



REGION 3

PHILADELPHIA, PA 19103

Report Title: Clean Water Act Compliance Inspection Report
Assessment Date(s): 11/15/2023
Regulatory Program(s): National Pollutant Discharge Elimination System (NPDES)
Type of Activity: Industrial Stormwater and Wastewater
Site/Facility Name: Jarrett Branch Landfill
Permittee(s): WV Environmental Services, Inc.
Site/Facility Operator: WV Environmental Services
Site/Facility Address: Route 60, Alloy, WV 25002
Latitude/Longitude: 38.137663, -81.273975
County/Parish: Fayette
Individual Permit #: WV0117129
General Permit #: N/A
NAICS Code: 562212
SIC Code: 4953
Unique Project #: ECAD-510

Facility Representative(s):

N/A

Phone: N/A

Email: N/A

Point of Contact



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Date

Unique Project#: ECAD-510

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List of Attachments

Attachment A: Photograph Log

Attachment B: NPDES Permit WV0117129

I. Introduction

On November 15, 2023, an inspection team composed of staff from the U.S. Environmental Protection Agency (EPA) Region 3 (hereinafter, "EPA Inspection Team") met with a representative of the West Virginia Department of Environmental Protection (WVDEP) at Jarrett Branch Landfill in Alloy, WV 25002 (hereinafter, "the Facility"). The purpose of the inspection was to assess the Facility's compliance with its NPDES permit and applicable State and Federal regulations.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the Facility at approximately 8:30 AM for the inspection. The EPA Inspection Team was provided with access to the site from legal representatives of the facility as part of a Superfund Site Inspection. The EPA Inspection Team's observations are listed later in this document. The EPA Inspection Team was composed of representatives from two divisions within EPA Region 3; Peter Gold and Michael Greenwald from the Enforcement and Compliance Assurance Division; and Jessica Cordasco and Connor O'Loughlin from the Superfund and Emergency Management Division.

Table 1: Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region 3			
Peter Gold	EPA Region 3	(215) 814-5236	gold.peter@epa.gov
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State or County Representatives			
Kim Maxwell	WV DEP	(304) 574-4465	kimberly.a.maxwell@wv.gov
Facility Representatives			
N/A	N/A	N/A	N/A

B. Weather and Precipitation Conditions

During the inspection, weather was sunny. National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and five days prior are provided in Table 2 below:

Table 2. Precipitation Data

Station Name	Date	Precipitation Amount (inches) ¹
Charleston 2.6 W, WV US (GHCND; US1WVKN0033)	11/10/2023	0.04
Charleston 2.6 W, WV US (GHCND; US1WVKN0033)	11/11/2023	0.33
Charleston 2.6 W, WV US (GHCND; US1WVKN0033)	11/12/2022	0.00
Charleston 2.6 W, WV US (GHCND; US1WVKN0033)	11/13/2022	0.00
Charleston 2.6 W, WV US (GHCND; US1WVKN0033)	11/14/2022	0.00
Charleston 2.6 W, WV US (GHCND; US1WVKN0033)	11/15/2022	0.00

II.Site/Facility Activity

Jarrett Branch Landfill is located on Route 60 in Alloy, West Virginia (38.137663, -81.273975). The Facility is a landfill that received waste products almost exclusively from the West Virginia Manufacturing Facility, which is also located in Alloy, WV, and is approximately 0.3 miles away from the Facility.

West Virginia Environmental Services was authorized to discharge to the Kanawha River under NPDES Permit No. WV0117129 (hereinafter, the "Permit") (**Attachment B**). The Permit was issued by WVDEP. The Permit was last reissued in June 2014, expired in 2019, and based on conversation with WV DEP, the permit is no longer in effect. The following is a summary of the monitoring locations from the 2014 permit:

- Outlet 011 – 12" HDPE Pipe prior to entering Jarrett Branch
- Outlet 012 – 72" CMP, at the discharge prior to entering Jarrett Branch
- Outlet 013 – 36" HDPE Pipe, at the discharge prior to entering Jarrett Branch
- Outlet 014 – 36" CMP at the discharge prior entering Jarrett Branch
- LM01 – Leachate collection line prior to entering treatment facility
- MW10AR – monitoring well 10AR
- MW-10B – monitoring well 10B
- MW-11A – intake monitoring well 11A
- MW-12A – monitoring well 12A
- MW-12B – monitoring well 12B
- MW-8A – monitoring well 8A

¹ Source: NOAA National Climatic Data Center (<http://www.ncdc.noaa.gov/>).

- MW-8B – monitoring well 8B
- S3 – At a point in Jarrett Branch that is located adjacent to the weir house
- S4 – At a point in Jarrett Branch that is located adjacent to the location of monitoring well MW12A

III.Observations

The EPA Inspection Team entered the landfill via the gated entrance off Route 60. The EPA Inspection Team took the access road along the landfill to access different unnamed sections of the property. The EPA Inspection Team documented the condition of the landfill and landfill materials that were exposed to precipitation and could potentially be subjected to stormwater runoff. The EPA Inspection Team observed several areas where a black particulate substance, similar in visual observation to the silica fume piles of West Virginia Manufacturing, were exposed to precipitation and potential stormwater runoff (See Attachment A, Photographs 1, 2, 3, and 4). The surface of the landfill appeared to be densely vegetated and unkept.

The EPA Inspection Team also walked along a five- to ten-foot-wide trail between Jarrett Branch and an Unnamed Tributary that ran parallel to Jarrett Branch on the landfill property. During this portion of the inspection the Inspection Team observed discharges into Jarrett Branch and the Unnamed Tributary. There were notable visual changes to the stream coloration which are documented in the photo log.

Lastly, the EPA Inspection Team walked the area by the entrance to the landfill where there were several buildings, vehicles, containers and other discarded materials (See Observation #14 below).

Potential Discharges Without a Permit.

Observation #1:

The EPA Inspection Team observed areas of discolored water in Jarrett Branch from 15 feet downstream of Outlet 013 to what is believed to be Outlet 14. This discoloration was present throughout the stream (See Attachment A, Photographs 10, 11, 12, 13, 14, 15, 19, 21, and 22).

Observation #2:

The EPA Inspection Team observed a discharge from Outlet 013 (See Attachment A, Photographs 11 and 12).

Observation #3:

The EPA Inspection Team observed another outlet with signage that was rusted and unreadable (See Attachment A, Photographs 21 and 22).

Observation #4:

The EPA Inspection Team observed a manhole leaking into an unnamed tributary in proximity to Jarrett Branch (See Attachment A, Photographs 24 and 25).

Observation #5:

The EPA Inspection Team observed another outlet with no signage on a hillside that appeared to be discharging (See Attachment A, Photographs 29).

Observation #6:

The EPA Inspection Team observed a cement outlet pipe by Jarrett Branch in proximity to the entrance to the Facility (See Attachment A, Photographs 33).

Observation #7:

The EPA Inspection Team observed a PVC pipe by Jarrett Branch in proximity to the structure by the entrance to the Facility (See Attachment A, Photographs 34).

Potential Failure to Monitor Outfalls

2014 Permit Section A.—identified the monitoring requirements for each permitted outfall/outlet.

Observation #8:

Section A of the 2014 Permit, which is no longer effective, documented the effluent limits for each of the facility's outfalls. According to EPA's Integrated Compliance Information System (ICIS) database, West Virginia Environmental Services has not submitted a Discharge Monitoring Report (DMR) since at least January 2019. There are at least 213 DMR nonreceipts for West Virginia identified in the ICIS database since January 1, 2019.

Potential Failure to Operate and Maintain a Leachate Treatment System and/or Discharging without a Permit

Section C.15 of the expired 2014 Permit states "The permittee shall within the time frames stated in Section B.1 take action in accordance with the plan submitted for Permit condition

C.15 to repair or replace the leachate collection system that is located on the inside of the slurry wall. Thereafter, the leachate collection system shall receive routine maintenance so as to mitigate internal line blockages so as to prevent the surface discharge of leachate to the storm water drainage ditch that routes storm water runoff to Outlet 013.”

Observation #9:

The EPA Inspection Team observed discolored water in Jarrett Branch from 15 feet downstream of Outlet 013 to what is believed to be Outlet 014. This discoloration was present throughout the stream (See Attachment A, Photographs 10, 11, 12, 13, 14, 15, 19, 21, and 22). Jarrett Branch flows directly into the Kanawha River from the landfill.

Potential Failure to Maintain Daily Logs

Section C.3.a of the Permit states “Daily logs must be kept by the operator describing the type, amount, and origin of all solid wastes received at the solid waste facility. These daily logs must be kept on file with the Operating Record....”

Observation #10:

The EPA Inspection Team requested the daily logs from the facility via email on November 20, 2023. The Facility did not provide EPA with the requested daily logs and did not believe the permit was still effective. This was a requirement of the 2014 Permit.

Potential Failure to Develop and Annual Report

Section C.3.c of the Permit requires the Facility to submit an annual report.

Observation #11:

The EPA Inspection Team requested the annual report from the facility via email on November 20, 2023. The Facility did not provide EPA with the requested annual report and did not believe the permit was still effective. This was a requirement of the 2014 Permit.

Potential Failure to Properly Examine/Inspect Closed Portions of the Landfill

Section C.7 of the Permit requires “The permittee shall monthly examine closed portions of the landfill surface for: 1) evidence of cracking or erosion which could allow waters to enter solid waste deposits; and 2) evidence of settling of solid waste causing ponding or surface water. Finished surfaces which have cracked, eroded or settled, shall be repaired by any necessary regrading, additions of cover material, and or re-vegetation activities.”

Observation #12:

The EPA Inspection Team observed what appeared to be silica fume at the surface of what was believed to be closed portions of the landfill. (See Attachment A, Photographs 1, 2, 3, and 4).

The EPA Inspection Team requested documentation of the monthly inspections from the facility via email on November 20, 2023. The Facility did not provide EPA with documentation of the monthly inspections and did not believe the permit was still effective. This was a requirement of the 2014 Permit.

Potential Failure to Conduct Seasonal Vegetative Inspections

Section C.8 of permit requires the permittee to inspect the vegetative cover of the landfill to ensure it has at least 90% vegetative cover.

Observation #13:

The EPA Inspection Team requested documentation of the vegetative cover inspections from the facility via email on November 20, 2023. The Facility did not provide EPA with documentation of these inspections and did not believe the permit was still effective. This was a requirement of the 2014 Permit.

Potential Failure to Receive Approval for Accepted Wastes

Section C.4 of permit states "Only solid waste expressly specified in the permit application may be disposed of at this facility, the facility may receive other solid waste....with expressed written approval of the Director...."

Observation #14:

The EPA Inspection Team observed several types of mixed wastes at the facility entrance, that included empty containers, full and partially full containers of unknown liquids, wood, scrap metal, household materials, etc. (See Attachment A, Photographs 35-46 of the photo log).

IV. Records Review

The Inspection Team reviewed the Facility's Permit and state inspection reports.

V. Closing Conference

No closing conference was held as there were no facility representatives onsite during the inspection.

The inspection concluded at approximately 12 PM (EST).