

# Georgia Hazardous Waste Trust Fund

REPORT FOR FISCAL YEAR 2021



**ENVIRONMENTAL PROTECTION DIVISION**  
Georgia Department of Natural Resources



# Hazardous Waste Trust Fund

The Hazardous Site Response Act (Act), which was enacted in 1993, authorizes the Environmental Protection Division (EPD) to clean up hazardous sites that threaten human health and the environment. This law enables EPD to use the Hazardous Waste Trust Fund (HWTF) for hazardous site assessment, remediation, and monitoring, local government landfill reimbursements, and abandoned site cleanups.

The HWTF is funded by fees collected from industry and government agencies that produce, manage, and dispose of solid wastes and hazardous wastes, and from fines collected from violators of certain environmental laws. As shown in the chart below, most of the funding comes from the \$0.75 per ton tipping fee on waste disposed at landfills throughout the State. The hazardous waste/substance fees are assessed based on the volume an entity generates and/or releases. Georgia's smallest generators are excluded.

Historically, the fees collected in previous years were subject to appropriation by the General Assembly to EPD, whose director is authorized by the Act to serve as the fund's trustee. In November 2020, Georgia voters approved a constitutional amendment authorizing the Georgia Legislature to dedicate tax or fee revenue directly to the public purpose for which the taxes or fees were imposed. House Bill 511, passed on May

10, 2021, dedicated all solid waste tipping fees to the HWTF and extended the sunset date to June 30, 2032. The other fees and fines remain subject to legislative appropriation, and the hazardous waste/ hazardous substance fees are currently authorized through July 1, 2022.

## COVID-19 Update

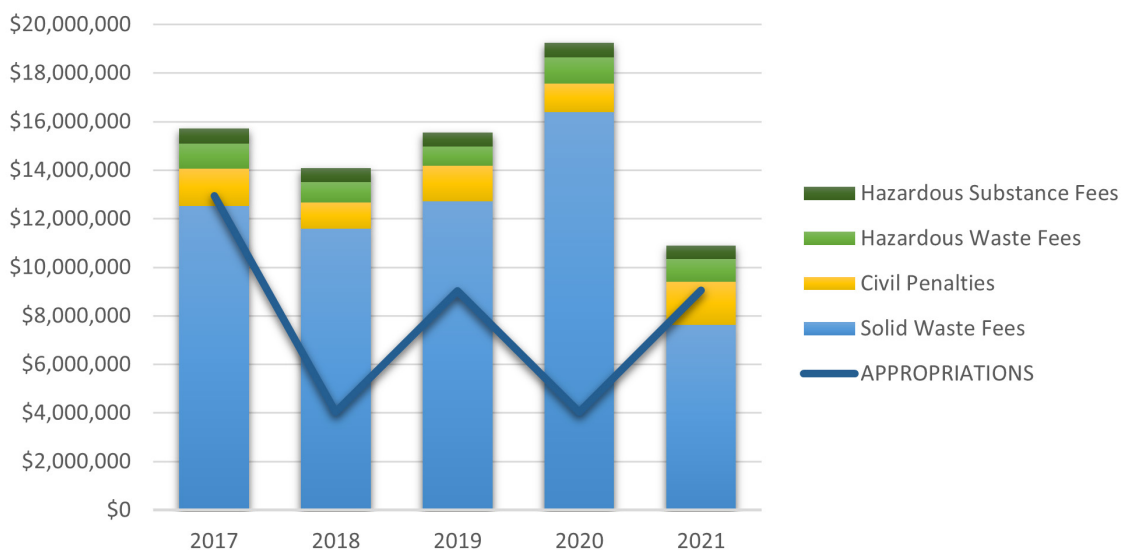
The COVID-19 Pandemic resulted in a modification of standard operating procedures to ensure compliance with the Governor's Declaration of a Public Health State of Emergency in March 2020. EPD's subsequent digital transformation allowed for productive and efficient remote working conditions. Although certain HWTF activities, such as site inspections and contractor activities, were slightly delayed, all activities have resumed.

## Appropriations

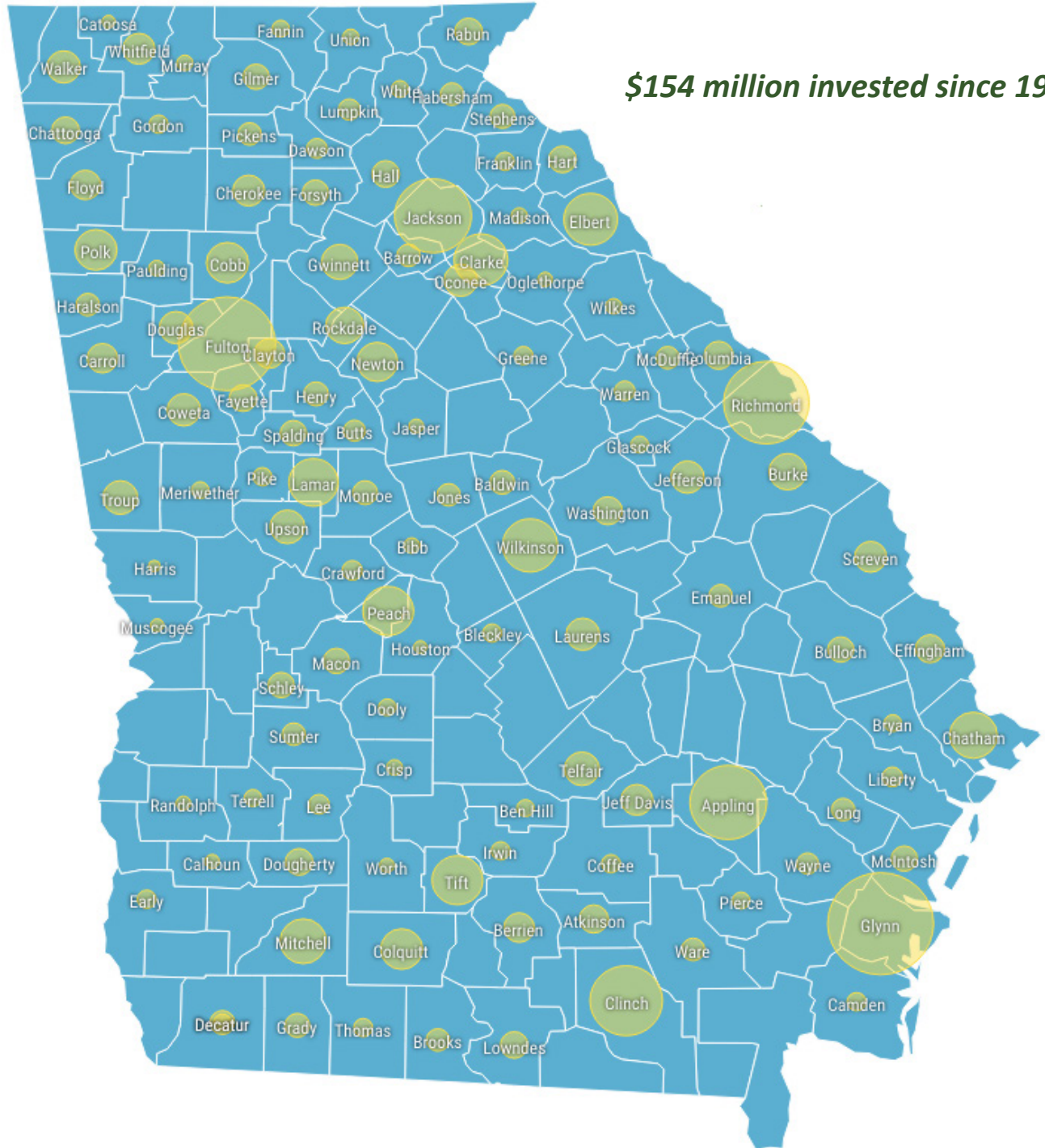
The General Assembly appropriated **\$9,044,246** to the HWTF for FY21 for hazardous site assessment, remediation, and monitoring, local government landfill reimbursements, and abandoned site cleanups. In June, the General Assembly appropriated **\$8,344,246** for FY22.

EPD is required under the Act to produce an annual report on activities funded by the HWTF; this report fulfills that requirement.

## FY17-FY21 Fees Collected and Appropriated



# Hazardous Waste Trust Fund



# HWTF Expenditures

Under the Hazardous Sites Response Act (commonly referred to as the State superfund law), EPD discovers hazardous sites, publishes this information on the Hazardous Site Inventory (HSI), and works with entities who caused the contamination to clean them up. EPD uses the HWTF to help local governments and State agencies investigate and clean up their sites and to investigate and clean up abandoned sites throughout Georgia. Benefits of these actions include the following:

Communities are made aware of contamination and potential exposure pathways in their area and may access tools and information to help prevent exposure.

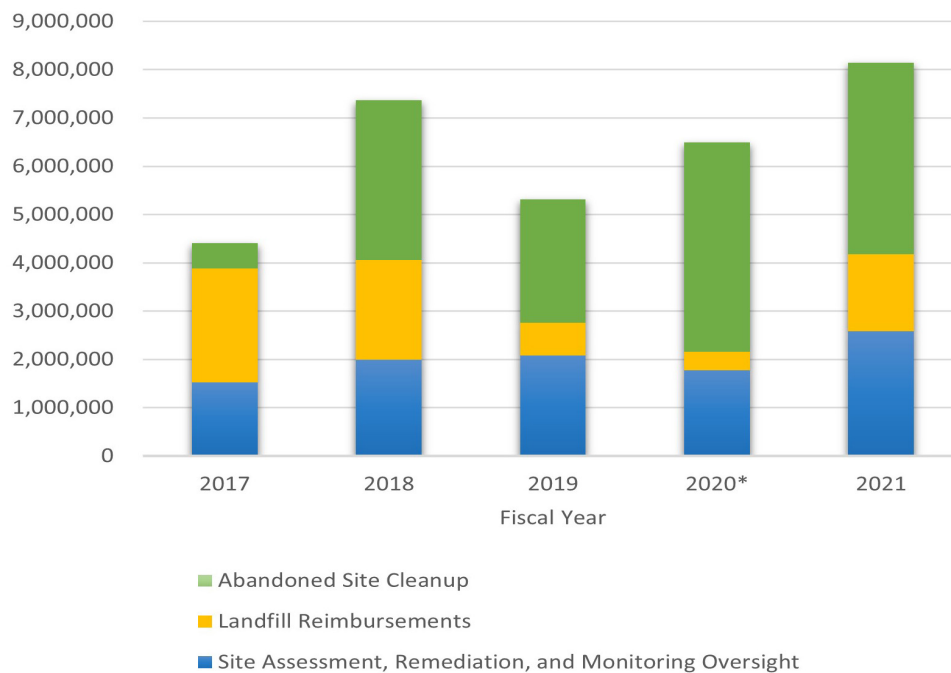
Local governments are provided with funding to assist in cleanup of leaking landfills.

Bankrupt/abandoned contaminated sites are cleaned up or made ready for development, minimizing the risk of additional contamination, blight, and missed economic development opportunities.

Private party cleanups are monitored to ensure steady progress to help prevent continued spread of contamination and the possible creation of additional abandoned sites.

Property transactions are able to continue due to regulatory certainty provided by EPD review of “due diligence” reports.

## Expenditures by Authorized Use



\* In the FY20 Annual report, FY20 Landfill Reimbursements included funding that was paid from the FY20 appropriation but reimbursed after the end of that fiscal year. This chart has been updated to show only reimbursements that occurred within the fiscal year displayed.

# Community Outreach and Highlights from FY21

Throughout the year EPD provides outreach to communities by attending stakeholder events and community meetings, as well as providing technical assistance to the public. These are a few highlights from FY21:

- EPD continues to work with EPA Region 4 as they oversee the Westside Atlanta Lead Cleanup Project. EPD has attended several EPA internal and public meetings designed to provide the community with information. The project has now expanded to over **2,000** residential properties and EPA has worked with the City and State in preparation for a September 2021 proposal to list the site on the **National Priorities List (NPL)**.
- Release Notifications (RN) are commonly reviewed by the public and EPD has been digitizing these files to provide improved access. The quality assurance review of these files was completed in FY21, making over **4,000** historical notifications available electronically. EPD has also formalized a processing protocol where new notifications are received, processed, responded to, and filed digitally.

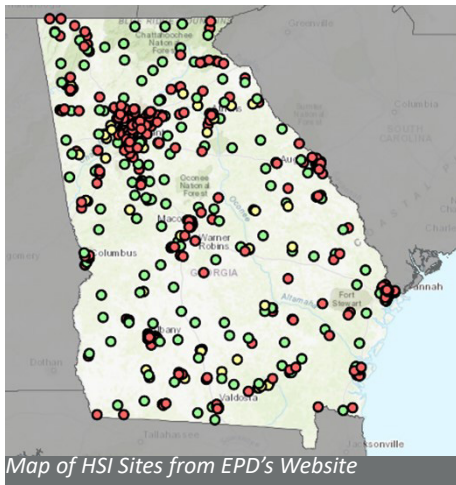


- In April 2021, EPD awarded an updated **UST Response and Hazardous Site Response Services Contract**, selecting contractors to conduct HWTF Abandoned Site Cleanup. Among other changes, the number of awarded contractors was increased from **four** to **six** in anticipation of dedicated funding. EPD hosted Zoom meetings for contractor representatives and internal staff to meet, provide expectations, and provide training including a new online submittal process for HWTF invoices.

- EPD collaborated with the EPA and Richmond County to investigate and closeout the Gravel Pit Road Site. The Site includes part of a system of ditches and streams that drain to Phinizy Swamp Wildlife Management Area (WMA). EPA previously funded sampling to assist in determining if the site should be added to the **National Priorities List (NPL)**. EPD subsequently utilized those results to guide additional analysis conducted using the HWTF. The resulting ecological risk assessment determined that site conditions are not a threat to the environment.
- EPD published the **Area Averaging Approach to Soil Compliance for Direct Contact Exposure Scenarios Technical Guidance Document** on December 15, 2020. The area averaging approach is a tool to demonstrate that the average concentration of contaminants in soils at a site are less than the applicable cleanup levels. This guidance was a collaborative effort that included two rounds of public comment, both of which resulted in extensive changes to the document based on stakeholder input.



# Site Assessment, Remediation, and Monitoring Oversight



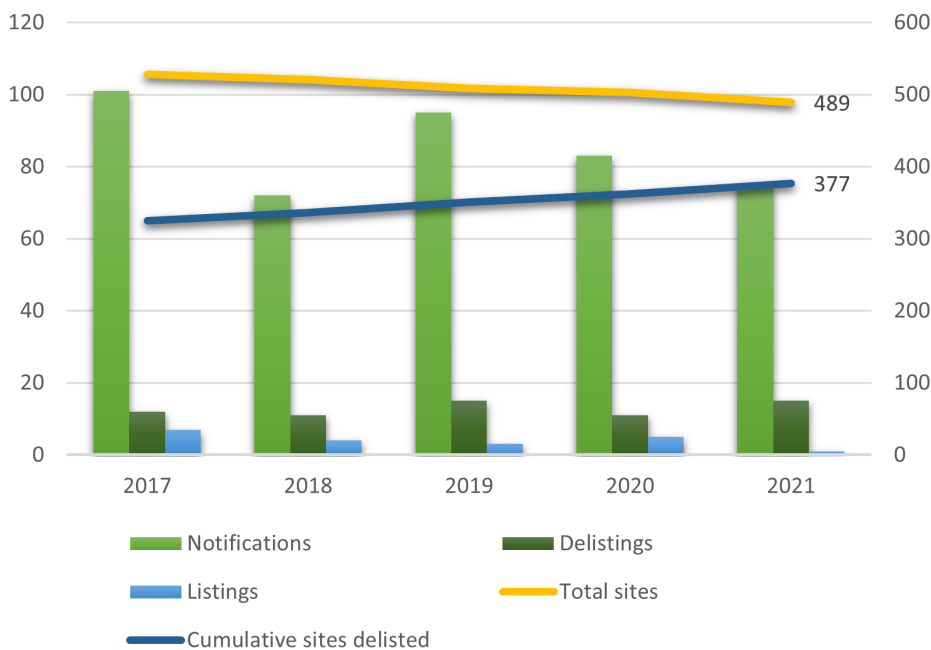
## Hazardous Site Inventory

Each year on July 1, EPD publishes the HSI, which is an inventory of the State's hazardous waste sites. The HSI gives the public detailed information about site location, the type(s) of contamination present at the site, and the cleanup status. An interactive map with site profile information and links to individual site summaries can be accessed on the EPD website.

## Release Notifications, Listings, and Delistings

When a release of a regulated substance is discovered in soil or groundwater, the property owner determines if EPD notification is required. After receiving a notification, EPD uses a numerical scoring process which factors the toxicity and physical state of the substance, the proximity to nearby residents and drinking water wells, and access to the release. If the threshold for either soil or groundwater is exceeded, or if the site otherwise poses a threat to public health or the environment, the site may be placed on the HSI.

## Notifications/HSI Status



Sites listed on the HSI are required to meet the State's clean-up standards, and once applicable clean-up standards are met, EPD can remove the site from the HSI. At the end of FY21, **489** sites were listed on the HSI. This is the first time the number of listed sites has been below 500 in **20 years**.

In the past, sites may have been listed with incomplete scoring information, or without exploring other avenues for cleanup. More recently, EPD has deferred scoring to allow sufficient data to be acquired, to allow pre-scoring cleanup to occur, or to allow the site to be enrolled in the Brownfield (BF) or Voluntary Remediation Program (VRP), when appropriate. These actions typically result in a similar cleanup, but with lower costs and timeframe for both the property owner and the State.



# Site Assessment, Remediation, and Monitoring Oversight

## Success Stories

### Cleanup without HSI Listing

The **Wittingham and Carnell property** in Dekalb County was formerly operated as a tire shop/auto repair facility. The property was subsequently enrolled in the Brownfield Program and is currently operating as a local, farm-to-table meat market. Impacts to subsurface soil by polynuclear aromatic hydrocarbon (PAH) compounds from the former tire shop/auto repair were identified on the adjacent property, a residential backyard. Despite vigorous search for the responsible parties, they could not be located to fund assessment and cleanup activities, so the release was deemed abandoned.

EPD utilized HWTF resources for the remediation of PAH impacts to the adjacent residential backyard to prevent impacts to human health and the environment. A contractor delineated, and excavated PAH impacted soils to meet residential risk reduction standards (RRS), thereby preventing the residential property from becoming a listed HSI site. The ground surface was subsequently restored.



View of Residential Yard Before Clean-up



View of Residential Yard After Restoration

### Cross Program Success

The **Abercorn and Largo Development site** is located in Chatham County and had a release of chlorinated compounds that originated from a former on-site dry cleaner (later redeveloped as a Walgreens). Remedial work involving multiple in-situ chemical oxidation events and monitoring events was performed on the site in the 2000s.

During a property transaction in 2015, the Brownfield Unit approved a Prospective Purchaser Compliance Status Report (PPCSR), providing a limitation of liability for the existing groundwater contamination. Since no viable responsible party remained, groundwater contamination was deemed 'abandoned'. However, the property owner followed with a 2020 PPCSR, demonstrating that both soil and groundwater meet residential RRS, and the site was subsequently delisted from the HSI.



View of Redeveloped Abercorn and Largo Property

# Site Assessment, Remediation, and Monitoring Oversight

## Success Stories

### Inter-Agency Cooperation and Enforcement

From 2006 until 2019, **CARE Environmental (CARE)** operated a warehouse in Valdosta, Georgia, where oil-based paints, fluorescent light bulbs, pesticides, and other materials that cannot safely be disposed of in traditional landfills were stored before disposal. More than **40** east coast municipalities and governmental agencies from Connecticut to Florida contracted with the company to provide disposal of items collected during household hazardous waste events.

Unfortunately, inspections at CARE revealed problems including spills and improperly stored materials. EPD worked to bring CARE into compliance including through administrative and judicial actions. Despite EPD's repeated efforts, in the fall of 2019 the situation at the facility had deteriorated to the point of posing an immediate threat to human health and the environment, with inspectors and a HWTF contractor finding drums labeled as toxic, corrosive and/or flammable that were leaking or unsecured. As a result, EPD revoked CARE's permit and, in coordination with the EPA, took emergency response actions to have the waste on site stabilized, removed, and disposed of properly. Following the successful conclusion of those emergency response efforts, EPD is now working with the property owner and other responsible parties to evaluate potential releases of hazardous constituents to the environment and to ensure the site is cleaned up in accordance with the law. Notably, through EPD's efforts, almost all the identified parties have agreed to participate in sharing the responsibility and expenses of the evaluation and cleanup effort.



Accumulated drums of various wastes inside CARE facility



Spilled and leaking waste inside CARE facility



Examples of potential Household Hazardous Waste



# Landfill Reimbursement

The Act provides for reimbursement of eligible local government costs in the investigation and remediation of solid waste handling facilities listed on the State HSI or the Federal National Priorities List. Fifty percent of the tipping fees that are appropriated are made available for these costs in accordance with the Act.

Up to **\$2,000,000** per site is provided for addressing the unexpected costs of leaking landfills such as enhanced monitoring and corrective action. The funding does not provide for routine post-closure care (PCC) at permitted facilities, such as capping or basic monitoring. However, for landfills closed prior to permitting requirements, these costs may be eligible.



Aerial view from Google Maps of a portion of the Newton County Landfill HSI #10678

Private landfills that have been abandoned may be eligible for PCC funding from the Solid Waste Trust Fund, and/or corrective action using the HWTF.

In FY21, EPD reimbursed local government costs from ten HWTF applications for a total of **\$1.6 million**. To date, over **\$46 million** has been reimbursed from the HWTF. The chart below has been updated to show only reimbursements that occurred within FY21.

HSI Number	Recipient	FY 21 Reimbursement
10450	Burke County	\$146,955
10282	City of Brunswick	\$56,955
10718	City of Sugar Hill	\$15,100
10322	City of Waynesboro	\$161,331
10644	Gilmer County	\$7,911
10664	Gilmer County	\$79,852
10282	Glynn County	\$24,449
10678	Newton County	\$1,019,101
10461	Stephens County	\$44,425
10685	Upson County	\$30,100

## Success Story

The **Waynesboro Old City Landfill** (HSI #10322) operated as an open “city dump” and burn pit for solid waste from the 1920s through the early 1970s. The dump site was closed following the implementation of the Georgia Solid Waste Management Act.

There was evidence that the nearby Atlas Chemical Company, who manufactured pesticides since the 1950s, used the Waynesboro Landfill to dispose of chemical waste material generated from their operations. EPA performed a soil and groundwater investigation at the landfill which led to its listing on the HSI in 1994. A low permeability soil cap was installed over the 6.5-acre waste envelope as a corrective action and source control measure. Subsequent monitoring demonstrated that the source material and impacts to site soil and groundwater were contained within the capped waste envelope and the area subject to an environmental covenant.

Since the site is a municipal landfill, it is eligible for reimbursement. To date, the City of Waynesboro has been reimbursed approximately **\$1 million** from the HWTF for costs associated with the site.



View of Waynesboro Landfill site from an early investigation

# Abandoned Site Cleanups

When a responsible party fails to perform corrective action, EPD may utilize the HWTF and then attempt to recover the cost of cleanup. There are currently **61** sites on the HSI that are classified as abandoned. The total cost estimate for investigation and corrective action of these **61** sites is over **\$65 million**.

EPD conducts ongoing reviews of all abandoned and inactive sites and ranks those sites for enforcement and funding in accordance with a site prioritization model. In FY21, EPD oversaw HWTF contractor activity on **22** abandoned sites, spending **\$4 million**. Funded contractor activities were completed at **11** of those sites. In April, EPD awarded an updated Services Contract for HWTF Cleanup work to **six** contractors.



Monitoring well at Palmetto Tire Fire Site, HSI 10327, Coweta County



Abandoned drums and solid waste at Muse Scrap Metals, HSI 10413, Carroll County

FY21 Abandoned Site Cleanups	COUNTY
Muse Scrap Metals	Carroll
Franklin Street Site	Cobb
Palmetto Tire Fire	Coweta
Sargent Ave Drum	DeKalb
Linda's Cleaners	DeKalb
Wittingham Carnell	DeKalb
Wallace Lake Road Dump	Douglas
Martin Fireproofing Georgia, Inc.	Elbert
Swainsboro Electro Plating, Inc.	Emanuel
O'Neill Manufacturing, Inc.	Floyd
Bumper Distributors of Atlanta	Fulton
Escambia Treating Company - Brunswick (NPL Site)	Glynn
Agri-Cycle	Jackson
Forstmann & Company, Inc. (Old Burn Pit)	Laurens
North Georgia Agricultural Services, Inc.	Madison
Pelham Phosphate Company	Mitchell
Escambia Treating Company - Camilla (NPL Site)	Mitchell
Murrow Brothers Delinting Waste	Oconee
Peach Metals Industries	Peach
Cedartown Battery Site	Polk
Gravel Pit Road Ditch	Richmond
W. F. Harris & Sons Wood Preserving	Upson



Drums, municipal solid waste, and scrap tires are often discovered at abandoned sites

# Abandoned Site Cleanups

## Success Stories

The **Murrow Brothers Delinting and Seed Companies** (HSI No. 10206), located in Oconee County, delinted cotton seeds between 1967 and 1977 by soaking in concentrated sulfuric acid. The seeds were then sold as planting stock, and the spent sulfuric acid was disposed of in an onsite unlined, earthen impoundment (pond). Numerous environmental inspections, investigations, and remedial efforts were conducted by/under the oversight of the EPA between 1984 and May 1990. In 1987, EPD responded to a complaint about dead vegetation between the onsite waste pond and a tributary of Freeman Creek. The site was subsequently listed on the HSI. Although EPD sent a Compliance Status Report (CSR) Call-In Letter to the last identified property owners requiring a CSR by late 1999, no response was received from the owners and the site was considered abandoned.

EPD utilized HWTF resources to conduct investigation activities; excavate and properly dispose of impacted soil, acid precipitate, and debris; place buffering material within and around the creek; and locate, clean, and stage roughly **3,600** scrap tires discarded at the site. Soil and groundwater at the site are now in compliance with residential risk reduction standards and over **1,000** feet of impacted surface water has been restored.

The **Muse Scrap Metals Site** (HSI No. 10413) is a former scrap metal recycling operation in Carrollton, Carroll County. EPD site inspections in the mid-90s documented the presence of more than **100** deteriorating drums of unknown origin and content, **four** used transformers, **16** gas cylinders, **six** exhumed underground storage tanks, several areas of stained soils, and miscellaneous solid waste materials. Sampling activities identified metals and solvents in soil at concentrations that exceeded risk reduction standards (RRS). Soil excavation and disposal actions were conducted and the site was listed on the HSI in 1996. Remedial activities conducted in 1997 including removal of **148** drums, used transformers, and contaminated soils. Groundwater characterization was conducted in 2006 and solvents were found above RRS. Additional characterization activities scheduled for 2009 were delayed by property access from the owner and subsequent budget cuts. Further investigation was resumed in 2019 to determine remaining soil and groundwater status. Sampling results indicated that regulated substances were not present in soil or groundwater at concentrations that exceeded residential RRS. EPD placed a lien on the property for future potential recoupment of HWTF funds used at the site. The site was delisted from the HSI in May 2021.



View of dead stream and vegetation in former wastewater impoundment seepage area



View of native bushes and trees planted to restore the streambanks



Recovered waste drums awaiting contents disposal and recycling

Georgia Environmental Protection Division  
Land Protection Branch  
2 Martin Luther King Jr. Drive  
Suite 1054, East Tower  
Atlanta, Georgia 30334



For additional information, please contact  
EPD's Response and Remediation Program at 404-657-8600 or visit  
[epd.georgia.gov/about-us/land-protection-branch/hazardous-waste](http://epd.georgia.gov/about-us/land-protection-branch/hazardous-waste)  
[epd.georgia.gov/hazardous-site-inventory](http://epd.georgia.gov/hazardous-site-inventory)