# *COMMONWEALTH of VIRGINIA*

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# VIRGINIA WASTE MANAGEMENT BOARD ENFORCEMENT ACTION - ORDER BY CONSENT ISSUED TO SCOTT COUNTY FOR Scott County Sanitary Landfill Solid Waste Permit No. 023

## 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 Scott County, regarding the Scott County Sanitary Landfill, for the purpose of resolving violations of the Virginia Waste Management Act and the applicable permit and regulations. This Order supersedes and terminates the Consent Order issued by the Board to Scott County on November 28, 2003, the Consent Order Amendment issued to Scott County on March 10, 2008 and the Letter of Agreement issued to Scott County on November 3, 2010.

## SECTION B: Definitions

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

1. "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.

2. "County" means Scott County, a political subdivision of the Commonwealth of Virginia. Scott County is a "person" within the meaning of Va. Code § 10.1-1400.

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" or "Landfill" means Scott County Sanitary Landfill, located on State Route 676, approximately 10 miles north of Gate City, Virginia, which is owned and operated by Scott County.

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

7. "GPS" means Groundwater Protection Standard.

8. "LOA" means Letter of Agreement.

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

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

11. "Parcel 1" means a 30-acre tract of land purchased by Scott County in 1970, as recorded in Deed Book 260, page 218 and shown in Plat Book 4, Page 59.

12. "Parcel 2" means a 30-acre tract of land adjacent to the southern boundary of Parcel 1, purchased by Scott County in 1973, as recorded in Deed Book 279, page 306.

13. "Parcel 3" means a 102-acre tract of land adjacent to the eastern boundaries of Parcel 1 and Parcel 2, purchased by Scott County in 1984, as recorded in Deed Book 344, page 397 and shown in Plat Book 7, Page 27.

14. "Permit" means sanitary landfill Solid Waste Permit (SWP) No. 023, which was issued by the Virginia Department of Health to Scott County on September 27, 1971 for the area covered by Parcel 1.

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

16. "SWRO" means the Southwest Regional Office of DEQ, located in Abingdon, Virginia.

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

18. "VAC" means the Virginia Administrative Code.

19. "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.

20. "Warning Letter" or "WL" means a type of Notice of Alleged Violation under Va. Code § 10.1-1455.

## SECTION C: Findings of Fact and Conclusions of Law

1. On September 27, 1971, Scott County was granted a permit to operate a sanitary landfill by the Commissioner of the Virginia Department of Health, predecessor-in-interest to the Director of DEQ. The Permit allowed the County to operate a sanitary landfill on the area covered by Parcel 1.

2. The Facility has been operated as a Sanitary Landfill since the permit was issued. Operations at the Facility are subject to the Virginia Waste Management Act, the Regulations, and the Permit.

3. Scott County owns and has operated the sanitary landfill on Parcel 2 as well.

4. On February 14, 1974, the County filed an application with the Virginia Department of Health ("VDH") to modify and expand existing Permit No. 023 to include Parcel 2.

5. The VDH issued a letter to the County on March 6, 1974 stating that the Permit would be revised to include the proposed expansion on Parcel 2 when a design plan covering site preparation, construction and operation was submitted and approved.

6. On July 17, 1975, the County, by letter and enclosures, sent three copies of the Operational Design and Construction Plan to the VDH for review and approval.

7. On August 27, 1975, the VDH issued a letter to the County stating that the Plan met present requirements for approval and was in accordance with the Regulations of the VDH Governing the Disposal of Solid Waste (Chapter XXVIII – The Health Laws of Virginia, 1971 Edition).

8. In 2003, neither the County nor VDH or DEQ could produce a copy of a modified Permit specific to Parcel 2. Both the County and DEQ agreed that the County was issued Operational Design and Construction Plan approval letters from the VDH, that neither the County or DEQ was certain whether or not a final modified Permit was ever issued by the VDH, but that waste disposal could continue on Parcel 2 in accordance with Virginia Code § 10.1-1408.1.N through § 10.1-1413.2, and specifications of Appendix A of the Consent Order between the County and the Virginia Waste Management Board signed and effective November 24, 2003.

9. The Consent Order between the County and the Virginia Waste Management Board signed and effective November 24, 2003 was revised by Amendment to Consent Order signed and effective March 10, 2008.

10. A Letter of Agreement regarding GPS exceedances and actions required to address those exceedances was signed by Scott County and became effective on November 3, 2010. The County complied with the requirements of the LOA.

11. Closure of the Scott County sanitary landfill was achieved and the post closure care period for the landfill began on July 7, 2012.

12. On September 9, 2014, 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. Although the County had seeded several times, bare spots and areas with little established vegetation were observed on the landfill cap, which compromises the integrity and effectiveness of the final cover; although not cited in an NOV, findings of the most recent inspection, conducted August 20, 2015, indicate that additional work is needed to fully establish an acceptable vegetative cover;

    b. Leachate seeps were observed on the upper northwest quadrant of the landfill. Review of monthly inspection log sheets for 2014 show leachate seeps were observed and documented by facility staff on 02/26/2014, 03/27/2014, 04/28/2014, 05/30/2014, 06/30/2014, 07/29/2014, and on 08/27/2014. The County had reworked stormwater ditches at the top of the landfill, to reduce infiltration on the landfill cap, in March, 2014. However, monthly inspection log sheets for 2014 did not document this or any other corrective actions taken to manage the identified leachate seeps; and,

    c. According to the Corrective Action Status Evaluation ("CASE") report, dated July 12, 2013, and the 2013 Annual Groundwater Monitoring Report, arsenic, cobalt, 1,1-Dichloroethane (1, 1-DCA), benzene, and vinyl chloride were detected above their respective GPS levels. Arsenic was detected above its GPS in monitoring well MW-6 during both semi-annual groundwater sampling events and in MW-12 and MW-13 during the 2$^{nd}$ semi-annual groundwater sampling event; cobalt was detected above its GPS in monitoring wells MW-3, MW-4, MW-5, MW-6, MW-8, MW-9, MW-10, MW-11D, MW-12, MW-13, MW-14S (1$^{st}$ semi-annual event) and MW-14D (2$^{nd}$ semi-annual event); 1,1-DCA was detected above its GPS in monitoring wells MW-2, MW-3, MW-4, MW-5, MW-6, MW-8, MW-9, MW-10, MW-11S, MW-11D, MW-12, MW-13 and MW-14S; benzene was detected above its GPS in monitoring well MW-12; and vinyl chloride was detected above its GPS in monitoring wells MW-6, MW-7 (2$^{nd}$ semi-annual event), MW-8, MW-10 and MW-12. According to the same reports, 1,1-DCA and Cobalt have been detected above their respective GPS in groundwater monitoring sentinel wells MW-11S, MW-11D, MW-14D, and MW-14S. The presence of these constituents in both the shallow and deep nested sentinel wells indicates that neither the horizontal nor vertical extent of the plume has been delineated.

13. 9 VAC 20-81-170(A)(1)(a) requires that, following closure of the landfill, the owner or operator shall conduct post closure care of the landfill. Post closure care shall consist of at least the following: Maintaining the integrity and effectiveness of any final cover, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and preventing run-on and run-off from eroding or otherwise damaging the final cover.

14. 9 VAC 20-81-210(F) requires that, if a leachate seep(s) occurs, the owner or operator shall repair the seep(s) and do the following:

    a. Take all immediate steps necessary to protect public health and safety including those required by the contingency plan.
    b. Take immediate action to minimize, control, or eliminate the seep, and to contain and properly manage the leachate at the source of the seep.
    c. Any leachate released outside the lined area permitted for waste disposal shall be properly collected and disposed.

    Also, pursuant to the approved Closure and Post-Closure Plan for the Scott County Landfill, Section 2.4, an inspection log, as provided in Table 6, shall be completed during each inspection and filed with the County's records for the facility. Any deficient items requiring attention will be noted on the log and a record of corrective measures/repairs will also be noted in the log.

15. 9 VAC 20-81-260(D)(1)(c)(2), corrective action monitoring program, requires that any groundwater monitoring program to be employed during the corrective action process shall determine the horizontal and vertical extent of the plume of contamination for constituents at statistically significant levels exceeding background concentrations.

16. Pursuant to 9 VAC 20-81-260, the groundwater remediation effort shall be coupled with a monitoring system designed, capable, and operated to demonstrate the areal extent (both vertical and horizontal) of the plume at concentrations which exceed background [260(D)(1)(c)(2)]. Because both the horizontal and vertical aspects of the plume must be monitored, the well network must include wells installed to a depth appropriate to demonstrate the vertical extent of the GPS exceedance.

17. Pursuant to 9 VAC 20-81-260.D.1.c(3), the corrective action monitoring program can be used to demonstrate the effectiveness of the implemented corrective action remedy.

18. On October 29, 2014, based on the inspection and follow-up information, the Department issued Notice of Violation No. NOV-008-1014-SW to Scott County for the violations described in paragraphs C(12)a through C(12)c, above.

19. On November 17, 2014, Department staff met with representatives of Scott County to discuss the violations. The County had submitted the results of a receptor survey to DEQ on August 1, 2014. On December 1, 2014, Scott County submitted a written response to the NOV. On December 22, 2014, DEQ received a plan of action to address GPS

exceedances, on December 31, 2014, DEQ received an off-site "Residential Well Monitoring Plan", on February 27, 2015, DEQ received an updated, renamed "Interim Measures Monitoring Plan" and on April 28, 2015, DEQ received the results of a geophysical survey from the County. The County notified DEQ in writing that it had fertilized, limed and reseeded bare spots on the landfill cap numerous times, including three times in 2014 (twice prior to the September, 2014 inspection). The County addressed leachate seeps by reworking stormwater ditches at the top of the landfill in March, 2014. The seeps dried up for period of time, but reappeared. Removal of cap and clay material, excavation and removal of waste material, backfilling with stone, replacement of clay material and reestablishment of the landfill cap in those areas where seeps appeared was completed in April, 2015. DEQ staff visited the site June 4, 2015, reviewed work done to address the leachate seeps and observed that the seep area still exists, but has diminished. Leachate seeps did not reach surface waters.

20. Based on the results of the September 9, 2014 inspection, the November 17, 2014 meeting, review of the CASE report dated July 12, 2013 and the 2013 Annual Groundwater Monitoring Report, and documentation submitted on December 1, 2014 and December 22, 2014, the Board concludes that Scott County has violated 9 VAC 20-81-170.A.1.a, 9 VAC 20-81-210.F and the approved Closure and Post-Closure Plan for the Scott County Landfill, and 9 VAC 20-81-260, as described in paragraphs C(12)a through C(18), above.

21. In order for Scott County to complete its return to compliance, DEQ staff and representatives of Scott County have agreed to the Schedule of Compliance, which is incorporated as Appendix A of this Order.

## SECTION D: Agreement and Order

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

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

2. Pay a civil charge of $2,030.00 within 30 days of the effective date of the Order in settlement of the violations cited in this Order.

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

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

Scott County shall include its 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). If the Department has to refer collection of moneys due under this Order to the Department of Law, Scott County shall be liable for attorneys' fees of 30% of the amount outstanding.

Both the Board and the County understand and agree that this Order supersedes and terminates the Consent Order issued by the Board to Scott County on November 28, 2003, the Consent Order Amendment issued to Scott County on March 10, 2008 and the Letter of Agreement issued to Scott County on November 3, 2010.

## SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend this Order with the consent of Scott County for good cause shown by Scott County, or on its own motion pursuant to the Administrative Process Act, Va. Code § 2.2-4000 *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 and in NOV No. NOV-008-1014-SW, dated October 29, 2014 and Warning Letter No. WL-032-0713-SW, dated July 11, 2013. 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, Scott County admits the jurisdictional allegations, findings of fact, and conclusions of law contained herein.

4. Scott County 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. Scott County declares it has received fair and due process under the Administrative Process Act and the 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 Scott County 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. Scott County 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 such other unforeseeable circumstances beyond its control and not due to a lack of good faith or diligence on its part. Scott County shall demonstrate that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. Scott County 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 the parties intend 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 and any 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 Scott County. Nevertheless, Scott County 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 Scott County has completed all of the requirements of the Order;

    b. Scott County 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 Scott County.

Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve Scott County 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 Scott County 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 this Order.

13. The undersigned representative of Scott County certifies that he or she is a responsible official authorized to enter into the terms and conditions of this Order and to execute and legally bind Scott County to this document. Any documents to be submitted pursuant to this Order shall also be submitted by a responsible official of Scott County.

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, covenants, terms or conditions agreed upon between the parties other than those expressed in this Order.

15. By its signature below, Scott County voluntarily agrees to the issuance of this Order.

And it is so ORDERED this 11th day of January, 2016.

Allen J. Newman, P.E., Regional Director
Department of Environmental Quality

Scott County voluntarily agrees to the issuance of this Order.

Date: _____ By: Danny P. Mann
(Person) (Title)
Chairperson, Scott County Board of Supervisors

Commonwealth of Virginia

City/County of Scott

The foregoing document was signed and acknowledged before me this 12th day of

November, 2015, by Danny P. Mann who is

Chairman, Board of Supervisors of Scott County, on behalf of Scott County.

Sarah E. Kegley
Notary Public

7387434
Registration No.

My commission expires: April 30, 2019

Notary seal:

SARAH E. KEGLEY
NOTARY PUBLIC
REG. #7387434
MY COMMISSION EXPIRES
04/30/2019
COMMONWEALTH OF VIRGINIA

# APPENDIX A
# SCHEDULE OF COMPLIANCE

In order to comply with the provisions of the Virginia Waste Management Act and the Virginia Solid Waste Management Regulations, the County agrees to implement the following actions as described below:

## Termination of Waste Disposal Activities

1. The County shall not create or begin disposal of solid waste in a new waste unit on Parcel 1 or Parcel 2, or dispose of solid waste on any other adjacent property owned by the County, without first meeting the technical requirements of 9 VAC 20-81-10 *et seq.*, and obtaining a permit from the Director.

## Post-closure Activities

2. Unless the post-closure care period is reduced, or extended, by the Director pursuant to 9 VAC 20-81-170, the County shall conduct post-closure care for thirty (30) years as required in 9 VAC 20-81-170.B(2)b. Post-closure care shall be conducted in accordance with the Facility's approved Post-Closure Care Plan.

3. Pursuant to 9VAC 20-81-170.A(1)a, the County shall maintain the integrity and effectiveness of the final cover, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and preventing run-on and run-off from eroding or otherwise damaging the final cover.

4. If leachate is detected at the facility at any time in the future, the County shall immediately begin leachate management activities as specified in 9 VAC 20-81-210, and maintain an up-to-date Leachate Control Design Plan in the facility operating record.

5. **Groundwater**

   The County shall comply with the groundwater monitoring requirements contained in 9 VAC 20-81-250. The County shall maintain an up-to-date Groundwater Monitoring Plan and a copy of the site specific Groundwater Protection Standards in the facility operating record.

   The County shall perform a groundwater corrective action program at the Facility as required by 9 VAC 20-81-260:

   a. Monitored Natural Attenuation is the remedy currently in place at the Facility to address groundwater protection standard (GPS) exceedances. Pursuant to 9 VAC 20-81-260.C.3.c(1), a remedy selected to address GPS exceedances should (a) be protective of human health and the environment; (b) attain the groundwater protection standard; (c)

control the sources of releases so as to reduce or eliminate, to the maximum extent practicable, further releases of solid waste constituents into the environment; and (d) comply with standards for management of wastes.

b. The County shall conduct groundwater monitoring in accordance with the Facility's Corrective Action Plan (CAP) and Corrective Action Monitoring Plan (CAMP) until such time that GPS compliance is achieved and the Facility is allowed to revert to a groundwater monitoring program (see 5.h below).

c. Pursuant to 260.d.1.c, the corrective action monitoring program shall (1) meet the requirements of the applicable groundwater monitoring program described under 9 VAC 20-81-250.B.3 or C.3; (2) determine the horizontal and vertical extent of the plume of contamination for constituents at statistically significant levels exceeding background concentrations; (3) be used to demonstrate the effectiveness of the implemented corrective action remedy; and (4) demonstrate compliance with the GPS. Pursuant to this condition, the County shall install the following new groundwater monitoring wells by the dates indicated:

    1) new monitoring well down gradient of MW-12 (MW-15S/D) shall be installed no later than December 21, 2015;
    2) new monitoring well down gradient of MW-14 shall be installed in the event that any additional verified GPS exceedances occur in MW-14; if installation of a new monitoring well is required, installation shall be completed within ninety (90) days of laboratory verification of the GPS exceedance;
    3) new monitoring well down gradient of MW-11 shall be installed within 120 days after obtaining access to the adjacent property, but no later than October 30, 2016; and,
    4) the County shall update DEQ staff by the 10th of each calendar month regarding progress made the previous month in gaining access to the adjacent property.

d. In accordance with 9 VAC 20-81-260.G.1, the County shall submit Corrective Action Site Evaluation (CASE) reports. CASE reports for the Facility are submitted at a 4 year interval. The next CASE report is due on or before July 12, 2017. Subsequent CASE reports should be submitted by the 12th of July of every 4th year thereafter (2021, 2025, etc.) until GPS compliance is achieved.

e. The County shall undertake any interim measures necessary to ensure the protection of human health and the environment, in accordance with 9 VAC 20-81-260.F.

f. In the event that the corrective action remedy described in Appendix A, item 5.a. of this Order is determined to be unable to achieve compliance with GPS, the County shall, pursuant to 9 VAC 20-81-260.G.2, select a different remedy consistent with the Regulations and establish a schedule for initiating and completing remedial activities.

g. In accordance with 9 VAC 20-81-260.H, the groundwater remedy implemented under corrective action shall be considered complete when (a) compliance with GPS is achieved at all points within the plume of contamination that lie at or beyond the disposal unit boundary, and (b) all other actions required as part of the remedy have been satisfied or completed and the Facility obtains the certification required under 9 VAC 20-81-260.H.2.

h. Following completion of the groundwater remedy described in Appendix A, item 5.g of this Order, the Facility will be allowed to revert to the applicable groundwater monitoring program described under 9 VAC 20-81-250.B.2 or B.3. Groundwater monitoring shall be

conducted for a minimum of three (3) years after GPS compliance is achieved before groundwater monitoring is terminated. As stated in Item 2 above, unless the post-closure care period is reduced, or extended, by the Director, the County shall conduct post-closure care for thirty (30) years as required in 9 VAC 20-81-170.B(2)b.

i. The County shall respond to any notices of deficiency with respect to its groundwater monitoring and corrective action programs in accordance with the notice and shall comply with the groundwater monitoring and corrective action provisions in the Regulations [Modules X (Detection Monitoring), XI (Assessment Monitoring) and XIV (Corrective Action) are incorporated by reference to the Regulations].

6. **Financial Assurance**

The County shall maintain financial assurance for the costs of post-closure care and the costs of groundwater corrective action for the Facility as required by Va. Code § 10.1-1410 and the FAR:

a. The County shall provide updates of these cost estimates as required in accordance with 9 VAC 20-70-112 and 113. The post-closure care cost estimate shall be based on the total cost of post-closure care over the entire post-closure period and shall be based on third party costs. Sanitary landfill post-closure estimates must reflect a 30-year post closure period beginning July 7, 2012. The groundwater corrective action cost estimate shall reflect the total costs of corrective action and shall be based on third party costs, as required by the regulations.

b. The County shall respond to any notices of deficiency with respect to its financial assurance cost estimates or mechanisms in accordance with the notice.

7. **Decomposition Gases**

The County shall control decomposition gases from the Facility as required by 9 VAC 20-81-200:

a. The County shall respond to any notices of deficiency with respect to its Gas Monitoring Plan in accordance with the notice and shall comply with the Regulations.

8. **Update Disclosure Statement**

By March 31, 2016, the County shall submit an updated disclosure statement to reflect the existence of this Order and any other changes pursuant to Va. Code § 10.1-1408.1(C)(3). The disclosure statement shall be submitted on DEQ Form DISC-01 and 02 from 9 VAC 20-81-10, *et seq.* If the forms submitted by the County are found by Department staff to be inaccurate or deficient, the County shall respond and correct any inaccuracies or deficiencies regarding the forms within 10 days from receiving the notice of the inaccuracy or deficiency.

9. **General**

a. DEQ shall have access to the Facility for purposes of inspection, observation, and collection of samples. DEQ shall be allowed access during operation, closure, and post-closure period of the facility. DEQ access shall be ensured for the duration of this Order.

b. Any document that the County submits for Director review and approval after the effective date of this Order shall be accompanied by the applicable fee as would be required of Permitted solid waste facilities under 9 VAC 20-90 *et. seq*. and the Regulations.

c. Scott County shall maintain all records relating to sanitary landfill operation as would be required by the Virginia Solid Waste Management Regulations to include, but not limited to, monitoring results, financial assurance documents, training documentation, waste disposal records, corrective action, groundwater, gas, leachate, erosion and sedimentation control and stormwater management plans. Module I (General Conditions) is incorporated by reference to the Regulations.

10. **Contact**

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

Ralph T. Hilt
Enforcement Specialist Senior
VA DEQ – SWRO Regional Office
355-A Deadmore Street
Abingdon, Virginia 24210
(276) 676-4878
FAX: (276) 676-4899
ralph.hilt@deq.virginia.gov