IB1 3

STATE BOARD OF HEALTH

INDIANAPOLIS

REFERENCE 119
Page 1

OFFICE MEMORANDUM

DATE: July 29, 1985

TO: RCRA File

THRU: Dave Berrey DWB

FROM: Ted Warner TW
Compliance Monitoring Section

SUBJECT: Scheduled Inspection of
Gary Development Company, Inc.
Gary, Indiana
IND 077005916

On June 17, 1985, Mr. Thomas Russell, Chief, Enforcement Section, and I conducted an inspection of the Gary Development Company, Inc., Landfill located at 479 North Cline Avenue, Gary, Indiana. The facility was represented by Mr. Lawrence Hagen.

The pre-inspection file audit revealed that this facility submitted an EPA Part A. The facility notified for landfilling the following hazardous wastes: F006, K087, F005, and F003. The facility received 33 manifested shipments of hazardous waste labeled F005 from American Chemical Services in 1981. On March 18, 1985, a Part B call-in letter was sent to Mr. Hagen of Gary Development. This facility has had a continuous stream of correspondence concerning the status at the facility. The Division of Land Pollution Control, Hazardous Waste Management Branch Chief, Mr. Guinn Doyle, stated in a letter on May 1, 1985, to Gary Development, that the "Gary Development Landfill is regulated pursuant to both Federal and State hazardous waste management rules." The U.S. EPA, Region V, Waste Management Branch Chief, the late Mr. Karl J. Klepitsch, Jr., stated in his February 8, 1984, letter that, "In summary, (1) Gary Development Landfill is in violation of RCRA Section 3005, plus 40 CFR 6270.2(c), 270.10(a), and 124.3(e) for disposal of hazardous waste without a permit; (2) the Landfill is subject to regulation under 320 IAC, Article 4; and (3) the Landfill must undergo closure pursuant to these regulations to avoid enforcement action by this office." It is also important to note that no State application or U.S. EPA Form 8700-12 was filed. Therefore, it is the opinion of the Technical Programs Section Chief, Mr. William Miner, in a letter to Mr. Hagen on June 18, 1982, that Gary Development "does not have interim status as defined in 40 CFR 122.23."

The final area of importance discovered during the file audit is the existence of an Environmental Management Board complaint, Cause No. N-146. This document reveals the solid waste history of the Gary Development Landfill and the problems and violations that are yet to be resolved.

During Mr. Russell's and my interview of Mr. Hagen, he stated that his facility had filed a Part A application, but had not filed a "postcard" notification. Mr. Hagen had been informed by an EPA attorney that Gary Development did not have interim status. Mr. Hagen did admit that his facility received 28 to 33 loads of manifested paint sludge from American Chemical Services in, to the best of his knowledge, 1980 or 1981. He did not know for sure where those manifests were located within his office. Mr. Hagen also stated that Gary Development received broken battery cases and neutralized calcium sulfate sludge from USS Lead Company of East Chicago. I have a working knowledge of that waste and the neutralized calcium sulfate is a characteristic hazardous waste, D008.

We asked Mr. Hagen to demonstrate Gary Development's compliance with all of the different aspects of RCRA requirements, and the only area that the facility was in compliance with was artificial barrier and control of entry.

Mr. Hagen provided us with a tour of the landfill. He pointed out the area of the landfill that was being co-disposed during the time period of receiving the manifested hazardous waste from American Chemical Services. We did observe a leachate collection pond that appeared very discolored. We asked Mr. Hagen if that liquid had been analyzed and he stated that it had not been sampled. Mr. Hagen went on to show us the four monitoring wells on the site. He stated that the wells are tested and analyzed for only 330 IAC 4 parameters. The wells are located on the north, south, east, and west sides of the facility. Following our tour, Mr. Russell recapped our visit by stating that, at a minimum, a complaint would have to be filed and the complaint would ask for formal closure of the facility.

In conclusion, this facility appears to have operated without interim status and outside any reasonable compliance with RCRA protocol. The facility has accepted hazardous waste in the past, therefore, it must go through closure. I will prepare an enforcement referral in the form of a complaint asking for the formal closure and post-closure of the Gary Development Company, Inc., Landfill.

TFW/tr
cc: Enforcement Section

Indiana State Board of Health
Division of Land Pollution Control
Hazardous Waste Landfill Inspection Report

FACILITY Gary Development Co. Inc. DATE 6-17-85
ADDRESS 4709 N. Cline Ave TIME 12:30p
CITY/COUNTY Gary
PERSON(S) INTERVIEWED Mr. Larry Hagen

I. ANALYSES AND APPROVALS	YES	NO	COMMENT
1. General waste analyses on file for wastes received		✓	
2. General waste analysis plan on file		✓	
3. State approvals on file for wastes received		✓	
II. PREPAREDNESS AND PREVENTION			
1. Internal communications functional		✓	
2. Telephone or two-way radios functional		✓	
3. Emergency equipment (extinguishers, spill control, safety equipment) functional		✓	
4. Contingency plan on file		✓	
III. MANIFESTING			
1. Only manifested shipments of hazardous waste accepted		✓	
2. Signed and dated as required		✓	
3. Manifests retained in file		✓	
4. Manifest discrepancies addressed		N/A	
manifests at office - search needed			
IV. OPERATING RECORD			
1. Description and quantity of waste received noted		✓	
2. Date waste received and date of disposal noted		✓	
3. Location and quantity of wastes in each cell noted on map and cross-referenced to manifest document		✓	
NO			
V. INSPECTIONS			
1. Inspections of emergency equipment conducted		✓	
2. Inspection of security devices conducted		✓	
3. Inspection log contains date, time, and inspector		✓	
VI. SECURITY			
1. Twenty-four (24) hour surveillance or artificial barrier	X		
2. Controlled entry onto site	X		
3. "Danger Signs" posted as required	[redacted]	X	

VII. OPERATING REQUIREMENTS	YES	NO	COMMENT
1. Run-on diverted away from active portion	✓		
2. Run-off from active portion collected		✓	
3. Wind dispersal of wastes controlled	✓		N/I
4. Daily cover applied (12 inches minimum)			N/I
5. Ignitable/reactive wastes not accepted			N/I
6. Incompatible wastes not placed in same cell			N/I
7. No "free liquid" wastes accepted for disposal			N/I
8. Empty containers reduced in volume prior to burial			N/I
9. Containers managed to prevent damage to liner			N/I
10. Leachate levels checked			
11. Date leachate last pumped no leachate collection system			
12. Hazardous waste retained in hazardous waste area			N/I

COMMENTS

√ other than a pond

INSPECTED BY: Ted Warner DATE: 6/17/85

Tom Russell

0059M
gds