

## **Response to Mayor Khalid Kamau 2-13-23**

### **Merk Miles Rd Landfill**

**Question: Would you reply with an electronic copy of the Corrective Action Plan for Permit 060-064D(SL) for the City's recordkeeping?**

EPD Response: The Corrective Action Plan was submitted as a hard copy and is located at the Tradeport at the address below. EPD does not have an electronic copy. You are welcome to make an appointment to review the Plan by emailing [Tradeport.FileReview@dnr.ga.gov](mailto:Tradeport.FileReview@dnr.ga.gov).

4244 International Parkway  
Suite 104  
Atlanta GA, 30354  
Phone: 404.362.2687

**Question: Can you email a higher resolution version of this Map suitable for large format printing?**

EPD Response: The Map that we previously attached is the highest resolution we have. There are additional site maps available in the GEOS (Georgia Environmental Online System) Public Portal located here: [https://geos.epd.georgia.gov/GA/GEOS/Public/Client/GA\\_GEOS/Public/Pages/PublicApplicationList.aspx](https://geos.epd.georgia.gov/GA/GEOS/Public/Client/GA_GEOS/Public/Pages/PublicApplicationList.aspx). We have attached another map for reference.

**Question: Would you email a map/diagram of Easements to access these monitors for the City's recordkeeping?**

EPD Response: The property surrounding the landfill is owned by Fulton County and would not require easements for Fulton County to access the monitors. EPD does have additional hard copy maps as a part of the Merk Miles Rd landfill, and you are welcome to review them at EPD's Tradeport Office.

**Questions: Would you reply with a list of all requirements necessary for Fulton County to be released from the Post-Closure Plan?**

EPD Response: Please refer to the Georgia Rules for Solid Waste Management section 391-3-4.12 for a list of requirements. Rules are accessible here: <https://epd.georgia.gov/rules-laws-enforcement/existing-rules-and-corresponding-laws>

**How often is reporting on compliance required to be submitted to the EPD?**

EPD Response: Currently, the facility is required to submit groundwater reports semi-annually, methane reports on a quarterly basis and corrective action updates annually.

**Would you reply with electronic copies of those reports?**

EPD Response: Groundwater, methane, corrective action updates and other correspondence from 2020 and after is available in GEOS. All other reports and correspondence before 2020 are located at the Tradeport in hard copy form. You may visit the Tradeport to review older files or access the more recent electronic versions using GEOS Public Portal located here: [https://geos.epd.georgia.gov/GA/GEOS/Public/Client/GA\\_GEOS/Public/Pages/PublicApplicationList.aspx](https://geos.epd.georgia.gov/GA/GEOS/Public/Client/GA_GEOS/Public/Pages/PublicApplicationList.aspx).

When accessing the electronic files through GEOS, EPD suggests using the term “Merk” as the facility name and further filtering by submittal type (SW10.Groundwater Document Submittal Form & SW11. Periodic Methane Monitoring Report/Methane Correspondence).

**Is Fulton County on schedule with groundwater protection standards methane limits and other requirements for this site to be released in 2028?**

EPD Response: The latest Corrective Action Plan update is accessible in GEOS as Submittal ID: 652775. The update states that the groundwater compliance is **estimated** to be achieved in 2028. The facility is currently in compliance for methane. The GEOS Public Portal is located here: [https://geos.epd.georgia.gov/GA/GEOS/Public/Client/GA\\_GEOS/Public/Pages/PublicApplicationList.aspx](https://geos.epd.georgia.gov/GA/GEOS/Public/Client/GA_GEOS/Public/Pages/PublicApplicationList.aspx) We suggest filtering by Submittal ID to review this report.

**7635 Bishop Road**

**Question: Would you reply with the Original Permit for this site?**

EPD Response: This site has never been permitted by EPD. The site is an unpermitted, open dump of solid waste.

**Question: Since 2000, when have EPD regulators inspected the site to confirm that no materials were being delivered that were not permitted?**

EPD Response: None of the materials that have been taken to this site were permitted by EPD.

**Question: Does the EPD or the State of Georgia have any grants, matching funds or other monies for which the City of South Fulton can apply to address the underground fires burning at this address?**

EPD Response: Currently, EPD does not have any funds available to address underground fires burning at this address.

**Question: Have any inspections been done on the materials buried beneath the ground of this site; and if so, would you email those reports?**

EPD Response: Yes, the majority of the material at the site is inert debris (concrete and woody debris) with de minimis amounts of construction and demolition material (tile and lumber) and a few tires that we have documented over the years. The file for this site is very large and is too big to email. Arrangements can be made if you would like to review the file at EPD’s Tradeport Office.

**Question: Can the EPD offer any scientific explanation for why [materials buried on this site are combusting underground](#) (see linked video from November 2022)?**

EPD Response: In areas where the fire was not completely extinguished, combustion can reoccur if more oxygen is introduced to that area.

**PLASTIC FUEL PELLET PRODUCTION ON FIB (4785 Fulton Industrial Blvd, 30336): Waste Pro/Synergy Burcell**

**Question: Which Permit-By-Rule would the activities at 4785 FIB fall under and would you reply with a link or electronic copy of those requirements for the City's review?**

EPD Response: For the current Permit-By-Rule (PBR), the facility is permitted for a solid waste transfer station. A copy of the most recent acknowledgment letter from EPD for this site's PBR is attached. The letter includes the requirements that have to be followed in order to comply with the PBR. Also, attached is a copy of the Solid Waste Management Rules which can also be located from the EPD website at <https://epd.georgia.gov/rules-laws-enforcement/existing-rules-and-corresponding-laws>. The PBR requirements can be found in 391-3-4-.06.

**Question: What are the requirements for a Materials Recovery Facility permit?**

EPD Response: The specific conditions that may be included in the permit would be dependent on the project. Since we have not received an application at this time, we cannot comment on what those conditions may be. However, EPD does have requirements in the Solid Waste Management Rules (attached), Chapter 391-3-4, that solid waste handling facilities such as material recovery facilities (MRFs) must comply. Specific requirements can be found in section 391-3-4-.09. Some of the siting requirements in Section 391-3-4-.05 along with the requirements for public participation (.03) and Financial Assurance also would apply (.13). Please note that MRFs are not required to conduct methane or groundwater monitoring since waste is not disposed on-site.

**Question: What are the regulatory thresholds for emissions at a facility of this type?**

Air quality permits contain sufficient monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable state and federal air quality regulations. Without an air quality permit application to review, we cannot be more specific. GA EPD's air permitting process also includes a Toxic Air Pollutant (TAP) analysis, which uses modeling to ensure that the emissions from any proposed facility do not result in an unacceptable risk to the public.

**Question: How frequently does/will EPD regulators visit the site and test the air and groundwater to ensure emissions are within regulatory thresholds?**

Air quality permits contain sufficient monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable state and federal air quality regulations. Without an air quality permit application, we cannot be more specific. The presentation provided to GA EPD by

Burcell's consultant states on the last page that "The proposed facility is expected to be considered a minor source of air emissions by the Georgia Environmental Protection Division". This statement could either mean a true minor (under the limits for a major source without controls) or synthetic minor (under the limits for a major source based on enforceable conditions or controls). If GA EPD agrees this is a true minor source after a thorough evaluation of a complete permit application, then GA EPD will inspect the facility on a complaint basis only. If the source is permitted as a synthetic minor source, then the US Environmental Protection Agency (EPA) requires states to inspect the source at least once every five years. GA EPD generally inspects synthetic minor sources more frequently than the EPA minimum.

As noted above, MRFs are not required to conduct methane or groundwater monitoring since waste is not disposed on-site.

**Question: Would you reply with addresses of other sites in Georgia currently or previously permitted for such activities?**

Based on the limited amount of information available to GA EPD, the proposed Synergy/Burcell project would produce fuel oil and solid fuel from solid waste. Nexus Headquarters, Atlanta has an air quality permit for an alternative fuel product manufacturing facility. There may be some similarities between the proposed Synergy/Burcell project and Nexus. Nexus processes post-consumer and post-industrial thermoplastics by pyrolysis producing petroleum-based liquid, solid, and gaseous products. Nexus is located at 500 Waterfront Drive, Atlanta 30336. Below are links to the Nexus air quality permit and the permit narrative.

<https://permitsearch.gaepd.org/permit.aspx?id=PDF-OP-24218>

<https://permitsearch.gaepd.org/permit.aspx?id=PDF-ON-24218>

**Question: Would you reply with addresses of other sites in Georgia currently or previously permitted to burn plastic pellets produced by this process?**

There are no facilities in Georgia that have submitted a permit application for the purpose of burning plastic pellets produced by this process.