

RESPONSE TO PUBLIC COMMENTS

The Georgia Environmental Protection Division (“EPD”) has received questions and comments about the proposed major modification to expand the Jenkins County Construction & Demolition (C&D) Landfill, Permit No. 082-005D(SL). EPD has determined that the permit application for the Jenkins County Construction & Demolition (C&D) Landfill, Permit No. 082-005D(SL) is now complete and meets the requirements of both the Act and Rules. Therefore, a permit has been issued.

Below are responses to comments and issues communicated by the public to EPD during the permitting process.

- 1. Comment:** Lack of opportunity for public involvement in the expansion of the landfill and concerns with consistency with the solid waste management plan.

EPD Response: Review of a major modification application begins at the local level. Public participation is ongoing throughout this process. It starts with the solid waste needs and siting decision meetings and continues through issuance or denial of the permit. For this major modification application, the public participation started with both the needs meeting and the siting decision meeting being held by Jenkins County on October 11, 2022. The local government with jurisdiction over the facility determines whether the proposed major modification is consistent with the local Solid Waste Management Plan and land use ordinances, if any.

Once the local government has determined that the proposed expansion is consistent with all local requirements, EPD begins a review of the proposed expansion’s ability to meet the standards of the Georgia Comprehensive Solid Waste Management Act, O.C.G.A. 12-8-20 (“the Act”), and the Georgia Comprehensive Rules and Regulations Subject 391-3-4, Solid Waste Management (“the Rules”). EPD’s review is conducted in two parts. Part one is a review of the site’s ability to meet the siting standards of the Act and Rules. Part two is a review of the facility’s Design and Operational (“D&O”) Plan to ensure it meets the design and performance standards of the Rules.

- 2. Comment:** Agreements between the Local Government and the Landfill Operator are not being upheld.

EPD Response: Agreements between local governments and landfill operators such as final height, traffic impacts due to rate of fill, and other operating agreements are outside the jurisdiction of EPD. The Georgia Constitution’s home rule provision, Article IX Section II, prevents EPD from interpreting or otherwise commenting on these local matters.

3. Comment: Existing odor from landfill operations.

EPD Response: An improved Odor Control Plan is included in the D&O Plan for the expanded facility in response to the complaints received by the Jenkins County Board of Commissioners, the operator, and EPD. At the request of EPD, this Odor Control Plan has been implemented since April 2025 and will continue through the life of the facility.

One of the changes implemented by the facility to control odors is the size of the open waste surface. The previously permitted maximum active working surface size was 150,000 square feet (about 3.5 acres) and 1-foot of soil was required to be placed monthly. The D&O Plan for the expansion requires an active working surface of 1.5 acres (65,340 square feet) or less and 1-foot of intermediate soil to be placed on all waste disposal areas twice a month, or more frequent if necessary. No more than one (1) acre (43,560 square feet) of waste may be exposed on days when off-site odors are observed, or complaints are received. Additional soil cover is applied in areas found to release odors or in the drainage pathways.

Feedback from the public indicates that this plan has been followed and has resulted in odors from the facility being reduced.

4. Comment: Concerns with erosion and waste getting into the river after closure of the landfill

EPD Response: The final cover system will consist of a minimum of 12-inches of intermediate soil cover over the waste, 18-inches of compacted low-permeability soil or clay infiltration layer and a 6-inch erosion layer to sustain vegetative cover. The final drainage plan also requires diversion berms every 20 vertical feet in elevation to direct stormwater runoff to down drainpipes that route the stormwater to the perimeter drainage ditches. In summary, prior to EPD's concurrence that closure is complete, the final cover system must be in place with the appropriate diversion berms, down drainpipes, ditches and established vegetation to protect the facility from future erosion. The facility is required to be maintained for a minimum of 30 years after closure. Once the post closure period has been successfully completed, the facility owner must maintain the cover so that waste does not become exposed and present a danger to human health and the environment.

5. Comment: Concerns with impacts to groundwater

EPD Response: Groundwater monitoring is currently being performed on one (1) upgradient background groundwater monitoring well and ten (10) downgradient groundwater monitoring wells. The groundwater monitoring results have indicated statistically significant increases in Barium, Cobalt, Zinc and Mercury in one (1) or more of the wells monitored for this facility. While Cobalt in GWC-9 and Mercury in GWC-8 are statistically significant and are above the groundwater protection standards, they were determined to be from an alternate source as described in the Alternate Source Demonstration (ASD) mentioned below. The Alternate Source Determination dated May 2, 2022, and approved on August 19, 2022, documented that Barium and Cobalt are a result of soil partitioning in the groundwater as the rainfall infiltrates

through the soils. In addition, the Mercury concentrations in the C&D groundwater monitoring wells are as result of co-incident landfill gas impacts from the adjacent sanitary landfill, Permit No. 082-004D(SL). Groundwater quality results indicate that the facility is in compliance.

The procedure to evaluate and determine the corrective action(s) to clean up impacted groundwater may be found in the Rules and Regulations of the State of Georgia 391-3- 4-.14(30), that state in part:

The permittee...

- a) Must characterize the nature and extent of the release by installing additional monitoring wells as necessary.
- b) If the point of compliance is not at the facility boundary, the owner/operator must install at least one additional monitoring well at the facility boundary in the direction of contaminant migration and sample this well in accordance with the Rule.
- c) Must notify all persons who own the land or reside on the land that directly over lies any part of the plume of contamination if contaminants have migrated off-site if indicated by sampling of wells in accordance with the Rule; and
- d) Must initiate an assessment of corrective measures as required by the Rules within 90 days.

6. Comment: Concerns with potential impacts to surface water – Oak Cane Branch and the Ogeechee River

EPD Response: Oak Cane Branch is monitored where it enters the C&D Landfill property and where it leaves it according to the facility's environmental monitoring plan. Historical testing results have not indicated that there have been or are any impacts to the Oak Cane Branch.

Additionally, the discharge of the three (3) sediment ponds at the facility is monitored in accordance with the Industrial General NPDES Permit GAR050000. Total Suspended Solids (TSS) has occasionally exceeded the benchmark concentration of 100 mg/L and resulted in the continued repair and maintenance of erosion control best management practices and stabilization of disturbed soils (required when areas will remain undisturbed for 90 days). No other exceedances have been noted.