



# GEORGIA

DEPARTMENT OF NATURAL RESOURCES

## ENVIRONMENTAL PROTECTION DIVISION

**Richard E. Dunn, Director**

---

**Land Protection Branch**

4244 International Parkway  
Suite 104  
Atlanta, Georgia 30354  
404-362-2537

Apr 25, 2022

Honorable Shannon Whitfield, Chairman  
Walker County Board of Commissioners  
101 South Duke Street  
LaFayette, GA 30728

**SUBJECT: Walker County – Marble Top Road Site 2 Construction & Demolition Landfill  
Permit No.: 146-015D(MSWL)  
Solid Waste Handling Permit Major Modification #1**

Dear Mr. Whitfield:

Your application for a Solid Waste Handling Permit, including the necessary supplemental data for your operation, has been reviewed and approved.

Your modified permit, Permit No. 146-015D(MSWL), is attached and includes conditions and limitations for your operation.

Personnel of the Environmental Protection Division will make periodic inspections of your operations. These inspections will be discussed with you or your designated representative.

This permit is now in effect; however, under Georgia Law it is subject to appeal for a period of thirty (30) days following its issuance and is subject to modification or possible vacation if appealed. Should an appeal be received within the thirty (30) day appeals period, you will be immediately notified and further construction or operation under this permit may not be undertaken until such time as the appeals process is concluded.

If you have any questions or need more information, please contact Keith Stevens at (470) 251-2515 or [Keith.Stevens@dnr.ga.gov](mailto:Keith.Stevens@dnr.ga.gov).

Sincerely,

William Cook  
Program Manager  
Solid Waste Management Program

Enclosures: Permit with conditions

Cc: E. Paine Gilly PG; Walker County Landfill (via email)  
Keith Stevens, Beverly Tipton, Jim Guentert PG; EPD (via email)  
Mick Smith; Mountain District EPD (via email)  
Charles Adams PG; ACC, Inc. (via email)

File: GEOS 474464

PERMIT NO.: 146-015D(MSWL)  
ISSUANCE DATE: April 25,  
2022



# GEORGIA

DEPARTMENT OF NATURAL RESOURCES

## ENVIRONMENTAL PROTECTION DIVISION

### LAND PROTECTION BRANCH

#### Solid Waste Handling Permit

Permittee Name: **Walker County Board of Commissioners**

Facility Address: **5120 N. Marbletop Road  
Chickamauga, GA 30707**

In accordance with the provisions of the Georgia Comprehensive Solid Waste Management Act, and the Rules promulgated pursuant thereto, this permit is issued for the following operation:

**Walker County – Marble Top Rd. Site 2, C&D Landfill, located approximately 4 miles southwest of Chickamauga and approximately 7.7 miles northwest of the City of LaFayette at 5120 North Marbletop Road, Chickamauga, Georgia. (Latitude 34° 50' 21.8", Longitude -85° 21' 48.6").**

This permit is conditioned upon the permittee complying with the attached conditions of operation, which are hereby made a part of this permit.

All statements in the application and supporting evidence, information, and data submitted to the Environmental Protection Division of the Department of Natural Resources have been evaluated, considered and relied upon in the issuance of this permit.

This permit is now in effect; however, under Georgia law it is subject to appeal for 30 days following issuance and is subject to modification or revocation on evidence of noncompliance: (i) with any provision of the Act or of the Rules promulgated pursuant thereto; or (ii) with any representation made in the above mentioned application or the statements and supporting data entered therein or attached thereto; or (iii) with any condition of this permit.



---

Richard E. Dunn, Director  
Environmental Protection Division

**Conditions for Permit 146-015D (MSWL) (Page 1 of 3):**

1. All previous solid waste handling permits, and permit modifications are hereby superseded.
2. The Design and Operational Plan submitted by the Permittee and approved by the Division on April 22, 2022 for this facility is hereby made a part of this permit and the facility shall be operated in accordance with the Plan. Conditions of this permit supersede any provisions of the plan which may conflict.
3. The disposal facility shall be operated on only under the direct supervision of an operator duly certified in accordance with Rule 391-3-4-.18.
4. Solid waste unloading shall be restricted to the working face of the operation in such a manner that waste may be easily incorporated into the landfill with available equipment.
5. No putrescible wastes shall be disposed of at this facility. Only construction/demolition waste, inert waste, and yard trimmings may be accepted at the facility.
6. A uniform compacted layer of clean earth cover no less than one (1) foot in depth shall be placed over all exposed construction and demolition waste material at least monthly. Should the waste disposed be found to cause odors or be attractive to disease vectors or birds then daily cover shall be applied in accordance with rule 391-3-4-.07(3)(e).
7. A minimum 50-foot undisturbed buffer shall be maintained between the waste disposal area and all wetlands, as defined by the U.S. Army Corps of Engineers, unless evidence is provided to the Director by the Permittee that the use of wetlands has been permitted under all applicable state and federal laws and rules. The owner or operator must also place a demonstration of compliance in the operating record and notify the Director that it has been placed in the operating record.
8. A uniform compacted layer of clean earth cover not less than two (2) feet in depth shall be placed over the final lift no later than one month following the establishment of final grades. The final cover shall be consistent with the final cover system delineated in the approved facility Design and Operational Plan.
9. All-weather access roads shall be provided to the disposal facility and provisions shall be made for prompt equipment repair or replacement when needed.
10. Access to the landfill shall be limited to authorized entrances, which shall be closed when the facility is not in operation.
11. Signs shall be posted at the entrance to the facility stating the days and hours of operation and the type of material accepted for disposal.

**Conditions for Permit 146-015D (MSWL) (Page 2 of 3):**

12. The facility 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. Best management practices (BMPs) from the most recent edition of the Manual for Erosion and Sedimentation Control in Georgia shall be utilized.
13. Stormwater runoff from disturbed areas not covered under an applicable National Pollutant Discharge Elimination System (NPDES) permit shall be controlled by use of appropriate erosion and sedimentation control measures or devices. Best management practices (BMPs) from the most recent edition of the Manual for Erosion and Sedimentation Control in Georgia shall be utilized.
14. Site survey control shall be provided and maintained to ensure compliance with the approved Design and Operational Plan.
15. Operations shall be conducted at all times in such a manner as to prevent air, land, and water pollution and to prevent public health hazards.
16. Scattering of wastes by wind shall be controlled by fencing or other barriers, and the entire facility shall be policed daily.
17. Regulated quantities of hazardous waste shall not be disposed of at this facility.
18. Suitable measures to control fires that may start shall be provided. Stockpiled soil is considered to be the most satisfactory firefighting material.
19. The Permittee shall fully satisfy all applicable financial responsibility requirements for closure and post-closure care in accordance with Solid Waste Rule 391-3-4-.13. If a funded trust is used to satisfy financial responsibility requirements for this site, at no point shall the area of the disposal facility that has received waste and has not been closed exceed that area which could be properly closed using the funds available in the trust. The pay in period for annual trust fund payments shall be the lesser of the remaining design life of the facility or remaining capacity, as reported in accordance with Solid Waste Rule 391-3-4-.17.
20. The landfill shall be closed in accordance with Rule 391-3-4-.11 and the closure plan included in the approved Design and Operation Plan.
21. The Permittee shall compile and submit quarterly reports of all solid waste disposed at the facility no later than the 30th day after the beginning of each calendar quarter in accordance with Solid Waste Rule 391-3-4-.17(1).

**Conditions for Permit 146-015D (MSWL) (Page 3 of 3):**

22. Prior to receipt of waste, the Division shall be provided with written certification, by a professional engineer licensed to practice in Georgia, that a newly constructed cell or phase has been completed in accordance with the permit. Unless notified by the Division within 15 days of receipt by the Division of the written certification, the facility owner or operator may commence disposal of solid waste.
23. The Permittee shall record and retain in the operating records at or near the facility the record keeping requirements of Solid Waste Rule 391-3-4-.07(3)(u).
24. In accordance with O.C.G.A. 12-8-39(a) and (b), the Permittee shall provide a mechanism to collect a cost reimbursement fee upon each ton or the volume equivalent of a ton of waste received at the disposal facility regardless of its source. The cost reimbursement fee shall be paid into a local restricted account and shall be used for solid waste management purposes only.
25. In accordance with O.C.G.A. 12-8-39(e), the Permittee shall assess and collect on behalf of the EPD from each disposer of waste a surcharge per ton of solid waste disposed. Surcharges assessed and collected shall be due to the Environmental Protection Division on the first day of July of each year.
26. The Permittee shall comply with all other applicable state and local laws, rules and ordinances which are not incorporated as conditions of this permit, but which are separately enforced by the relevant state or local agency with jurisdiction.