STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0112747; AI 82479; PER20080001** to discharge to waters of the **State of Louisiana** as per LAC 33:IX.2311.

The **permitting authority** for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

I. **THE APPLICANT IS:** Rodney Schamerhorn
Schamerhorn C & D Landfill
10443 Highway 8
Leesville, LA 71446

II. **PREPARED BY:** Eura DeHart

DATE PREPARED: May 22, 2008

III. **PERMIT ACTION:** Issue LPDES permit LA0112747, AI 82479; PER20080001

LPDES application received: February 19, 2008.

EPA has not retained enforcement authority.

IV. **FACILITY INFORMATION:**

A. The application is for the discharge of landfill wastewater, vehicle/heavy machinery washwater and maintenance shop washwater, and non-contact stormwater from a construction and demolition debris landfill serving the Leesville area.

B. The facility is located at 10443 Highway 8 in Leesville, Vernon Parish.

C. Currently, there is no treatment facility.

D. Outfall 001

Discharge Location:	Latitude 31° 10' 08" North Longitude 93° 09' 35" West
Description:	landfill wastewater from a construction /demolition debris landfill
Estimated flow:	0.0132 MGD (varies with rainfall)

Outfall 002

Discharge Location:	Latitude 31° 10' 01" North Longitude 93° 09' 33" West
Description:	vehicle/heavy machinery washwater and maintenance shop washwater
Estimated flow:	varies

Outfall 003-A

Discharge Location: Latitude 31° 10' 16" North
Longitude 93° 09' 47" West

Description: non-contact stormwater from the northern portion of the facility

Estimated flow: 0.0102 MGD (varies with rainfall)

Outfall 003-B

Discharge Location: Latitude 31° 10' 7" North
Longitude 93° 09' 42" West

Description: non-contact stormwater from the southeast portion of the facility

Estimated flow: 0.0061 MGD (varies with rainfall)

V. RECEIVING WATERS:

The discharge is into Cooper Creek, thence into Railford Bayou, thence into Bayou Anacoco in segment 110506 of the Sabine River Basin. This segment is not listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 110506 of the Sabine River Basin are as indicated in the table below[1/]:

Overall Degree of Support for Segment 110506	**Degree of Support of Each Use**						
Full	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
	Full	Full	Full	N/A	N/A	N/A	N/A

[1/]The designated uses and degree of support for Segment 110506 of the Sabine River Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2006 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

Section 303(d) of the Clean Water Act as amended by the Water Quality Act of 1987, and EPA's regulations at 40CFR 130 require that each state identify those waters within its boundaries not meeting water quality standards. Section 303(d) further required that states develop management plans (Total Maximum Daily Load Studies, or TMDLs) for waterbodies determined to be water quality limited. Segment 110506 is not listed on the LDEQ 2006 303(d) List of impaired waterbodies. It currently meets water quality standards and fulfills designated uses as shown in the table above. Thus, no TMDLs are planned for this subsegment. However, a standard reopener paragraph is established in the permit to allow for additional requirements or

more stringent effluent limitations imposed by any future water quality studies or new water quality standards.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 110506 of the Sabine River Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish & Wildlife Service (FWS). This strategy was submitted with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered species or candidate species or the critical habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Mr. Eura DeHart
Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

The facility is a construction and demolition debris landfill. According to Solid Waste Regulations construction and demolition debris (C&D) is defined as nonhazardous waste generally considered not water-soluble, including but not limited to metal, concrete, brick, asphalt, roofing material, or lumber from a construction or demolition project. The definition does not include friable asbestos-contaminated waste, white goods, furniture, trash, or treated lumber. The facility applied for the General Permit LAG780000 (Construction/Demolition Debris Landfill General Permit). However, the facility receives white goods for recycling and coverage under the General Permit does not apply to facilities that receive white goods. Therefore, an individual permit is proposed for this facility.

Construction/demolition debris enters the facility and is screened for non-acceptable materials. Acceptable

material is taken to the working phase and land filled. Non-acceptable waste is rejected or stored in roll off boxes until disposal off-site.

It is proposed the facility monitor effluent parameters found at 40 CFR. Part 445, Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Landfills Point Source Category. Stormwater limits are based on the Multi – Sector General Permit. Sector L. These limits are similar to those found in the General Permit for construction and demolition debris landfills (LAG780000)

Final Effluent Limits:

OUTFALL 001 – Landfill wastewater from a construction/demolition debris landfill

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Daily Max.	Basis
BOD_5	37 mg/l	140 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
TSS	27 mg/l	88 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
TOC	---	50 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
Oil &grease	---	15 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
Total Recoverable Iron	---	1.0 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
Ammonia-Nitrogen	4.9 mg/l	10 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
a-Terpineol	0.016 mg/l	0.033 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
Benzoic Acid	0.071 mg/l	0.12 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
p-Cresol	0.014 mg/l	0.025 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
Phenol	0.015 mg/l	0.026 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.
Zinc	0.11 mg/l	0.20 mg/l	Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for Landfills Point Source Category.

*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX 711 which express BOD_5 and TSS in terms of concentration.

Other Effluent Limitations:

1) pH

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX 5905.C.)

2) **Solids and Foam**

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

OUTFALL 002 – Vehicle/heavy machinery washwater and maintenance shop washwater

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Daily Max.	Basis
TSS	---	45 mg/l	LAG780000 Construction/Demolition Debris Landfill General Permit, Sector L. (October, 2007)
COD	200 mg/l	300 mg/l	LAG780000 Construction/Demolition Debris Landfill General Permit, Sector L. (October, 2007)
Oil and Grease	---	15 mg/l	LAG780000 Construction/Demolition Debris Landfill General Permit, Sector L. (October, 2007)
Soaps and/or Detergents[1]	N/A	N/A	LAG780000 Construction/Demolition Debris Landfill General Permit, Sector L. (October, 2007)
Visible Sheen[2]	---	No Presence	LAG780000 Construction/Demolition Debris Landfill General Permit, Sector L. (October, 2007)

*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which express BOD_5 and TSS in terms of concentration.

[1] You must document in a monthly inventory record the quantity and type of any Soap and/or detergent that you use during each calendar month. Your inventory records should contain this information for each month beginning one month after the effective date of your permit coverage. Do not submit your inventory records to LDEQ when you submit your DMRs and do not report on your DMRs the quantity of Soap and/or detergent used during the reporting period. A Material Safety Data Sheet (MSDS) for each material used shall be available upon the initial use of a product. The permittee must keep the inventory records, the MSDS for each Soap and/or Detergent used, and copies of the facility's DMR records on file at the permitted facility.

[2] The limitation shall be "No Visible Sheen." Visual Observation shall be made once per day when discharge occurs and the presence or absence of a sheen recorded in a log. If a visual sheen is present, a letter of noncompliance shall be submitted in accordance with Part III.D.6.e. Retain manual log at the facility for three years. No DMR reporting shall be required.

Other Effluent Limitations:

1) pH

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.)

2) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

OUTFALL 003-A – Non-contact stormwater from the northern portion of the facility

Final Effluent Limits

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Daily Max.	Basis
TSS	---	100 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
Total Recoverable Iron	---	1 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
TOC	---	50 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
Oil & grease	---	15 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)

*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which express BOD_5 and TSS in terms of concentration.

Other Effluent Limitations:

1) pH

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.)

2) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

OUTFALL 003-B – Non-contact stormwater from the southern portion of the facility

Final Effluent Limits

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Daily Max.	Basis
TSS	---	100 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
Total Recoverable Iron	---	1 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
TOC	---	50 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)
Oil & grease	---	15 mg/l	BPJ based on the Multi-Sector General Permit, Sector L. (May, 2006)

*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which express BOD_5 and TSS in terms of concentration.

Other Effluent Limitations:

1) pH

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.)

2) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

X. PREVIOUS PERMITS:

No previous permits issued.

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:

A) Inspections

A review of the files indicates the following most recent inspection performed for this facility was conducted on February 22, 2008 in response to a citizen complaint that the facility was dumping/burying household solid waste.

The inspection did not reveal any garbage in the landfill nor were odors detected. A roll-off box at the site contained bags of garbage that had been removed from load that the facility received. The roll-off was schedule to be picked up and sent for disposal. The unloading of three trucks were observed during the inspection and appeared to meet the requirements for disposal in the landfill. One of the truck indicated that he had not seen any garbage trucks disposing of garbage at the facility. On February 25,2008, it was noted that the roll-off had been picked up for disposal.

B) Compliance and/or Administrative Orders

A Consolidated Compliance Order & Notice of Potential Penalty (Enforcement Tracking No. MM-CN-07-0100) was issued to the facility on January 2, 2008. The following violations were noted:

Inspections conducted by the Department on or about December 11, 2006, June 11, 2006, and June 25, 2007 revealed unauthorized discharges of contaminated stormwater runoff form the facility. Samples collected during the June 25, 2007 inspection revealed that a Total Zinc value of 0.241mg/l exceeded the daily maximum effluent limitation of 0.20 mg/l, which is applicable to the discharges of landfill wastewater from construction/demolition debris and woodwaste landfills. The facility does not have an LPDES permit or any other authority to discharge wastewater and/or substances into waters of the state.

The facility was not implementing a Spill Prevention and Control (SPC) Plan.

The inspection conducted on June 11, 2007 revealed that the facility washes vehicles and heavy equipment at the maintenance shop area. Photographs revealed a drain pipe near the maintenance shop area which drains the washwater to a final discharge pipe, thence into an unnamed tributary. Photographs also revealed evidence of washwater near the drain pipe which drains the washwater to the final discharge point.

The inspection on or about June 25, 2007 revealed discharges of non-contaminated stormwater runoff from the southeast portion of the facility from a non-working face area of the landfill.

The inspection on or about June 25, 2007 revealed discharges of non-contaminated stormwater runoff from the southeast portion of the facility.

The facility failed to label or mark clearly used oil containers.

The facility failed to clean up and properly manage the released used oil.

The facility failed to have waste determined to be unacceptable for disposal at the landfill, stored in a closed container and removed from the facility at least every seven days.

The facility failed to conduct annual training sessions concerning the facility operations and emergency procedures for all employees working at the facility.

The facility filed to cover waste every fourteen days with silty clays applied a minimum of twelve inches thick and documented in the facility's records.

C) DMR Review

A review of files indicates no discharge monitoring reports for the facility have been submitted.

XII. ADDITIONAL INFORMATION:

The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon water quality studies. These studies may indicate the need for advanced wastewater treatment. Studies of similar dischargers and receiving water bodies have resulted in monthly average effluent limitations of 5 mg/l $CBOD_5$, and 2 mg/l NH_3-N. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions