill this landfill in three phases. The first two phases will be below grade taking from 10 to 15 years to fill each. The final phase will be above ground and will be approximately the same height as the capped landfill to the south. Life expectancy of this facility is approximately 59 years based on present day inert tonnage amounts.

What action are you seeking from the Board of Commissioners?

Approval of the proposed Inert Landfill Facility as presented by staff.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	Yes	If so, when?	Thursday, February 27, 2014
Is Audio-Visual Equipment Required for this Request?*	Yes	Backup Provided with Request?	Yes

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

The public hearing is required by the Georgia Comprehensive Solid Waste Management Act, Section 12-8-24(d).

Georgia Comprehensive Solid Waste Management Act of 1990

Refer to Page 7

Georgia Department of Natural Resources

Environmental Protection Division • Land Protection Branch
Solid Waste Management Program
4244 International Parkway • Suite 104 • Atlanta • Georgia 30354
(404) 362-2537; Fax (404) 362-2580
Judson H. Turner, Director

March 9, 2015

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MAR 16 2015
FAYETTE COUNTY
Environmental Management

Ms Vanessa Birrell
Director of Environmental Management
140 Stonewall Avenue W
Fayetteville, Georgia 30214

SUBJECT: Revised Site Limitations for Fayette County – First Manassas Mile Road Proposed Inert Waste Landfill Fayette County [APL-INERT-037]

Dear Ms Birrell:

The Solid Waste Management Program of the Environmental Protection Division (EPD) has completed its review of the *Fayette County Inert Landfill, Limited Site Suitability Report*, dated December 2014. Based on the data submitted, EPD has determined "Site Limitations" which shall establish the design basis of the proposed inert waste landfill in a manner that complies with *Georgia's Rules for Solid Waste Management*. Based on comments received, the attached site limitations have been revised from the previous site limitations issued on March 3, 2015.

This determination is based on information provided to date for EPD review and is subject to revision prior to permit issuance should errors be found in the submitted information or new information be provided relevant to this determination. This letter denotes only the site limitations and does not constitute approval to begin construction or operation of the disposal site. <u>This letter does not constitute a permit for the proposed inert waste landfill.</u>

Before a permit may be issued for the proposed solid waste disposal site, a Design and Operational Plan, prepared in accordance with the applicable components of the enclosed guidance document "Inert Landfill Design and Operation Plan Supplemental Data for Solid Waste Handling Permit" May 2014, must be submitted for consideration by the Division. Strict adherence to the guidance document is not a regulatory necessity but will greatly speed up the permitting process. You or your engineering consultants are encouraged to discuss any deviations from this guidance with the EPD review engineer prior to submittal to avoid unnecessary delays. After a review and evaluation of this information, a Solid Waste Handling Permit will be either issued or denied. Failure to submit to EPD an approvable Design and Operational Plan within one year from this date may result in permit denial.

Prior to a final decision regarding the issuance of a permit for operation of the inert waste landfill, the appropriate governing authority must hold a public hearing regarding the proposed inert waste landfill no less than two weeks prior to the issuance of any permit. Notice of the public hearing must be posted at the proposed site and advertised in the legal organ of the county or counties in which the proposed inert waste landfill will be located at least 30 days prior to the hearing. A transcript of the public hearing proceedings must be submitted to EPD.

Please feel free to contact me at (404) 362-2565 or Jim Guentert at (404) 362-2556 if you have any questions.

Sincerely,

Melanie Henry
Solid Waste Management Program

Enclosure
cc: Joshua Lawson, Jacobs Engineering Group
EPD Mountain District - Atlanta
William Cook, Jim Guentert, Claudia Moeller, Christy Kehn-Lewis, Melanie Henry, GA EPD
File: (PER) Fayette County – First Manassas Mile Road Road Inert Landfill (APL-INERT-037)

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GEORGIA DEPARTMENT OF NATURAL RESOURCES LETTER

GEORGIA COMPREHENSIVE SOLID WASTE MANAGEMENT ACT OF 1990

AS AMENDED THROUGH 2004

An Abstract from

OFFICIAL CODE OF GEORGIA ANNOTATED
Volume 10
Title 12
Article 2
Part 1
Conservation and Natural Resources

Georgia Department of Natural Resources
Environmental Protection Division
Land Protection Branch
4244 International Parkway, Suite 104
Atlanta, Georgia 30354
404/362-2537

(8) To issue, amend, modify, or revoke orders as may be necessary to ensure and enforce compliance with this part and all rules or regulations promulgated under this part;

(9) To institute, in the name of the division, proceedings of mandamus, injunction, or other proper administrative, civil, or criminal proceedings to enforce this part, the rules and regulations promulgated under this part, or any orders or permits issued under this part;

(10) To accept, receive, administer, and disburse grants from public or private sources for the purpose of the proper administration of this part or for the purpose of carrying out any of the duties, powers, or responsibilities under this part;

(11) To grant variances in accordance with this part and the rules and regulations promulgated under this part, provided that such variances are not inconsistent with any applicable federal act and rules or regulations promulgated under such federal act;

(12) To require any person who is engaged in solid waste handling subject to the permit by rule provisions of this part to notify the division in writing, within a reasonable number of days which the director shall specify, of the location and general description of such activity, identify the solid waste handled, and give any other information which may be deemed relevant, under such conditions as the director may prescribe;

(13) To render technical assistance to state, regional, and local governments and others in the planning and operation of solid waste handling;

(14) To develop criteria and a system of priorities for the distribution of any state funds as may be available through a state grant-in-aid program to assist financially local governments and authorities in the planning, implementing, maintaining, or operating of solid waste handling systems which are consistent with local and regional solid waste management plans prepared in accordance with the requirements of this part;

(15) To approve or disapprove projects for which loans or grants are made under any state or federal act to any municipality, county, authority, or agency of the state for the purpose of solid waste handling; provided, however, the financial review and approval or disapproval for a loan will be made by the Georgia Environmental Facilities Authority;

(16) To develop environmental standards for solid waste management planning to assist local governments, authorities, and corporations in the preparation of local and regional plans prepared in accordance with the requirements of this part;

(17) To advise and consult, cooperate, and contract with other agencies of this state, authorities, political subdivisions of this state, and other designated agencies, entities, persons, and corporations and with the governments of other states and the United States and their several agencies, subdivisions, or designated organizations and entities on matters concerning educating the public on all aspects of proper solid waste management;

(18) To collect and disburse all fees and funds authorized or imposed by this article;

(19) To collect fees related to the sale of new replacement tires and with such fees administer such programs as may be necessary to ensure that scrap tires are regulated from the point of generation to the point of ultimate disposal to protect public health and the environment; and

(20) To exercise all incidental powers necessary to carry out the purposes of this part.

(b) The powers and duties described in subsection (a) of this Code section may be exercised and performed by the director through such duly authorized agents and employees as he deems necessary and proper.

§ 12-8-24. Permits for solid waste or special solid waste handling, disposal, or thermal treatment technology facility; inspection of solid waste generators

(a) No person shall engage in solid waste or special solid waste handling in Georgia or construct or operate a solid waste handling facility in Georgia, except those individuals exempted from this part under *Code Section 12-8-30.10*, without first obtaining a permit from the director authorizing such activity.

(b)(1) No permit for a biomedical waste thermal treatment technology facility shall be issued by the director unless the applicant for such facility demonstrates to the director that a need exists for the facility for waste generated in Georgia by showing that there is not presently in existence within the state sufficient disposal facilities for biomedical waste being generated or expected to be generated within the state. For purposes of this part, "biomedical waste thermal treatment technology facility" means any facility that exists for the purpose of reducing the amount of biomedical waste disposed of through a process of combustion, with or without the process of converting such waste to energy.

(2) Paragraph (1) of this subsection shall not apply to any biomedical waste thermal treatment technology facility which is operated exclusively by a private biomedical waste generator on property owned by the private biomedical waste generator for the purpose of accepting biomedical waste exclusively from the private biomedical waste generator so long as the operation of the biomedical waste thermal treatment technology facility does not adversely affect the public health or the environment. After commencement of operation by a private biomedical waste generator of a biomedical waste thermal treatment technology facility which is permitted by but not included in a local or regional solid waste management plan, amendment of the local or regional solid waste management plan shall be required for any biomedical waste which is no longer to be disposed of by the private biomedical waste generator in its own biomedical waste thermal treatment technology facility prior to any substantial reduction in the amount of biomedical waste produced by the private biomedical waste generator and accepted by its own biomedical waste thermal treatment technology facility or the closure of such facility.

(c) On or after March 30, 1990, any permit for the transportation of municipal solid waste from a jurisdiction generating solid waste to a municipal solid waste disposal facility located in another county shall be conditioned upon the jurisdiction generating solid waste developing and being actively involved in, by July 1, 1992, a strategy for meeting the state-wide goal of waste reduction by July 1, 1996.

(d) If the director determines that such activity will result in any violation of this part or any rule or regulation promulgated pursuant to this part, he shall deny the permit; otherwise, he shall issue the permit, specifying on the permit the conditions under which such activity shall be conducted; provided, however, that a public hearing shall be held by the governing authority of the county or municipality in which the municipal solid waste or special solid waste handling shall occur not less than two weeks prior to the issuance of any permit under this Code section and notice of such hearing shall be posted at the proposed site and advertised in a newspaper of general circulation serving the county or counties in which the proposed activity will be conducted at least 30 days prior to such hearing.

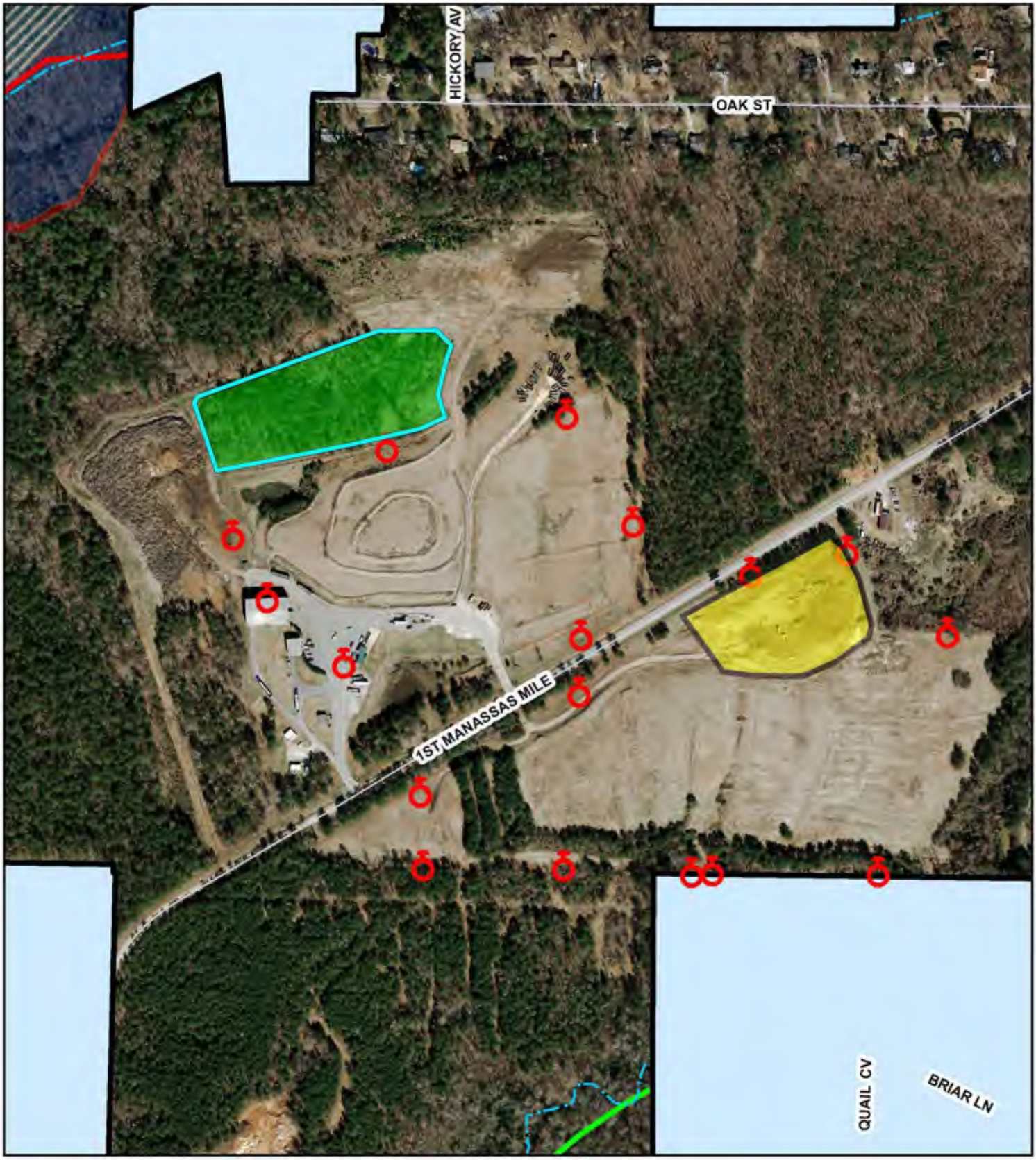
(e)(1) The director may suspend, modify, or revoke any permit issued pursuant to this Code section if the holder of the permit is found to be in violation of any of the permit conditions or any order of the director or fails to perform solid waste handling in accordance with this part or rules promulgated under this part. The director may modify any permit issued pursuant to this Code section in accordance with rules promulgated by the board. All modifications of existing permits shall be classified by the board as either major or minor modifications. All modifications of existing permits to allow vertical or horizontal expansion of existing disposal facilities, except a facility operated by a utility regulated by the Public Service Commission, shall be classified as major permit modifications and shall not be granted by the director sooner than three years from the date any such facility commenced operation; provided, however, that a permit may be modified by the director to allow a vertical or horizontal expansion one time within three years from the date the facility commenced operation so long as the capacity of the facility is not increased more than 10 percent.

(2) Prior to the granting of any major modification of an existing solid waste handling permit by the director, a public hearing shall be held by the governing authority of the county or municipality in which the municipal solid waste facility or special solid waste handling facility requesting the modification is located not less than two weeks prior to the issuance of any permit under this Code section and notice of such hearing shall be posted at the site of such facility and advertised in a newspaper of general circulation serving the county or counties in which such facility is located at least 30 days prior to such hearing.

(3) Except as otherwise provided in this part, major modifications shall meet the siting and design standards applicable to new permit applications in effect on the date the modification is approved by the director; provided, however, that a facility may be granted a variance by the director from those standards when vertically expanded unless such variance is inconsistent with federal laws and regulations; provided,

Map of Newly Proposed Inert Landfill

FAYETTE COUNTY ENVIRONMENTAL MANAGEMENT



Fayette County GEORGIA

1 inch = 400 feet

Existing
Proposed
Methane Wells
Streams
FEMA Cross Sections
100 Year Storm Zone A
100 Year Storm Zone AE
100 Year Storm Zone AE (Floodway)
500 Year Storm

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