

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
BUREAU OF WASTE MANAGEMENT
BUREAU OF ENVIRONMENTAL FIELD SERVICES

SOLID WASTE COMPLIANCE INSPECTION REPORT

Facility Information

Solid Waste Permit # 0213 Number of Employees 8 Herzog & 3
City of Wichita

Facility Name City of Wichita - Brooks Landfill District SCDO

Street 4100 N. West Street City Wichita, KS ZIP 67205

Mailing Address (if different than above) Same

County Sedgwick e-mail rlewis@wichita.gov

Phone (316)722-9410 Cell Phone N/A Fax (316)722-9149

Operating Hours and Days Summer: Monday through Friday 7:30 a.m to 5:00 p.m & Saturday 8:00 a.m to 2:00 p.m Winter: Monday through Friday 7:30 a.m to 4:30 p.m & Saturday 8:00 a.m to 12:00 p.m.

Permit Holder (if different than the Facility Name): City of Wichita

Operator (if different than the Facility Name): Herzog and City of Wichita

Were GPS coordinates previously taken for this facility and recorded in the appropriate database?
 Yes No

If no, did you take the GPS coordinates for this facility and record them in the appropriate database?
 Yes No

Solid Waste Inspection Permitted Activities: (Attach a checklist for each one marked as applicable)

- SLF TRS ILF YWC SWP HHW OBS MTP WTM
 WTP WTR WTT CDL

If the facility has used oil activities, inspect those activities using the hazardous waste inspection report formats at least once every 3 years.

Inspection Information	<input checked="" type="checkbox"/> Routine <input type="checkbox"/> Complaint
-------------------------------	--

Inspection Time 11:00 a.m. Date(s) January 5, 2012

Name of person completing this checklist: Debbie Travis

Inspection Participants:

Include name of inspector(s)	Title	Co./Agency	Participated In (Check all that apply)				Comments
			Intro Meeting	Walk-Through	Records Review	Exit Briefing	
Debbie Travis	ESII	KDHE/BEFS	X	X	X		
Rick Broczek	Manager	Hezog		X	X	X	
Monte Borders	Landfill Inspector	City of Wichita	X	X	X	X	
Bill Emmons	Landfill	City of Wichita	X	X	X	X	

Has the company declared any information/processes as trade secrets KSA 65-3447? Yes No
 If yes, explain: _____

Has this facility been previously inspected by EPA and/or KDHE? Yes No
 If yes, please summarize the following (for the last 3 years):

Date	Agency	Description of Violation (do not need to include reg. Citations or comments)
May 10, 2011	KDHE	1. K.A.R. 28-29-308(f)(1) Unauthorized waste in landfill. 2. K.A.R. 28-29-308(f)(7) Failure to clearly mark waste screening areas. 3. K.A.R. 28-31-16(a)/40CFR279.22(c) Failure to clearly label 4 storage containers containing used oil with the words "Used Oil."
July 7, 2010	KDHE	No violations cited.
June 24 and July 2, 2009	KDHE	1. K.A.R. 28-29-308(f)(1) Unauthorized waste present in the active face of the construction and demolition landfill. 2. K.S.A. 65-3409(a) Unlawful disposal of solid waste. 3. K.S.A. 65-3441(a) Unlawful disposal of hazardous waste.

Please provide a brief description of any significant process, waste, management, ownership, or other pertinent changes since the previous inspection. If this is the first inspection at this facility, please provide a brief description of the facility:

Mr. Emmons told me April 10, 2012 was the tentative date to close the construction and demolition (C&D) landfill to the public. The C&D landfill would only be used by the City of Wichita. He said the friable asbestos landfill would remain open to contractors. Mr. Emmons said the compost site would be completely closed.

Located near the second active face I observed tire ruts that contained a small amount of water. Mr. Borders told me they had a roll-off container of shingle waste dumped there. He said there was water in the container. I informed them to correct this issue.

Located west or above the second active I observed minor erosion but very little waste exposure. Mr. Emmons instructed an employee to correct the erosion issue.

Exit Conference:

Date of Exit Conference: January 5, 2012

Were all violations, comments, corrective actions, and response due dates discussed with the facility if applicable? Yes No

Was the possibility of additional violations and possible enforcement discussed with the facility? Yes No

List of items provided to facility:

NOC/NONC Yes No
 BWM CD Yes No

Other (list): _____

Summary of additional information presented to facility during exit conference:

List of Attachments:

#	Description of Attachments (List Photolog as last attachment if applicable)
1	Notice of Compliance/Non-compliance

Please include any additional information from this inspection here as long as it does not pertain to violations or comments:

Violations and Comments

Were Violations cited: Yes No
Were written comments made: Yes No

Provide a detailed description of each violation and comment, including photo references, attachment references, and regulatory citations below:

Comment:

- A. Boats do not meet the definition of C&D waste. Review Technical Guidance Document SW-94-02 and retrain your employees.

Located in the screening area I observed one speed boat with no motor. Mr. Emmons told me they get 5 to 6 boats per year and they always considered them C&D waste. I informed Mr. Emmons boat do not meet the definition of C&D waste. He disagreed. I telephoned Rebecca Wenner, Bureau of Waste Management (BWM) and she verified a boat does not meet the definition of C&D waste.

CONSTRUCTION AND DEMOLITION (C&D) LANDFILL INSPECTION REPORT

GENERAL INFORMATION AND STANDARDS
--

YES NO NAV#

1. What is the date of the Facility Operations Plan (FOP) currently in use at the facility? February 20, 2002
2. What cell was the facility operating in at the time of the inspection? Phase II second lift
3. If the facility is placing waste in more than 1 active face, please explain:
The facility places waste in a second working face at the residential asphalt shingle recycling area in Phase II third lift
4. Is scavenging prohibited at the site? **K.A.R. 28-29-308(m)**
5. Are salvaging operations being conducted only if working space specifically designed for salvaging C&D wastes is provided? **K.A.R. 28-29-308(l)(1)**
6. Are salvaged materials controlled to prevent interference with the prompt disposal of C&D wastes? **K.A.R. 28-29-308(l)(2)**
7. Are salvaging operations being conducted in a manner that does not create a nuisance? **K.A.R. 28-29-308(l)(3)**
8. If the facility has special permit conditions, are they being met? **K.S.A. 65-3409(a)**
If not, explain? _____
9. Are odors and particulates, including dust and litter, adequately controlled? **K.A.R. 28-29-308(a)**
10. Have arrangements for fire protection services been made when a fire protection district or other public fire protection service is available? **K.A.R. 28-29-308(c)(1)**
If this service is not available, have alternate fire protection measures been provided?
If YES, briefly describe the measures?
Response made by the City of Wichita
11. If there has been a fire at the site since the previous inspection:
 - (a) Were appropriate fire fighting methods used until all smoldering, smoking, and burning ceased? **K.A.R. 28-29-308(c)(2)(A)**
 - (b) Was KDHE notified within one business day and was a written report submitted to KDHE within one week? **K.A.R. 28-29-308(c)(2)(B)**
 - (c) Upon completion of fire fighting activities, were disrupted areas covered and regraded as necessary? **K.A.R. 28-29-308(c)(2)(C)**
 Briefly describe the situation including corrective actions, dates of notification, and dates report submitted: _____
12. Is a two-way communications device accessible to the operator working at the disposal unit? **K.A.R. 28-29-308(n)**
(Check all that apply): Cell Phones Radio Other: _____
13. Does the owner/operator provide an operational safety program for each employee at the C&D landfill? **K.A.R. 28-29-308(o)**

BOUNDARY CONTROLS

- | | Y | N | NA | V# |
|---|-------------------------------------|--------------------------|--------------------------|----|
| 14. Is access to the facility controlled as follows: | | | | |
| (a) Is access to the C&D landfill limited to the hours when the owner or operator is at the site? K.A.R. 28-29-308(e)(1) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (b) Are all access control gates locked when the owner or operator is not at the C&D landfill? K.A.R. 28-29-308(e)(2) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (c) Is access by unauthorized vehicles and pedestrians prohibited? K.A.R. 28-29-308(e)(3) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 15. Is a permanent sign posted at the entrance? K.A.R. 28-29-304(b) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Does the sign contain the following information: | | | | |
| (a) the name of the facility; K.A.R. 28-29-304(b)(1)(A) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (b) the landfill permit number; K.A.R. 28-29-304(b)(1)(B) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (c) the facility's telephone number (if there is one); K.A.R. 28-29-304(b)(1)(C) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (d) the emergency telephone number; K.A.R. 28-29-304(b)(1)(D) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (e) a statement regarding who may bring waste and if appropriate, the hours of operation; K.A.R. 28-29-304(b)(1)(E) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (f) information about types of waste accepted or not accepted for disposal or recycling. K.A.R. 28-29-304(b)(2) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

ON-SITE ROADS

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|--|
| 16. Are on-site roads designed to accommodate traffic flow? K.A.R. 28-29-304(c)(1) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 17. Are on-site roads of all weather construction and negotiable at all times? K.A.R. 28-29-304(c)(2) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 18. Are load limits on bridges and on-site roads sufficient to support all traffic loads generated by use of the facility? K.A.R. 28-29-304(c)(3) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

WATER MANAGEMENT

- | | | | | |
|---|-------------------------------------|--------------------------|-------------------------------------|--|
| 19. Is storm water managed to minimize the amount of contact water generated at the facility and to minimize on and off-site erosion? K.A.R. 28-29-308(d)(1) and K.A.R. 28-29-304(d) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 20. Is storm water that is commingled with contact water handled as if it were entirely contact water? K.A.R. 28-29-308(d)(2) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 21. Is all contact water controlled (managed on-site or disposed off-site) per the approved operating plan? K.A.R. 28-29-308(d)(3) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| If the contact water control system has failed, was KDHE notified by the end of the next business day? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| Please provide a brief description of failure: | | | | |
| _____
If no approved operating plan exists, is contact water controlled and managed on-site or as approved in writing by KDHE for off-site disposal? K.A.R. 28-29-304(e) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 22. Does the contact water control system control stormwater runoff from the active area of the C&D landfill? K.S.A. 65-3409(a)(3) and specific part of permit | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| If not addressed in permit, or no approved permit exists, cite K.A.R. 28-29-304(e)(1) | | | | |
| 23. Is contact water stored in permitted disposal units or in structures or ponds at the permitted facility? K.S.A. 65-3409(a)(3) and specific part of permit | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| If not addressed in permit, or no approved permit exists, cite K.A.R. 28-29-304(e)(2)(A) | | | | |

WATER MANAGEMENT (Continued)

- | | Y | N | NA | V# |
|---|-------------------------------------|--------------------------|-------------------------------------|----|
| 24. If contact water is reused on-site does it meet at least one of the following criteria:
(Check all that apply) K.S.A. 65-3409(a)(3) and specific part of permit | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (a) Wetting of on-site roads or other site areas for dust control. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (b) Irrigation of vegetated areas, not including agricultural crops intended for human or animal consumption. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (c) Distribution on C&D waste, as necessary, for fire protection. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (d) other uses that do not adversely impact public health, safety, and the environment. Describe other uses: _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| If not addressed in permit, or no approved permit exists, cite K.A.R. 28-29-304(e)(2)(C) | | | | |
| 25. If contact water is discharged or disposed off-site, does it meet at least one of the following criteria? Check all that apply. K.S.A. 65-3409(a)(3) and specific part of permit | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| (a) Hauling and discharge of contact water to an off-site treatment facility with written permission from the owner/operator of the treatment facility (as described in the permit).
If not addressed in permit, or no approved permit exists, cite K.A.R. 28-29-304(e)(2)(D) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| (b) Discharge of contact water to surface waters under a NPDES permit.
If not addressed in permit, or no approved permit exists, cite K.A.R. 28-29-304(e)(2)(E) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| (c) Discharge of contact water to deep injection wells with written permission from KDHE for the installation and operation of the wells.
If not addressed in permit, or no approved permit exists, cite K.A.R. 28-29-304(e)(2)(F) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |

NOTE: No violations of K.A.R. 28-29-308(d)(4) should be cited without first discussing with BWM.

WASTE SCREENING

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|--|
| 26. Is only authorized waste present in the active face or elsewhere in the fill?
K.A.R. 28-29-308(f)(1)
List all unauthorized waste observed: _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 27. Is screening occurring as described in the approved FOP?
K.S.A. 65-3409(a)(3) and specific part of permit
<i>Cite this violation if no waste screening is occurring prior to waste being put into the active face, unless the facility claims that waste screening is occurring at the point of generation (off-site).</i>
If not addressed in permit, or no approved permit exists, cite K.A.R. 28-29-308(f) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 28. Is only non-liquid waste accepted for disposal at the facility? K.A.R. 28-29-308(f)(2) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 29. If waste is refused at the facility and/or returned, is the following information recorded: | | | | |
| (a) The date and time of the refusal or return; K.A.R. 28-29-308(f)(3)(A) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (b) the driver's name; K.A.R. 28-29-308(f)(3)(B) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (c) the delivery vehicle's license plate number; K.A.R. 28-29-308(f)(3)(C) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (d) the hauling company's name and address; K.A.R. 28-29-308(f)(3)(D) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (e) the origin of the waste; K.A.R. 28-29-308(f)(3)(E) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (f) the size of the rejected load or amount of returned waste; K.A.R. 28-29-308(f)(3)(F) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (g) the reason for rejection or return; K.A.R. 28-29-308(f)(3)(G) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (h) the name of the person who inspected the waste; K.A.R. 28-29-308(f)(3)(H) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

WASTE SCREENING (Continued)

- | | Y | N | NA | V# |
|--|---|---|----|----|
| 30. Is non-C&D waste that has not been returned to the hauler stored appropriately and | | | | |

disposed at a permitted site? **K.A.R. 28-29-308(f)(4)**

31. If hazardous waste, PCB waste, or medical waste was brought to the facility, was KDHE notified within one business day? **K.A.R. 28-29-308(f)(5)**

(a) Did the notification include the type, amount, and source of the waste? **K.A.R. 28-29-308(f)(5)(B)**

(b) Was the waste managed in accordance with the hazardous waste, PCB, or medical waste regulations, as appropriate? **K.A.R. 28-29-308(f)(5)(C)**

Briefly describe the situation:

32. Does the operator keep a record of each day that waste is screened at the landfill? **K.A.R. 28-29-308(f)(6)**

Please describe the record (log, calendar, etc.):

33. Is the waste screening area clearly delineated using flags, signs, or markers, and is the area compatible with the average daily volume of waste, as approved in the operating plan? **K.A.R. 28-29-308(f)(7)**

34. Is the waste screening area cleared of waste no more than 24 hours after the waste has been deposited? **K.A.R. 28-29-308(f)(8)**

LANDFILL DEVELOPMENT AND COVER

35. Is waste distributed uniformly on the working face at least once each day that waste has been received? **K.A.R. 28-29-308(g)(1)**

36. Is waste placed in a manner and at a rate that provides mass stability during all phases of operation? **K.A.R. 28-29-308(g)(2)**

37. Is waste compacted daily, or according to the schedule designated in the approved facility operating plan? **K.A.R. 28-29-308(h)(1)**

38. Is waste compacted as densely as practical, including at least two passes of compaction equipment over the waste by the end of the day that the waste was placed on the working face? **K.A.R. 28-29-308(h)(2)**

39. Is at least one foot of cover applied every 120 days or every 2,000 tons of waste disposed? **K.A.R. 28-29-308(k)**

If approved alternative cover is used, please describe (here or in the summary):

40. Is the landfill being developed in phases as described in the approved operating plan? **K.S.A. 65-3409(a)(3) and specific part of permit**

If not addressed in permit, or no approved permit exists, cite **K.A.R. 28-29-304(f)**

RECORD KEEPING

Y N NA V#

41. Does the operator maintain a record of the following information for each load of C&D waste placed at the landfill? **K.A.R. 28-29-308(i)**
- (a) The tons or volume of C&D waste? **K.A.R. 28-29-308(i)(1)**
- (b) the state in which the waste was generated? **K.A.R. 28-29-308(i)(2)**
- (c) if the waste is exempt from the state solid waste tonnage fee, as specified in K.S.A. 65-3415b and amendments thereto, the reason for the exemption. **K.A.R. 28-29-308(i)(3)**
42. Does the operator maintain a record of the following information for all waste diverted by the landfill for recycling? **K.A.R. 28-29-308(j)**
- (a) The type of waste, if any waste other than C&D waste is diverted for recycling? **K.A.R. 28-29-308(j)(1)**
- (b) the number of tons or the volume of each type of waste; **K.A.R. 28-29-308(j)(2)**
- (c) the state in which the waste was generated; **K.A.R. 28-29-308(j)(3)**
- (d) the name and address of the facility to which the waste was sent for recycling? **K.A.R. 28-29-308(j)(4)**
43. Does the facility maintain the following on-site: **K.A.R. 28-29-308(p)(1)(E)**
- (a) The current permit; **K.A.R. 28-29-308(p)(1)(E)(i)**
- (b) the permit conditions; **K.A.R. 28-29-308(p)(1)(E)(ii)**
- (c) the design plan; **K.A.R. 28-29-308(p)(1)(E)(iii)**
- (d) the operations plan; **K.A.R. 28-29-308(p)(1)(E)(iv)**
- (e) a contingency plan; **K.A.R. 28-29-308(p)(1)(E)(v)**
44. Does the facility maintain the following records for a minimum of five years: **K.A.R. 28-29-308(p)(2)**
- (a) The waste screening records; **K.A.R. 28-29-308(p)(2)(A)**
- (b) the records of refused and returned waste; **K.A.R. 28-29-308(p)(2)(B)**
- (c) the records of all waste disposed of, whether on-site or off-site; **K.A.R. 28-29-308(p)(2)(C)**
- (d) the records of waste recycled; **K.A.R. 28-29-308(p)(2)(D)**
- (e) employee training records; **K.A.R. 28-29-308(p)(2)(E)**
- (f) gas monitoring results (if applicable); **K.A.R. 28-29-308(p)(2)(F)**
- (g) groundwater monitoring results (if applicable); **K.A.R. 28-29-308(p)(2)(G)**
- (h) additional information as required by the permit. **K.A.R. 28-29-308(p)(2)(H)**
45. Does the operator maintain a log of the dates on which cover is applied? **K.A.R. 28-29-308(k)(4)**
- Please describe the log (calendar, spreadsheet, etc.): Journal and Computer

V# = Violation Number
Revised July 30, 2010

Additional Information and Conclusions:

ATTACHMENTS

