

March 8, 2010

Mr. Mike Apple  
Division of Solid Waste Management  
Tennessee Department of Environment & Conservation  
5th Floor L & C Tower  
401 Church Street  
Nashville, TN 37243-1534

Subject: Draft Solid Waste Disposal Facility Permit SNL76-0281 (Roberta Landfill Phase II, Inc.)

Dear Mr. Apple,

The Tennessee Clean Water Network (TCWN) submits these comments in response to the draft Solid Waste Disposal Facility permit for Roberta Landfill Phase II, Inc. (SNL76-0281). As the Division is aware, the potential impacts of this proposed facility on local resources is of significant interest to the surrounding community. TCWN wants to ensure if this permit is issued, all measures are taken to protect for water quality. We appreciate the opportunity to comment on this draft permit.

### **1. Potential point source discharge to adjacent surface waters.**

TCWN's primary concern regarding this proposed facility is the French drain which will be located beneath the landfill. This structure is not referenced in the draft Solid Waste Disposal Facility permit, but is referenced in the applicant's plans provided to the Division of Water Pollution Control, submitted for an Aquatic Resource Alternation Permit. This drainage structure would discharge into adjacent waters of the state. In conversation with the applicant's consultant, Quantum Environmental and Engineering Services (QE<sup>2</sup>), a proposal to conduct monitoring at the end of this French drain was put forth. This monitoring would determine if any pollutants are leaching from the landfill and draining into the structure below. The potential for this proposed facility to not fully retain pollutants is significant, and all measures should be in place to protect for groundwater and adjacent surface waters. **The potential need for NPDES coverage must be evaluated for this facility before this permit can be issued**, and coverage under the permit must be noted as a requirement as the ARAP is in the draft permit under "Facility-Specific Permit Conditions."

Should the Department find NPDES coverage is not applicable, TCWN requests the monitoring component of the French drain stipulated by Mr. Knoth of QE<sup>2</sup> be included in the permit for all pollutants of concern and mandated on a weekly basis. Should any pollutants be detected in this

discharge, any connection of the French drain to waters of the state must be closed off and the applicant must apply for NPDES permit coverage should it seek to continue using the French drain.

## **2. Leachate and sewage treatment feasibility.**

A second issue of concern to the community and TCWN regards the ability of Oneida STP to take on the leachate from this facility. Also in conversation with QE<sup>2</sup>, TCWN was informed a letter from the STP acknowledged it will be accepting the leachate for treatment. However, the STP is currently discharging into waters significantly impaired for a variety of pollutants and the facility's ability to take significant industrial waste is questionable. The Oneida STP has a design capacity of 0.98 MGD with an industrial flow of approximately 2% of design flow rate (Page R-1, Oneida Draft NPDES permit – TN0064424). This industrial flow rate is therefore approximately 600,000 gallons per month. The proposed Roberta landfill is estimated to produce 250,000 gallons of leachate for a 30-day period (Page 8, Section 6.8.1, Facility Operations Manual), which is approximately 42% of the Oneida STP's industrial flow rate. **It has not been demonstrated the area in which this landfill is proposed has the capability to address all the potential environmental impacts which could result.**

Since the Oneida STP NPDES permit (TN0064494) is currently up for reissuance, TCWN requests the Division of Solid Waste Management work with the Division of Water Pollution Control to coordinate on potential environmental impacts and on those issues which can be addressed now before any activities which may harm our water resources are initiated.

We appreciate the Division's consideration of these issues and thank you for your efforts to address the community's concerns by hosting a public hearing for more dialogue on this proposed permit.

Sincerely,



Dana L. Wright  
Director of Policy and Legislative Affairs

Cc: Mr. Vojin Janjic, Division of Water Pollution Control, TDEC  
Mr. Karl Knoth, QE<sup>2</sup>