COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
PIEDMONT REGIONAL OFFICE
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VIRGINIA WASTE MANAGEMENT BOARD ENFORCEMENT ACTION - ORDER BY CONSENT ISSUED TO ACE WASTE RICHMOND LLC FOR ACE RECYCLING Permit-By-Rule No. 543

SECTION A: Purpose

This is a Consent Order issued under the authority of Va. Code § 10.1-1455, between the Virginia Waste Management Board and Ace Waste Richmond LLC, regarding Ace Recycling, for the purpose of resolving violations of the Virginia Waste Management Act and the Regulations.

SECTION B: Definitions

Unless the context clearly indicates otherwise, the following words and terms have the meaning assigned to them below:

1. "Ace Waste" means Ace Waste Richmond LLC, a limited liability company authorized to do business in Virginia and its members, affiliates, partners, and subsidiaries. Ace Waste is a "person" within the meaning of Va. Code § 10.1-1400.

2. "Board" means the Virginia Waste Management Board, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1-1184 and - 1401.

3. "Department" or "DEQ" means the Department of Environmental Quality, an agency of the Commonwealth of Virginia as described in Va. Code § 10.1-1183.

4. "Director" means the Director of the Department of Environmental Quality, as described in Va. Code § 10.1-1185.

5. "Facility" means Ace Recycling (Permit-by-Rule No. 543), located at 13101 North Enon Church Road, Chester, Virginia, which is owned and operated by Ace Waste Richmond LLC.

6. "FAR" means Financial Assurance Regulations for Solid Waste Disposal, Transfer and Treatment Facilities, 9 VAC 20-70-10 *et seq.*

7. "Notice of Violation" or "NOV" means a type of Notice of Alleged Violation under Va. Code § 10.1-1455.

8. "Order" means this document, also known as a "Consent Order" or "Order by Consent."

9. "Permit" means Permit-By-Rule (PBR) No.543, which was issued under the Virginia Waste Management Act and the Regulations to Ace Waste on April 19, 2011.

10. "PRO" means the Piedmont Regional Office of DEQ, located in Glen Allen, Virginia.

11. "Regulations" or "VSWMR" means the Virginia Solid Waste Management Regulations, 9 VAC 20-81-10 *et seq.*

12. "Va. Code" means the Code of Virginia (1950), as amended.

13. "VAC" means the Virginia Administrative Code.

14. "Virginia Waste Management Act" means Chapter 14 (§ 10.1-1400 *et seq.*) of Title 10.1 of the Va. Code. Article 2 (Va. Code §§ 10.1-1408.1 through - 1413.1) of the Virginia Waste Management Act addresses Solid Waste Management.

SECTION C: Findings of Fact and Conclusions of Law

1. On June 19, 2009, the Department issued, and on April 19, 2011 amended, the Permit-By-Rule No. 543 (Permit) to Ace Waste Richmond LLC. The Permit allows Ace Waste to operate a materials recovery facility, which is located at 13101 North Enon Church Road, Chesterfield County, Virginia.

2. The Facility has been operated as a materials recovery facility since the Permit was issued. Operations and maintenance at the Facility are subject to the Virginia Waste Management Act, the Regulations, and the Permit.

3. On November 8, 2011, Department staff inspected the Facility for compliance with the requirements of the Virginia Waste Management Act, the Regulations and the Permit. Based on the inspection and follow-up information, Department staff made the following observations:

   a. a stockpile of construction, demolition, debris (CDD) fines, which contained numerous small pieces of plastics, rubber, and wood, was located outside of the processing building. No CDD fines had been removed from the Facility since the previous inspection of August 11, 2011. This stockpile of CDD had been noted as an area of concern on a February 18, 2011 Department inspection report, and reported as a violation from the August 11, 2011 inspection;
   b. stockpiles of inert materials, including concrete, block, brick, and asphalt were present outside of the processing building;
   c. a stockpile, as characterized by Ace, of 'crush and run', outside of the processing building, contained inert materials such as plastic and wood; and
   d. the volume of the stockpiles at the Facility was reported as unknown at the time of the inspection(s) due to the reported variability of the incoming stream of waste, it was reported that the quantity of these materials generated is not known in a given time period.

4. 9 VAC 20-81-300.B requires all facilities, exempted facilities shall be maintained and operated in accordance with the permit issued or permit-by-rule status pursuant to this regulation. All facilities shall be maintained and operated in accordance with the approved design and intended use of the facility.

5. PBR 543, the General Description, requires that all activities undertaken, will take place under roof, including the receipt of waste, sorting and separating materials, secondary processing, and loading of outbound trucks. The only exception is the storage of some finished materials, such as bales of plastic that are stored on the loading dock at the direction of the Chesterfield County Fire Department.

6. On December 6, 2011, DEQ issued Notice of Violation (NOV) No. 2011-12-PRO-601 to Ace Waste Richmond LLC for the Facility for the violations described in paragraph C(3) through C(5), above.

7. On December 16, 2012, a representative for Ace Waste contacted DEQ in response to the NOV, stating that Ace Waste contends that the material stored outside, and not under cover, was a product, not a waste material.

8. On February 1, 2012, Ace Waste met with the Department to discuss resolution of the NOV. At the meeting, Ace Waste agreed to keep records of materials onsite of materials received and moved off-site; provide Financial Assurance to address the volume of materials onsite; inventory all material on-site; provide a corrective action plan; and provide receipts of fines, mulch, brick/block and crush and run as they are moved off-site to their designated locations.

9. DEQ received a response letter from Ace Waste dated February 17, 2012. The plan stated that the goal of Ace Waste was to make considerable progress to eliminate all of the material stored outside the building by no later than August 31, 2012.

10. On June 5, 2012, DEQ conducted the next compliance inspection of the Facility and observed continued and additional noncompliance with the Permit as follows:

    a. failure to submit an updated, cost adjusted estimate, of the annual financial assurance mechanism for the amount of material on-site, due April 30, 2012;
    b. failure to contain the unprocessed and partially processed CDD material under roof, and failure to maintain a clear tipping area for processing the receipt of waste;
    c. failure to cease the receipt of waste when the Facility conveyor and/or equipment was not working from May 7, 2012 through May 28, 2012 with the Facility performing minimal processing of waste during this timeframe;
    d. failure to maintain written documentation of self-inspections of the Facility in an inspection log;
    e. failure to certify the Operations Manual, due December 31, 2011, and the Operations Manual did not contain an Inspection Plan and a Health and Safety Plan; and
    f. failure to provide records of all loads entering and leaving the site, materials on-site, stockpiled outside of the building, under roof, and baled materials located on the loading dock.

11. 9 VAC 20-70-111 and 9 VAC 20-70-112 require that owners or operators of each solid waste management unit establish financial assurance in current dollars and provide continuous coverage until released from financial assurance requirements by the Department. These regulations also require that the owner or operator adjust the cost estimate annually for inflation and submit a revised financial assurance mechanism in the new amount.

12. 9 VAC 20-81-330.D.6 requires that internal storage areas for unprocessed incoming solid waste be provided to ensure an environmentally sound operation and afford space to allow for proper processing of maximum anticipated daily incoming solid waste.

13. 9 VAC 20-81-300.B requires all facilities, except exempted facilities, be maintained and operated in accordance with the permit issued or permit-by-rule status pursuant to this regulation. All facilities shall be maintained and operated in accordance with the approved design and intended use of the facility.

14. PBR 543, General Description, requires that all activities undertaken by this facility will take place under roof, including the receipt of waste, sorting and separating materials, secondary processing, and loading of outbound trucks. The

only exception is the storage of some finished materials, such as bales of plastic that are stored on the loading dock at the direction of the Chesterfield County Fire Department.

15. PBR 543, Appendix D-Contingency Plan, requires that by the end of a third 24 hour period or if the tipping floor is full prior to this timeframe and the facility is still unable to process materials, then all receipts of waste shall cease, all customers be notified, and the facility immediately begin transporting received CDD to other permitted facilities.

16. 9 VAC 20-81-350.1 requires that a facility owner or operator record self-inspection in an inspection log. These records are to be retained for at least three years from the date of inspection. They must include the date and time of the inspection, the name of the inspector, a description of the inspection including the identity of specific equipment and structures inspected, the observations recorded, and the date and nature of any remedial actions implemented or repairs made as a result of the inspection.

17. 9 VAC 20-81-485.B.2 and 9 VAC 20-81-485.B.3 require that the Operations Manual include a certification page signed by a responsible official. The signature certifies the manual meets the requirements of this chapter. The manual shall be reviewed and re-certified annually (by December 31 of each calendar year) to ensure consistency with current operations and regulatory requirements and be made available to the department upon request. The manual for facility operation shall contain at least the following plans:

    1. An inspection plan that at a minimum includes (9 VAC 20-81-485.B.2):

        a. A schedule for inspecting all applicable major aspects of facility operations necessary to ensure compliance with the requirements of Part IV (9 VAC 20-81-300 *et seq.*) of this chapter.
        b. The frequency of inspection shall be based on the rate of potential equipment deterioration or malfunction and the probability of an adverse incident occurring if the deterioration or malfunction goes undetected between inspections; and the plan shall identify areas of the facility subject to spills such as loading and unloading areas and areas in which significant adverse environmental or health consequences may result if breakdown occurs.
        c. A schedule for inspecting monitoring, safety, and emergency equipment; security devices; and process operating and structural equipment.
        d. The types of potential problems that may be observed during the inspection and any maintenance activities required as a result of the inspection.

2. A health and safety plan that includes a description of measures to protect the facility and other personnel from injury and is consistent with the requirements of 29 CFR Part 1910, (9 VAC 20-81-485.B.3).

18. PBR 543, Section 3 of Operations, requires that all loads entering and leaving the site are required to be weighed and have that weight recorded along with other pertinent data such as customer name, origin of material, and type.

19. On July 25, 2012, DEQ issued NOV No. 2012-07-PRO-601 to Ace Waste, based on the June 5, 2012 site inspection, for the violations described in paragraphs C(10) through C(18), above.

20. On September 10, 2012, DEQ staff conducted a compliance inspection of the Facility and observed noncompliance with the Permit as follows:

a. failure to amend the closure plan's estimate of financial assurance to address the material on-site, which appeared to exceed the currently permitted tonnage;
b. failure to contain stockpiles of unprocessed CDD, partially processed CDD, inert materials mixed with waste, vegetative waste mixed with treated wood, and clean wood mulch in the processing building;
c. failure to cease receipt of all CDD waste on the day of inspection, when the Facility tipping floor was full and unable to process incoming waste;
d. failure to remove all wastes noted from the previous inspection, on June 5, 2012, more than 90 days prior to the September 10, 2012 inspection, resulting in improper storage of wastes.
e. failure to submit an adequate and complete revised Operations Plan on September 14, 2012;
f. failure to provide complete self-inspection Facility records; and
g. failure to provide a complete and certified copy of the Operations Manual at the time of the inspection.

21. 9 VAC 20-81-360.1.a requires at closure, that the owner or operator remove or decontaminate all waste residues contaminated containment system components (liners, etc.) contaminated subsoils, and structures and equipment contaminated with waste and leachate. Section 2.b requires that owners or operators may amend the closure plan at any time during the active life of the facility. The owner or operator is required to amend the plan any time changes in operation plans or facility design affects the closure plan. The amended closure plan is to be placed in the operating record.

22. 9 VAC 20-81-410.A.6 requires in part that whenever modifications in the design or operation of the facility affect the provisions of the closure plan, the owner or operator shall revise the closure plan and submit to the department a new certificate and documentation required under subdivision 2 of this subsection, as applicable, Should there be an increase in the closure costs, the owner or operator

shall submit a new proof of financial responsibility as required by the Financial Assurance Regulations for Solid Waste Disposal, Transfer, and Treatment Facilities (9 VAC 20-70).

23. 9 VAC 20-70-111.A.1 requires that the estimate equal the cost of final closure at the point in the facility's active life when the extent and manner its operation would make closure the most expensive, as indicated in its closure plan.

24. 9 VAC 20-70-81.A requires that the costs associated with protecting the public health and safety from the consequences of an abandonment or a failure to properly execute closure, post-closure care or corrective action at a facility are to be recovered from the owner or operator, the owner or operator of such facility shall obtain one, or a combination of the financial responsibility mechanisms described in this part. Financial responsibility mechanisms shall be in the amount equal to the cost estimate approved by the department using the procedures set forth in Article 3 (9VAC 20-70-111 *et seq.*) of this part.

25. PBR 543, attachment II, requires that the PBR limits the maximum inventory of materials stored on site (waste and recovered materials) to 2,109 tons. The amount of current financial assurance demonstrated for this site is based on 2,109 tons.

26. 9 VAC 20-81-330.D.1, 9 VAC 20-81-330.D.3, 9 VAC 20-81-330.D.5, and 9 VAC 20-81-330.D.6 require in part that the design and construction of materials recovery facilities be governed by the following standards:

    a. That a materials recovery facility be so designed to reduce the potential of elements that may degrade health or the environment from crossing the facility boundaries. Such elements include fire, vectors, wash water, odor, and litter (9 VAC 20-81-330.D.1).
    b. The unloading, receiving, or tipping areas be constructed of impervious materials, provided with a water supply for storage and transfer area cleaning purposes, and equipped with drains or pumps, or equivalent means to facilitate the removal of wastewater to proper storage or disposal (9 VAC 20-81-330.D.3).
    c. The unloading, tipping receiving, and storage structures, buildings, and ramps shall be of material that can be easily cleaned (9VAC 20-81-330.D.5).
    d. Internal storage areas for unprocessed incoming solid waste be provided to ensure an environmentally sound operation and afford space to allow for proper processing of maximum and anticipated daily incoming solid waste (9 VAC 20-81-330.D.6).

27. 9 VAC 20-81-95.D.10.b requires that nonputrecible wastes are not stored more than 90 days between time of collection and time of removal for proper management.

28. 9 VAC 20-81-300.B requires that all facilities, except exempted facilities, be maintained and operated in accordance with the permit issued or permit-by-rule status pursuant to this regulation. All facilities are to be maintained and operated in accordance with the approved design and intended use of the facility.

29. PRB 543, General Description, requires that all activities undertaken by this facility will take place under roof, including the receipt of waste, sorting and separating materials, secondary processing, and loading of outbound trucks. The only exception is the storage of some finished materials, such as bales of plastic that are stored on the loading dock at the direction of the Chesterfield County Fire Department.

30. PBR 543, Operations Manual, requires that if by the end of a third 24 hour period or if the tipping floor is full prior to this timeframe and the facility is still unable to process materials, then all receipts of waste shall cease, all customers be notified, and the facility immediately begin transporting received debris to other permitted facilities.

31. 9 VAC 20-81-340.D.3 requires that a written operating plan be prepared covering at the minimum:

    a. Facility housekeeping, onsite traffic control, schedules for waste delivery vehicle flow, wastewater collection, storm water collection, vector control, odor control, noise control, and methods of enforcement of traffic flow plans for the waste delivery vehicles.
    b. A description of methods to determine the usefulness of the recovered material, frequency of testing, and the action the facility owner or operator will take whenever the material fails the standards applicable to the recovered product and must be disposed of a waste.
    c. The process rate of the facility, the capacities of any waste storage areas, the expected daily quantity of waste residue generation, and the ultimate disposal location for all facility generated waste residue.
    d. For facilities engaged in the reclamation of soil, a description of the methods and frequencies of analysis of the reclaimed product shall be provided as required by 9 VAC 20-81-660.

32. 9 VAC 20-81-350.1 requires that the facility owner or operator record self-inspections in an inspection log. These records shall be retained for at least three years from the date of inspection. They must include the date and time of the inspection, the name of the inspector, a description of the inspection including the identity of specific equipment and structures inspected, the observations recorded, and the date and nature of any remedial actions implemented or repairs made as a result of the inspection.

33. 9 VAC 20-81-485.B.1 and 9 VAC 20-81-485.B.5 require that the Operations Manual include a certification page signed by a responsible official. The

signature shall certify that the manual meets the requirements of this chapter. The manual shall be reviewed and re-certified annually (by December 31 of each calendar year) to ensure consistency with current operations and regulatory requirements and shall be made available to the department upon request. The manual for facility operation shall contain at least the following plans:

1. An operations plan shall include (9 VAC 20-81-485.B.1):

   a. Site closing information consisting of a discussion of those actions necessary to prepare the site for long-term care and final use in the implementation of the closure plan.

2. An emergency contingency plan shall include (9 VAC 20-81-485.B.5):

   a. Delineation of procedures for responding to fire, explosions, or any unplanned sudden or nonsudden releases of harmful constituents to the air, soil, or water;
   b. Description of the actions facility personnel shall take in the event of various emergency situations;
   c. Description of arrangements made with the local police and fire department that allow for immediate entry into the facility by their authorized representatives should the need arise; and
   d. A list of names, addresses, and phone numbers of all persons qualified to act as emergency coordinator for the facility.

34. On October 4, 2012, DEQ issued NOV No. 2012-10-PRO-601 to Ace Waste based on the September 10, 2012 site inspection, for the violations as described in paragraphs C(19) through C(33), above. Ace Waste responded to the NOV by email on October 12, 2012.

35. Ace Waste submitted an approvable Operations Manual on December 10, 2012.

36. Based on the results of the August 11, 20 11, November 8, 2011, June 5, 2012, September 10, 2012 inspections, and the February 1, 2012 meeting, the Board concludes that Ace Waste has violated 9 VAC 20-70-81.A, 9 VAC 20-70-111, 9 VAC 20-70-111.A.1, 9 VAC 20-70-112, 9 VAC 20-81-95.D.10.b, 9 VAC 20-81-300.B, 9 VAC 20-81-330.D.1, 9 VAC 20-81-330.D.3, 9 VAC 20-81-330.D.5, 9 VAC 20-81-330.D.6, 9 VAC 20-81-340.D.3, 9 VAC 20-81-350.1, 9 VAC 20-81-360.1.a, 9 VAC 20-81-410.A.6, 9 VAC 20-81-485.B.1, 9 VAC 20-81-485.B.2, 9 VAC 20-81-485.B.3, 9 VAC 20-81-485.B.5, and Permit-By-Rule 543,as described in paragraphs C(3) through C(5), C(10) through C(18), and C(20) through (33), above.

37. In order for Ace Waste to return to compliance, DEQ staff and representative of Ace Waste have agreed to the Schedule of Compliance, which is incorporated as Appendix A of the Order.

SECTION D: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code §10.1-1455, the Board orders Ace Waste, and Ace Waste agrees to:

1. Perform the actions described in Appendix A of this Order; and

2. Pay a civil charge of **$26,900** in settlement of the violations cited in this Order. The civil charge shall be paid in accordance with the following schedule:

Due Date	Amount
September 10, 2013	$ 13,450 or balance
March 10, 2014	$ 13,450

Payment shall be made by check, certified check, money order, or cashiers check payable to the "Treasurer of Virginia" and shall be delivered to:

Receipts Control
Department of Environmental Quality
Post Office Box 1104
Richmond, Virginia 23218

Ace Waste shall include her Federal Employer Identification Number (FEIN) with the civil charge payment and shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Environmental Emergency Response Fund (VEERF).

SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend the Order with the consent of Ace Waste for good cause shown by Ace Waste, or on its own motion pursuant to the Administrative Process Act, Va. Code § 2.2-400 *et seq.*, after notice and opportunity to be heard.

2. This Order addresses and resolves only those violations specifically identified in Section C of this Order. This Order shall not preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2) seeking subsequent remediation of the Facility; or (3) taking subsequent action to enforce the Order.

3. For purposes of this Order and subsequent actions with respect to this Order only, Ace Waste admits the jurisdictional allegations, findings of fact, and conclusions of law contained herein.

4. Ace Waste consents to venue in the Circuit Court of the City of Richmond for any civil action taken to enforce the terms of this Order.

5. Ace Waste declares it has received fair and due process under the Administrative Process Act and Virginia Waste Management Act and it waives the right to any hearing or other administrative proceeding authorized or required by law or regulation, and to any judicial review of any issue of fact or law contained herein. Nothing herein shall be construed as a waiver of the right to any administrative proceeding for, or to judicial review of, any action taken by the Board to modify, rewrite, amend, or enforce this Order.

6. Failure by Ace Waste to comply with any of the terms of this Order shall constitute a violation of an order of the Board. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Board or the Director as a result of such violations. Nothing herein shall affect appropriate enforcement actions by any other federal, state, or local regulatory authority.

7. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.

8. Ace Waste shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or other such occurrences. Ace Waste shall show that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. Ace Waste shall notify the DEQ Regional Director verbally within 24 hours and in writing within three business days when circumstances are anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of the Order. Such notice shall set forth:

   a. the reasons for the delay or noncompliance;

   b. the projected duration of any such delay or noncompliance;

   c. the measures taken and to be taken to prevent or minimize such delay or noncompliance; and

   d.. the timetable by which such measures will be implemented and the date full compliance will be achieved.

Failure to so notify the Regional Director verbally within 24 hours and in writing within three business days, of learning of any condition above, which Ace Waste intends to assert will result in the impossibility of compliance, shall constitute a waiver of any claim to inability to comply with a requirement of this Order.

9. This Order is binding on the parties hereto, their successors in interest, designees and assigns, jointly and severally.

10. This Order shall become effective upon execution by both the Director or his designee and Ace Waste. Nevertheless, Ace Waste agrees to be bound by any compliance date which precedes the effective date of this Order.

11. This Order shall continue in effect until:

    a. The Director or his designee terminates the Order after Ace Waste has completed all of the requirements of the Order.

    b. Ace Waste petitions the Director or his designee to terminate the Order after it has completed all of the requirements of the Order and the Director or his designee approves the termination of the Order; or

    c. The Director or Board terminates the order in his or its sole discretion upon 30 days' written notice to Ace Waste.

    Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve Ace Waste from its obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.

12. Any plans, reports, schedules or specifications attached hereto or submitted by Ace Waste and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of the Order.

13. Any documents to be submitted pursuant to this Order shall also be submitted by Ace Waste or an authorized representative of Ace Waste.

14. This Order constitutes the entire agreement and understanding of the parties concerning settlement of the violations identified in Section C of this Order, and there are no representations, warranties, covenant, terms or conditions agreed upon between the parties other than those expressed in this Order.

15. By its signature below, Ace Waste voluntarily agrees to the issuance of this Order.

And it is so ORDERED this 7th day of August, 2013.

Michael P. Murphy, Regional Director
Department of Environmental Quality

Ace Waste Richmond LLC voluntarily agrees to the issuance of this Order.

Date: 6/27/13 By: _____, Managing Member
(Person) (Title)
Ace Waste Richmond LLC

Commonwealth of Virginia
City/County of Chesterfield

The foregoing document was signed and acknowledged before me this 27th day of

June, 2013, by Ken Magul who is

Managing Member of Waste Ace Richmond LLC, on behalf of the company.
(Name)

_____
Notary Public

319048
Registration No.

My commission expires: 9-30-14

Notary seal:

APPENDIX A
SCHEDULE OF COMPLIANCE

Ace Waste shall comply with the following regarding the Virginia Waste Management Act:

1. Stockpiles of material outside the process building

   On or before November 1, 2013, Ace Waste shall remove all stockpiled dirt outside of the process building; and remove, on or before **December 31, 2013**, all stockpiled concrete outside of the process building, in compliance with the Permit and 9 VAC 20-81-300.B.

   Ace Waste shall maintain all records of proof of receipt of material and proper removal and/or disposal of all materials on site on or before **March 1, 2013.** These records shall be provided immediately upon request and/or during a DEQ inspection of the facility.

2. Reports

   On or before the 10th of each month, Ace shall submit to DEQ Piedmont Regional Office monthly status reports with photos demonstrating the progress in removal of the stockpiled materials outside of the process building. The progress reports with photos shall be submitted until all stockpiled materials outside of the process building have been completely removed.

3. Financial Responsibility Mechanism

   On or before **August 1, 2013**, Ace Waste shall provide documentation to DEQ of the updated Financial Responsibility mechanism for Ace Waste Richmond LLC in order to comply with the Virginia Financial Assurance Regulations for Solid Waste Disposal Waste Disposal, Transfer, and Treatment Facilities.

4. Contact

   Unless otherwise specified in this Order, Ace Waste shall submit all requirements of Appendix A of this Order to:

   Cynthia Akers
   Enforcement Specialist
   VA DEQ-PRO
   4949-A Cox Road
   Glen Allen, VA 23060
   Cynthia.Akers@deq.virginia.gov