



The State of State Inspections

November 2, 2017

# NC SWANA 2017 Fall Conference



*Facility Inspections*

*Alternate Source Demonstrations*

*Deb Aja - Solid Waste Section, Division of Waste Management*



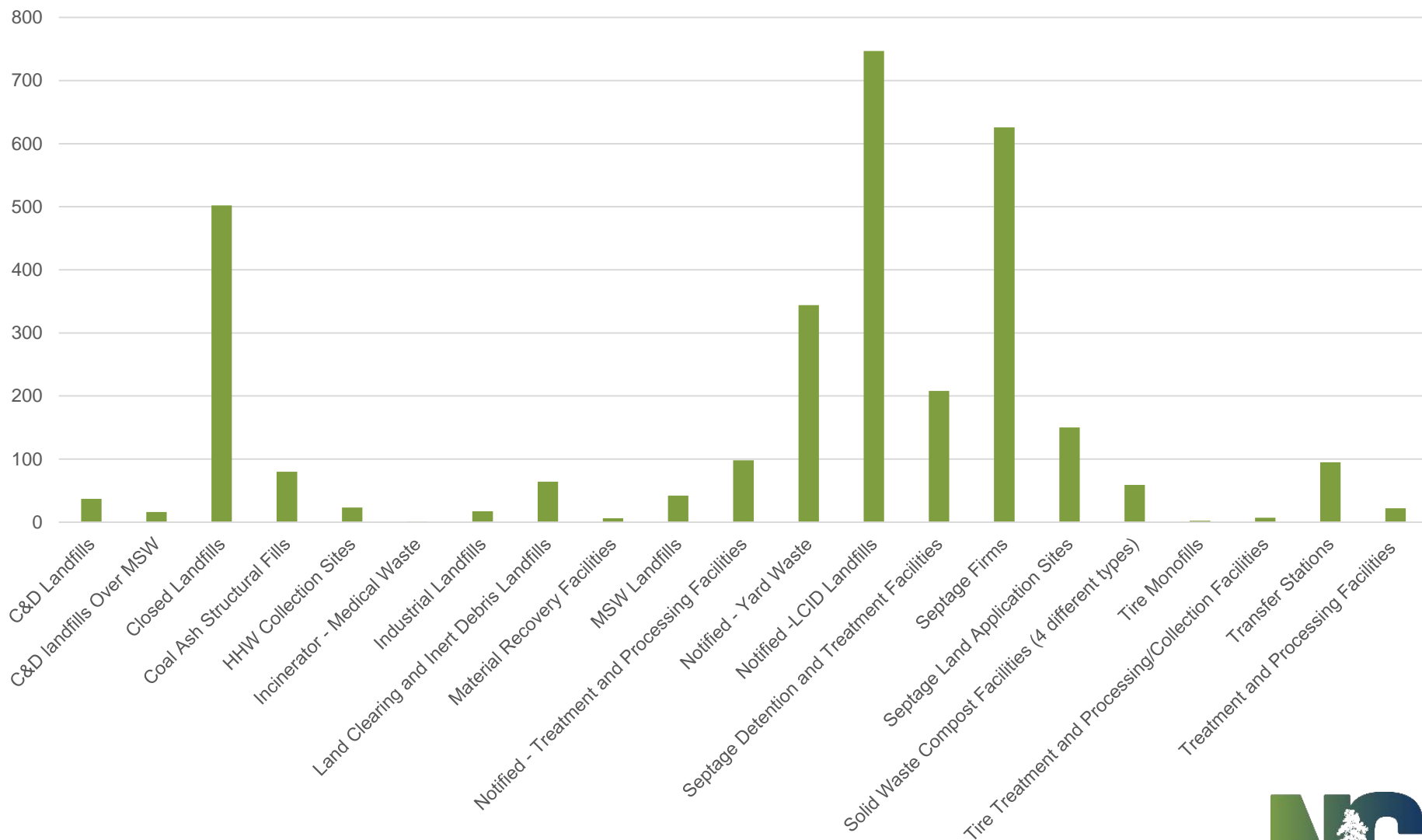
# *Facility Inspections*



*Department of Environmental Quality*



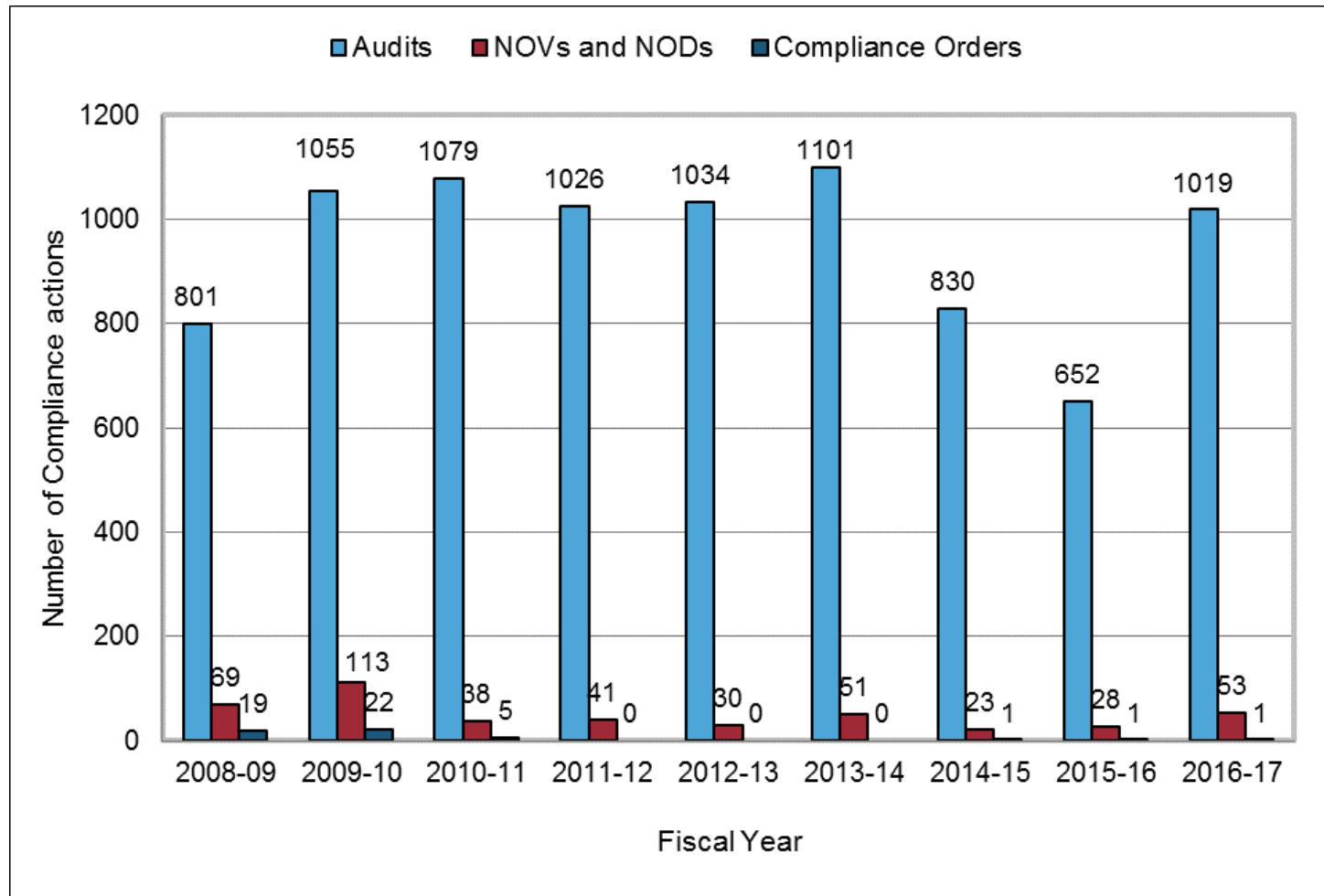
# Solid Waste Facilities



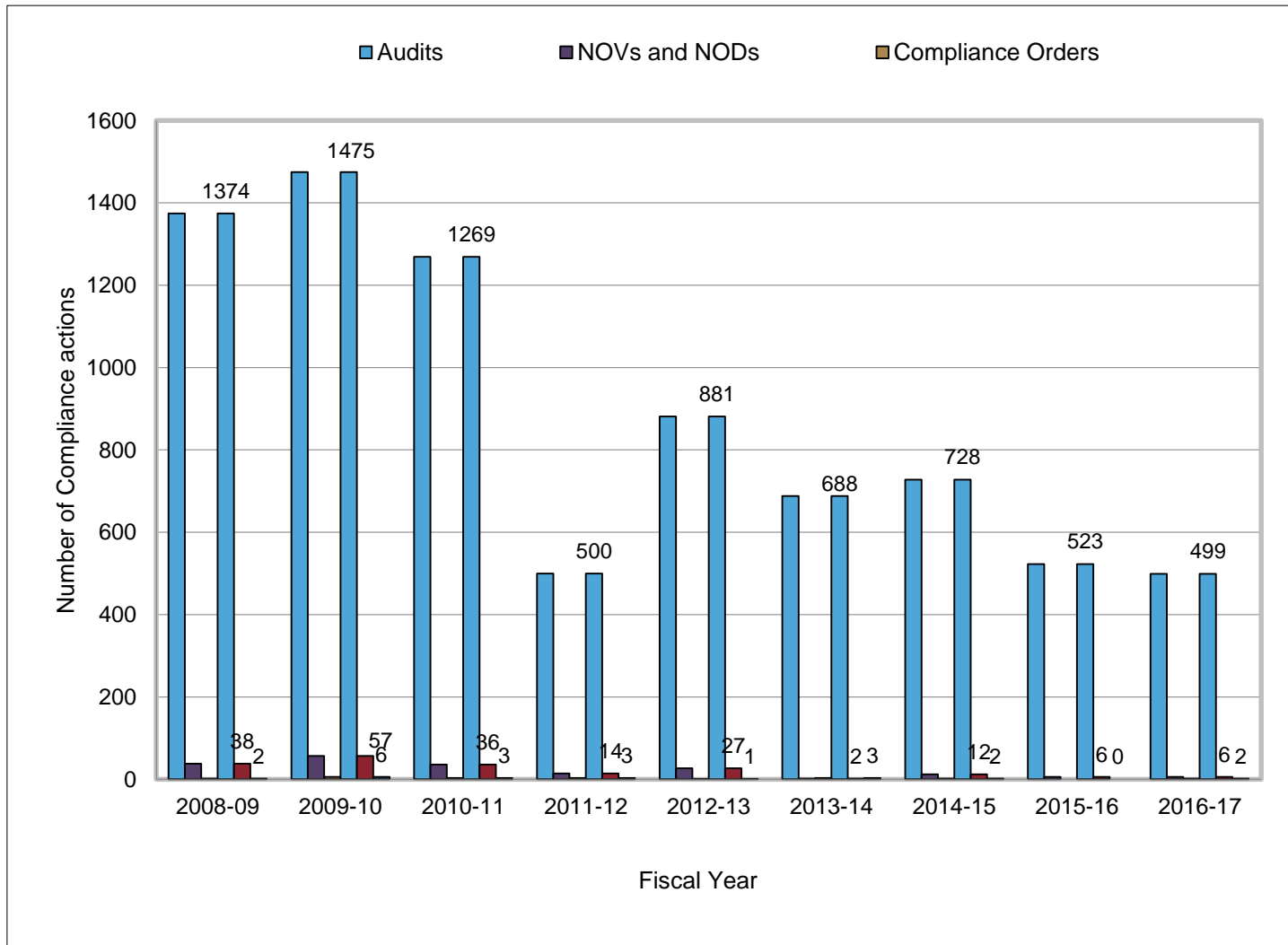
Over 3100



# *Inspections & Compliance*



# *Inspections & Compliance – Septage Facilities & Firms*



## Where have we found significant compliance issues?

- Where there have been gaps in inspections.
- Turnover in facility managers/staff
  - particularly where reluctant to communicate issues as they arise.
- Lack of adequate staffing & equipment.
- Lack of training.



## Stating the Obvious...

Small problems can quickly become large problems that require more resources, time, and money to fix.

- Allowing problems to persist at your facility without taking action can and will lead to penalties.
- If you are taking action, the agency will work with you to look at long term solutions.
  - Interim measures can be taken to come into compliance with a reasonable plan with a reasonable timeframe.

## Open Communication is Key!

*Continue to put into practice what was learned in “Working Together” – 2012 workshops joint training – learned that there are differences in perspective that can be bridged by communication.*

- What did the inspector discuss in the inspection?
  - Know the rules and your facility permit/operations plan.
- Did you feel that you got your message across to the inspector?

## Going forward...

- Don't be afraid to reach out and call.
- Communicate early on when issues arise.
- We can help make a pitch to get support to fill resource needs.

# *Alternate Source Demonstrations*



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## *Alternate Source Demonstrations*

15A NCAC 13B .0545 (b)(8)

15A NCAC 13B .1633 (c)(3)

- Alternate Source Demonstrations (ASDs) may be prepared and submitted in response to Appendix I constituents exceeding the groundwater protection standards as defined in 15A NCAC 13B.1634 (g) or (h) during routine groundwater monitoring events.
- Construction and Demolition Landfills permitted on or after January 1, 2007 have the option to submit an ASD in accordance with 15A NCAC 13B .0545(b)(8).
- Municipal Solid Waste Landfills permitted on or after October 9, 1993 have the option to submit an ASD in accordance with 15A NCAC 13B .1633(c)(3).

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# *Alternate Source Demonstrations*

15A NCAC 13B .0545 (b)(8)

15A NCAC 13B .1633 (c)(3)



## **An Effective ASD Must Prove one of the following:**

- An identifiable source other than the solid waste facility caused the exceedance,
- On-site variability of groundwater concentrations exist, or
- An error occurred during sampling and/or analysis.

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## **Inorganic Constituent Exceedances**

If inorganic constituent exceedances are determined to be caused by turbid groundwater samples, turbidity can be addressed in any of the following ways:

- Re-development of the groundwater monitoring well,
- Modification to groundwater sample collection methods, and
- Installation of new groundwater monitoring wells that are believed to be constructed improperly.

The Solid Waste Section may evaluate other proposed options to address turbidity on a site-specific basis.

## **Statistical Evaluations**

- Facilities may calculate statistical background concentrations using any of the approved statistical methods listed in 15A NCAC 13B .1632(g).
- Statistical background concentrations must be calculated using data from non-turbid background well groundwater samples.
- If analytical data is derived from turbid groundwater samples or there is no record of turbidity measurements, facilities must take necessary steps to reduce turbidity (<10 NTUs) in the background well(s) and collect a minimum of 10 non-turbid samples within a two-year period to calculate the new statistical background value.
- Statistical background values should only be compared to analytical results from downgradient groundwater monitoring wells installed in the same lithologic unit as the background groundwater monitoring well.

### **Volatile Organic Compound (VOC) Exceedances**

- If an ASD determines that landfill gas is the source of VOC exceedance(s), the facility must enter into Assessment Monitoring and begin to remediate landfill gas.
- The facility may return to Detection Monitoring if remediating landfill gas reduces the VOC contaminant concentrations below groundwater protection standards for three consecutive years.

# Alternate Source Demonstrations

15A NCAC 13B .0545 (b)(8)

15A NCAC 13B .1633 (c)(3)

Additional information related to ASD submittal guidelines can be found on the SWS Portal:

<https://deq.nc.gov/about/divisions/waste-management/solid-waste-section>

Topics	
<ul style="list-style-type: none"><li>• <a href="#">Annual Reporting</a></li><li>• <a href="#">Asphalt Shingles</a></li><li>• <a href="#">Batteries</a></li><li>• <a href="#">Coal Combustion Byproducts</a></li><li>• <a href="#">Composting</a></li><li>• <a href="#">Contact DEQ</a></li><li>• <a href="#">Disaster Debris</a></li><li>• <a href="#">Documents</a></li><li>• <a href="#">Electronics Management</a></li><li>• <a href="#">Enforcement</a></li><li>• <a href="#">Environmental Monitoring</a></li><li>• <a href="#">ePayment</a></li><li>• <a href="#">Facility List</a></li><li>• <a href="#">Financial Assurance</a></li><li>• <a href="#">Forms</a></li></ul>	<ul style="list-style-type: none"><li>• <a href="#">Guidance</a></li><li>• <a href="#">Household Hazardous Waste</a></li><li>• <a href="#">Illegal Dumping</a></li><li>• <a href="#">Items Banned from Disposal in Landfills</a></li><li>• <a href="#">Keep in Touch</a></li><li>• <a href="#">Landfill Audit Guidance</a></li><li>• <a href="#">Management Plan</a></li><li>• <a href="#">Medical Waste</a></li><li>• <a href="#">Rules</a></li><li>• <a href="#">Scrap Tires</a></li><li>• <a href="#">Septage</a></li><li>• <a href="#">Tax Certification Program</a></li><li>• <a href="#">White Goods</a></li><li>• <a href="#">Yard Waste</a></li></ul>

## Environmental Monitoring

The Solid Waste Section oversees the monitoring at all Solid Waste Facilities.

View the [October 2007 Memo](#)

View the [October 2006 Memo](#)

View the [Addendum to the Oct 2006 Memo](#)

### Rules

- [15A NCAC 13B .0600 Rules](#) - Applicable to all facilities permitted under the .0500 Rules.
- [15A NCAC 13B .1630-.1637 Rules](#) - Applicable to all facilities permitted under the .1600 Rules.
- [15A NCAC 02C](#) - Well Construction Standards
- [15A NCAC 02L](#) - Groundwater Classification and Standards

### Current Guidance

#### Groundwater

- [Alternate Source Demonstration Guidance Document](#) (July 2017)
- [Submitting New Groundwater Monitoring Plans](#)
- [Evaluation of Groundwater Protection Standards](#)



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*Thank-You!*

<http://portal.ncdenr.org/web/wm/sw>

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