







Georgia Department of Natural Resources

COASTAL DISTRICT OFFICE

One Conservation Way, Brunswick, Georgia 31520-8687

Lonice Barrett, Commissioner

Environmental Protection Division

Harold F. Reheis, Director

912/353-3225

Reply To:

Abercorn Center

6555 Abercorn Street, Suite 130

Savannah, Georgia 31405

July 26, 2000

CERTIFIED MAIL Z 091 248 686
RETURN RECEIPT REQUESTED

Mr. Keith Johnson
L&J Enterprises
P.O. Box 31
Springfield, Georgia 31329

RE: **NOTICE OF VIOLATION**
Loper & Johnson, Inc. Inert Landfill
PBR-051-07 IL
CR 308
Effingham County

Dear Mr. Johnson:

On July 25, 2000 the Environmental Protection Division conducted a complaint investigation concerning your improper operation of the above noted solid waste disposal site located approximately off County Road 308, Springfield, Effingham, County. The Notification of Permit by Rule Operation application was completed by you indicating that you were the operator and authorized representative of the inert landfill.

The investigation revealed you are in violation with the Georgia Comprehensive Solid Waste Management Act(O.C.G.A. 12-8-20, et. seq.), Rules for Solid Waste Management(391-3-4-.06), and your permit. On the day of the inspection, the Division advised you via telephone of the violations.

O.C.G.A. 12-8-30.6 states that any person...violating any provisions of this part or intentionally or negligently failing or refusing to comply with any final or emergency order of the director issued as provided in this part shall be liable for a civil penalty not to exceed \$25,000.00 per day which such violation continues.

In order to bring your site into compliance with the Act, the Rules, and your permit you must take the following actions:

- 1) Immediately cease accepting any further solid wastes at the site.
- 2) Within **ten(10) days** of your receipt of this correspondence, please submit a letter stating your plan of action to bring this site into compliance. The letter, at a minimal, should answer or comment on all items found below.
- 3) A uniform compacted layer of clean earth cover no less than one(1) foot in depth shall be placed over all exposed inert waste followed by a two foot final cover with vegetation.
- 4) Immediately remove any non inert waste. Only waste that will not or is not likely to produce leachate of environmental concern may be disposed of in an inert waste landfill. Therefore, only earth and

Mr. Keith Johnson
July 26, 2000
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earth-like-products, concrete, cured asphalt, rock, bricks, yard trash, and land clearing debris such as stumps, limbs and leaves, are acceptable for disposal in an inert waste landfill.

- 5) The material should be spread in layers and compacted to the least practical volume.
- 6) The initial complaint concerned the burning of the inert material. You advised that lightning struck the material approximately three weeks ago. You made an effort to put the fire out with dirt. However, on Friday the 21st, the fire was rekindled and you placed additional dirt on the smoldering waste. During the inspection, it was noted that the area was still smoldering. As discussed via telephone on the 25th, immediately extinguish so no further outbreaks may occur.

Suitable means shall be provided to prevent and control fires. Stockpiled soil is considered the most satisfactory for fighting fire. A fire plan shall be submitted to the Division. The plan shall include a means to control a fire if such fire was started in the land clearing waste. Also, please be advised that if a fire should start you would be in violation of the Georgia Air Quality Control Act and the Rules for Air Quality Control. If you need a copy of this particular law please advise the Division and one will be supplied. PLEASE ENSURE THE SITE IS SECURED AT ALL TIMES.

- 7) The Division is also requesting a copy of the information used documenting the amount by volume or weight of all waste received at the landfill as required by Rule .17.
- 8) No portion of waste disposal area shall be located within one hundred(100) linear feet of any property line or enclosed structure.
- 9) Please ensure that access to the site is limited to authorized entrances which shall be closed when the site is not in operation.
- 10) Please place a sign at the entrance gate indicated that the site is permitted and the permit number is shown.

Your failure to complete the above actions will result in the Division taking immediate additional enforcement actions to bring the site into compliance. These additional enforcement actions may result in the imposition of monetary penalties under the Act and Rules for your failure to comply with the Act.

A representative of the Division shall be conducting a follow up inspection in approximately 30 days to reevaluate your compliance. If you have any further questions or comments, please feel free to contact me at 912-264-7284 or Jeff Darley in the Savannah Office at (912) 353-3225.

Sincerely,


Bruce M. Foisy, Manager
Special Teams

BF/jd

cc: Savannah Office Files.ert
Jackie Davis, Effingham Co.



FAX

TO: Jeff Davley E.P.D.

FROM: City of Enterprise

FAX NUMBER: 353-3239

PAGES (incl cover): 4

COMMENTS:

Jeff, I am
also mailing you
this.

what you
that please

L & J ENTERPRISES, INC.

**805 South Laurel Street Post Office Box 31
Springfield, Georgia 31320
912-754-9166**

August 1, 2000

Mr. Jeff Darley
Georgia Department of Natural Resources
Abercorn Center
6555 Abercorn Street, Suite 130
Savannah, Georgia 31405

Dear Mr. Darley:

This is in response to your letter dated July 26, 2000. Mr. Darley, I want to assure you that I am taking every step necessary to bring the inert landfill into compliance. I have addressed your list of items on the enclosed pages.

I would like to thank you for your assistance in resolving this matter.

Sincerely,


Alan Keith Johnson

Loper and Johnson, Inc.

Enclosures

August 1, 2000

We have ceased accepting solid waste at site.

We are in the process of placing a minimum of one foot of cover on all exposed waste.

We are in the process of removing all inert waste and disposing of it at an approved landfill. Also a 30- yard dumpster will be placed on site to ensure proper disposal of non- inert waste.

Material will be spread in layers and compacted to the least practical volume.

The fire has been extinguished. Also stock piles of dirt have been set aside to extinguish any future fires.

Enclosed is an estimated volume of waste received.

We have enclosed a plat of the landfill site.

Locks have been changed to ensure there is no access when site is not in operation.

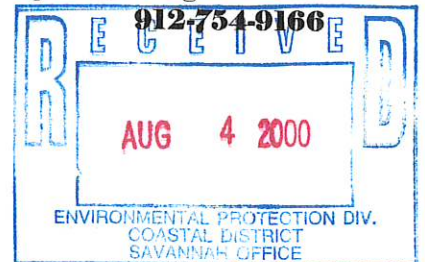
Signage will be placed at entrance, indicating site is permitted and will display permit number.

Estimated Volume of Waste Received

1997	Estimated Tons	357.5 Tons
1998	Estimated Tons	662.5 Tons
1999	Estimated Tons	1071 Tons
2000 to present		485 Tons

L & J ENTERPRISES, INC.

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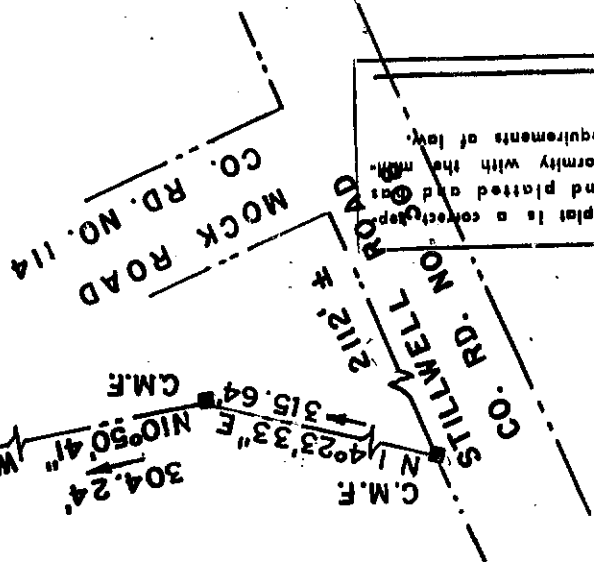
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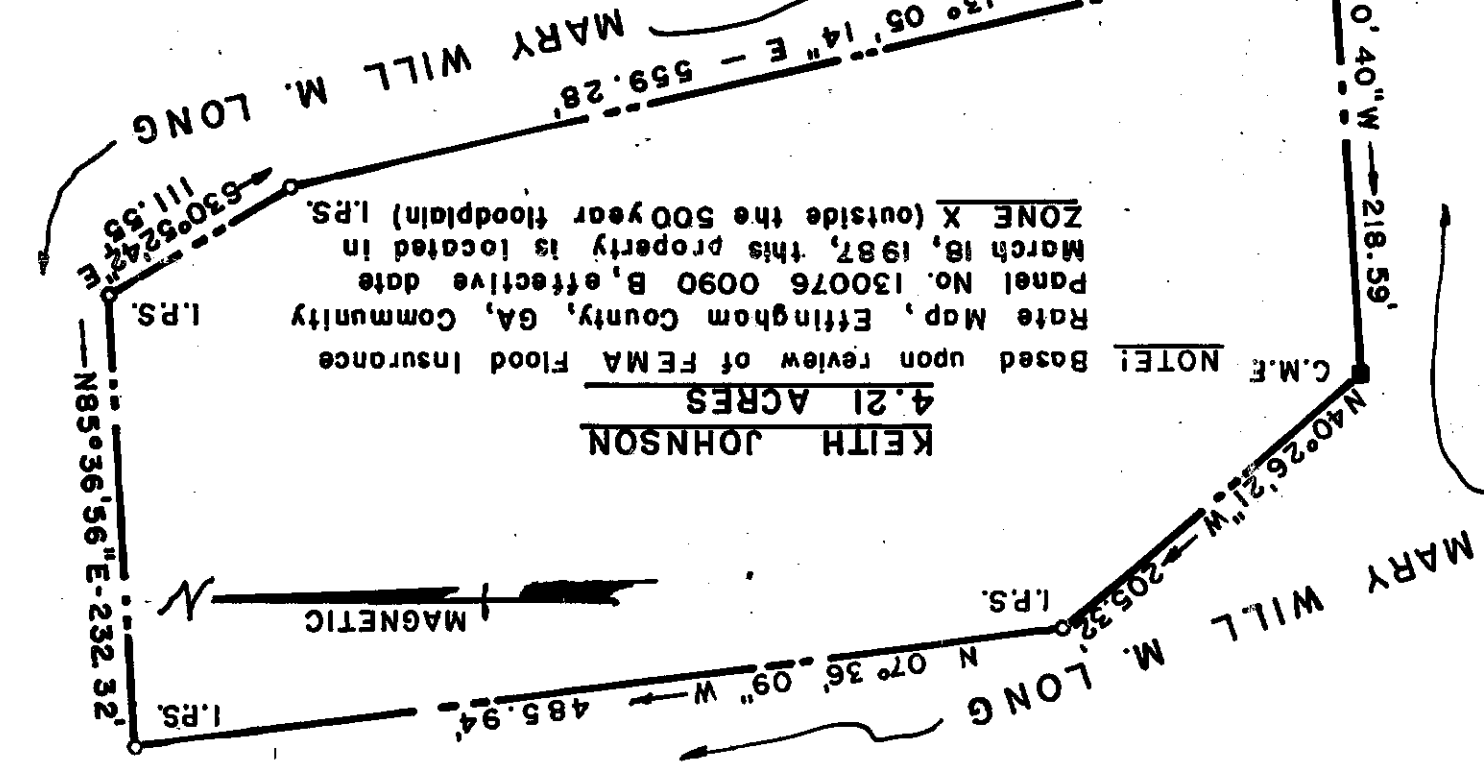
In my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law.



REFERENCE MAPS:
Plat of 182.4 ± Acres (Earl Jaudon Estate) for J. M. Murchman by Charles F. Truett, Jr., RLS dated Nov. 9, 1974.
Topographic Survey of a portion of above tract for JOHN B. LONG by Warren E. Poythress, RLS dated July, 1995
Field EOC < 1:20,000
Plat not adjusted
Nicon Total Station NTD 4.
APPROVED BY EFFINGHAM COUNTY DEPT. OF PUBLIC HEALTH, DIV. OF ENGINEERING AND SANITATION. NOTE! ADDITIONAL REVIEW, APPROVAL, AND PERMITTING BY OTHER AGENCIES MAY BE REQUIRED FOR PROPOSED USE.
DIRECTOR _____ DATE _____
APPROVED FOR RECORDING BY EFFINGHAM COUNTY ZONING ADMINISTRATOR.
ZONING ADMINISTRATOR _____ DATE _____

SURVEY OF A 4.21 ACRE TRACT OF LAND (PROPERTY OF MARY WILL M. LONG) LOCATED EAST OF THE CITY OF SPRINGFIELD, ILLINOIS, EFFINGHAM COUNTY, GEORGIA.
SURVEY FOR: KEITH JOHNSON
JANUARY 27, 1997
SCALE: 1" = 100'
GRAPHIC SCALE

NOTE! THE PROPOSED USE OF THIS PROPERTY IS DRY WASTE LANDFILL (CONCRETE, CURED ASPHALT AND TREE STUMPS)



NOTE! Based upon review of FEMA Flood Insurance Rate Map, Effingham County, GA, Community Panel No. 130076 0090 B, effective date March 18, 1987, this property is located in ZONE X (outside the 500 year floodplain) I.R.S.

KEITH JOHNSON
4.21 ACRES