

Georgia Department of Natural Resources

Environmental Protection Division

Land Protection Branch

4244 International Parkway, Suite 104, Atlanta, Georgia 30354

Noel Holcomb, Commissioner

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404/362-2692

GUIDANCE DOCUMENT

INERT WASTE LANDFILL OPERATIONS

REGULATORY AUTHORITY

391-3-4-.06

Solid waste consisting of earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, and land clearing debris such as stumps, limbs and leaves may be disposed of in an inert landfill. Inert landfills are regulated under the Permit by Rule provision of the Rules for Solid Waste Management.

The permit by rule provision found in 391-3-4-.06 allows for the disposal of these materials that will not or is not likely to produce leachate of environmental concern to be approved without going through a complicated solid waste permitting process such as required for the development of a municipal solid waste landfill.

An owner or operator of an inert landfill who simply follows the steps found in 391-3-4-.06 is deemed to have a permit by rule. The operator must notify the Environmental Protection Division (EPD) within 30 days before or after he initiates the operation of the inert landfill that he is operating an inert landfill. In addition to this notification, which consists of a two page form, the operator must provide a location map, documentation from the host local jurisdiction which states that the operation is in compliance with local rules or ordinances such as erosion and sedimentation control, and a sketch of the site documenting conformance with the 100 foot buffer requirement from any property line or enclosed structure.

In addition to the notification requirement the following conditions apply to an inert waste landfill operation:

1. Only waste that will not or is not likely to produce leachate of environmental concern may be disposed of in an inert waste landfill. Only earth and 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.
2. No portion of waste disposal area shall be located within one hundred (100) linear feet of any property line or enclosed structure.

3. Materials placed in inert waste landfills shall be spread in layers and compacted to the least practical volume. A uniform compacted layer of clean earth cover no less than one (1) foot in depth shall be placed over all exposed inert waste material at least monthly.
4. The inert waste landfill site shall be graded and drained to minimize runoff onto the landfill surface, to prevent erosion and to drain water from the surface of the landfill.
5. Access to inert waste landfills shall be limited to authorized entrances which shall be closed when the site is not in operation.
6. Suitable means shall be provided to prevent and control fires. Stockpiled soil is considered to be the most satisfactory fire fighting material.
7. A uniform compacted layer of final cover not less than two (2) feet in depth and a vegetative cover shall be placed over the final lift not later than one month following final placement of inert waste within that lift.
8. Notice of final closure must be provided to the Director within 30 days of receiving the final load of waste. Any site not receiving waste for in excess of 180 days shall be deemed abandoned and in violation of these Rules unless properly closed. Notice of closure must include the date of final waste receipt and an accurate legal description of the boundaries of the landfill.
9. All deeds for real property which have been used for landfilling shall include notice of the landfill operations, the date the landfill operation commenced and terminated, an accurate legal description of the actual location of the landfill, and a description of the type of solid wastes which have been deposited in the landfill. Concurrent with the submission of notice of final closure to the Director, the owner or operator must submit to the Director confirmation that the information required in this section has been noticed on the property deed.
10. All wastes received at the landfill must be measured and reported as required by Rule 391-3-4- .17.
11. All other applicable federal, state, and local laws, rules and ordinances, including erosion and sediment control, and any applicable federal wetlands permits, must be fully complied with prior to commencement of landfilling operations.

This Permit by Rule does not supersede any approvals or permits that may be required by any other existing Federal, State or local ordinances, or rules and regulations. Most land disturbing activities including inert landfill operations require that a Land Disturbing Activity Permit (erosion and sedimentation control) be issued by the appropriate issuing authority prior to any construction taking place. Wetland areas are protected under Section 404 of the Clean Water Act and are regulated by the U.S. Army Corps of Engineers. Filling in such an area without obtaining permission from the Corps of Engineers may violate Federal Law.

A new condition for inert waste landfill operations was added to the August 20, 1997 Rules for Solid Waste Management. The requirement for a 100 foot buffer between the inert landfill and any property line or enclosed structure was added to reduce the possible impact that any methane migration resulting from a landfill operation might have on adjacent property owners or on site enclosed structures. Inert landfills may generate methane gas and that methane gas may migrate and collect in enclosed structures and result in an explosion.

Home builders in recent years have used inert landfills on individual home building lots as a means of disposal of the land clearing debris. This practice has resulted in numerous complaints from homeowners who discover the burial pits once the debris has decomposed, resulting in the formation of depressions. Under the August 20, 1997 Rule this practice will be prohibited unless the lot consists of several acres of land. Therefore, home builders will be required to use alternatives such as on-site grinding of the material for mulch, off-site disposal in an inert landfill or construction and demolition waste landfill, or off-site disposal at a wood recycling center.

A Notification of Permit By Rule Operations form is attached.

If you have any questions regarding this matter, please contact the nearest EPD Regional Office or the Solid Waste Management Program at (404) 362-2692.

Frequently Asked Questions About Inert Landfill Operations

1. Can I dispose of construction and/or demolition material in an inert landfill?

No, general construction and demolition waste must be disposed of in a permitted construction and demolition or municipal solid waste landfill. Only earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, and land clearing debris such as stumps, limbs and leaves, are acceptable for disposal in an inert landfill.

2. When a building is demolished, can the inert material be separated from the general construction and demolition waste and be disposed of on site as an inert landfill while the remaining demolition waste is taken to a permitted landfill?

Yes. However, special care must be taken to limit the waste disposed on in the inert landfill to that noted above.

3. What if I only dispose of broken asphalt or concrete in an inert landfill? Does it require monthly cover or deed notification?

Yes. These materials are classified as inert waste and therefore, if disposed of in an inert landfill, must meet all the requirements of the permit-by-rule.

4. Can I make compost or mulch out of land clearing debris at my inert waste landfill?

Yard waste composting is exempt from regulation as solid waste handling facilities. To be considered exempt from regulation, yard trimmings must be kept separate from solid waste and must be converted to a usable compost or mulch product. A yard waste composting operation and inert waste landfill operation can be operated simultaneously at the same location provided all the requirements for the permit by rule for an inert waste landfill operation are met.

5. Can I get a waiver of one or more of the permit-by-rule requirements such as the buffer requirement?

No. You must meet all the conditions listed in the Rule in order to possess a permit by rule.

6. What waste can I place in an inert landfill?

Only earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, and land clearing debris such as stumps, limbs and leaves, are acceptable for disposal in an inert landfill.

7. What is the purpose of requiring that the location of the inert landfill be noticed on the property deed?

This will insure that future property owners are aware of the landfill operation prior to the purchase of the property.

8. What if my local government does not allow inert landfills in my zoning classification?

The Rule requires that all other applicable federal, state, and local laws, rules, and ordinances, including erosion and sediment control, and any applicable federal wetlands permits, must be fully complied with prior to commencement of landfilling operations. Therefore, if the local government does not allow these operations, then you cannot meet the requirements for a permit by rule.

9. Do I have to install erosion and sedimentation controls at my inert landfill?

Yes. The operator must contain any sedimentation on site. Most local jurisdictions have ordinances requiring erosion and sedimentation permits and controls. If the size requirements are met, you must obtain a land disturbing activity permit from the proper jurisdiction.

10. Can I build a structure over an inert landfill?

In most cases it would not be advisable to build a structure on an inert landfill. Stability of the foundation along with methane gas production would be a concern. You should check with your local building inspector and engage the services of an qualified engineer prior to proceeding.

11. When was the 100 foot buffer requirement effective?

It was implemented in the August 20, 1997 Rule change.

12. Does the buffer requirement mean that I cannot have a traditional bury pit of an individual home building lot?

Correct. If you have a typical 2 acre or less building lot, the buffer requirement will prohibit the use of an inert landfill for disposal of land clearing debris.

13. If I can't use a bury pit to disposed of land clearing debris on an individual home building lot, what can I do with the material?

The waste may be taken to a commercial inert landfill, construction and demolition waste landfill, or to one of recycling facilities that turn land clearing debris into mulch or compost. Another option for subdivision development might be to set aside a portion of the development for a central inert landfill that handles waste from a number of lots. Another option might be to bring in a tub grinder to process the waste on-site and utilize the residue as mulch for landscaping.

SOLID WASTE MANAGEMENT PROGRAM
4244 INTERNATIONAL PARKWAY, SUITE 104
ATLANTA, GEORGIA 30354-3902
(404) 362-2692
Fax: (404) 362-2693

PBR-_____ - _____
(For SWMP Use Only)

NOTIFICATION OF PERMIT BY RULE OPERATIONS

PLEASE TYPE OR PRINT:

I. FACILITY NAME _____

FACILITY ADDRESS /LOCATION _____
CITY _____ STATE _____ ZIP _____
OWNER/OPERATOR _____
ADDRESS _____ TELEPHONE () _____
CITY _____ STATE _____ ZIP _____
AUTHORIZED REPRESENTATIVE _____ TITLE _____
MAILING ADDRESS _____ TELEPHONE () _____
CITY _____ STATE _____ ZIP _____
SIGNATURE _____ DATE _____
(Please sign here)

II. TYPE OF OPERATION (*Check only the block for the operation(s) for which you will be responsible*)

- A. Collection
- B. Transfer Station
- C. Inert Landfill Is property for disposal site owned leased by applicant?

If leased, Property Owner _____
Address _____
City _____ State _____ Zip _____

- D. On-Site Processing or Thermal Treatment
- E. Facility will be Private or Public (open to general public)

III. DESCRIPTION OF OPERATION (*Described briefly the general nature of the proposed operation and list the specific solid waste to be disposed, processed or treated.*)

IV. STATUS OF OPERATION (Check) Existing Proposed (Projected startup _____ / _____)
Month Year

V. AREA TO BE SERVED (List County(s)) _____

