

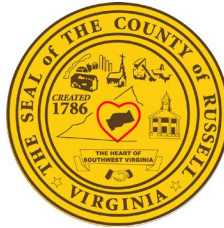
**RUSSELL COUNTY**  
**BOARD OF SUPERVISOR’S MEETING**  
**AGENDA – MARCH 8, 2024**

**Gov’t Conference Room**

**Regular Meeting**

**7:00 PM**

**Russell County Governmental Center**  
**Lebanon, Virginia 24266**



**Russell County Board of Supervisors’ “Public Board Packet” can be viewed or downloaded at <https://russellcountyvva.us/agendacenter>.**

**A hard copy of the Public Board Packet is located at the County Administrator’s Office or the County’s website electronically five (5) days prior to the board meeting or when the Chairman of the Board releases. In addition, one hard copy of the Public Board Packet will be available for public review at the board meeting.**

**CALL TO ORDER & ROLL CALL – Clerk of the Board**

**Andrew Hensley**  
**Lou Ann Wallace**  
**Tara Dye**  
**David Eaton**  
**Rebecca Dye**  
**Nate Kiser**  
**Steve Breeding**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**PRESENTATION**

- 1. Landfill Presentation – Jeff Southard (Gentry Locke Law Firm); David Paylor – Potesta Engineering & Environmental Consultants; Lonzo Lester – County Administrator**

**BOARD MEMBER DISCUSSION**

**CITIZEN COMMENT PERIOD**

**ADJOURNMENT**



**VIA EMAIL ONLY**

December 16, 2022

Mr. Lonzo Lester  
County Administrator  
Russell County Board of Supervisors  
137 Highland Drive, Suite A  
PO Box 1208  
Lebanon, Virginia 24266

RE: Letter Report  
Landfill Feasibility Information Review near  
Clinchfield, Russell County, Virginia  
Potesta Project No. 0103-22-0164

Dear Mr. Lester:

Potesta & Associates, Inc. (POTESTA) is pleased to present our letter report summarizing our evaluation of information obtained from Russell County Reclamation, LLC (RCR) regarding a proposed solid waste disposal facility (landfill) located on property owned by RCR.

Based on information obtained from a review of Russell County, Virginia interactive GIS mapping, RCR owns a parcel(s) of land totaling 782.74 acres located near the community of Clinchfield. A portion of this property was historically used for coal mining and coal preparation. The coal mining and coal preparation operations included cleaning coal and disposal of coal refuse. Coal refuse is shale, rock, undersized coal, and other material removed from mined coal to make the coal more marketable. Coal refuse can consist of coarse and fine particles. Coarse particles are most often handled dry and placed in a disposal area by spreading and compacting. Fine coal refuse is often handled by mixing with water and pumping or sluicing to a disposal area such as a pond or impoundment.

The area being proposed by RCR for development of the solid waste disposal facility is an area previously used for coal refuse disposal. This area includes both coarse and fine coal refuse disposal. Coarse coal refuse was placed in valley areas of the property to form fills. Some of these fills were configured to form dam embankments to create impoundment areas for the disposal of fine coal refuse. Fine coal refuse mixed with water was pumped from the coal preparation plant to the impoundment areas. Coal refuse fines settled in these ponds and water was decanted and pumped back to the coal preparation plant and reused for coal cleaning.

RCR retained Draper Aden Associates of Richmond, Virginia to prepare a fatal flaw screening analysis to be used to evaluate the potential for the development of a landfill on RCR's property near

Clinchfield in Russell County, Virginia. RCR provided POTESTA with a copy of the fatal flaw screening report dated July 26, 2021 for review. The report included a preliminary evaluation of the RCR site with respect to siting requirements established for solid waste disposal facilities as contained in the Virginia Solid Waste Management Regulations (9 VAC 20-80-120 – Siting Requirements). The screening report addressed regulatory siting criteria including floodplains; geological stability; distance setbacks; proximity to parks, recreation areas, wildlife management areas, etc.; proximity to public water supply intakes, areas vulnerable to flooding from dam failures, sinkholes/karst caverns, and faults; seismic impact zones; areas where groundwater monitoring cannot be conducted in accordance with Solid Waste Management Regulations; wetlands; site characteristics requiring limitations on site use or incorporation of engineering controls; adequate area and terrain for leachate management; and airport safety.

**The fatal flaw screening analysis did not identify site conditions that would result in a clear violation of the siting requirements established by Virginia Department of Environmental Quality's (VDEQ) Solid Waste Management Rules.** The analysis did identify some siting standards that require further evaluation to determine the adequacy of the site including:

- Geotechnical stability of coal refuse areas.
- Geotechnical evaluation of underground mine workings to verify there are no voids resulting from coal extraction under the footprint of the landfill.
- Location of disposal unit boundary (landfill) with respect to local roads.
- Evaluation of existing coal refuse disposal dams and possible site impacts to those dams.
- Stability evaluation of possible geologic faults.
- Seismic activity evaluation of the site.
- Engineering evaluation of slopes, soils, groundwater conditions, etc.

POTESTA attended a site visit on November 3, 2022 with representatives of RCR, TRC Companies, Inc., and Russell County Industrial Development Authority. TRC Companies, Inc. acquired Draper Aden Associates after Draper Aden Associates prepared the fatal flaw analysis report. The site visit included driving to the top of the coal refuse disposal area to view the proposed area of the solid waste disposal landfill.

The site being proposed by RCR for development as a solid waste landfill is a former coal refuse disposal area. Coal refuse was generated from Pittston Coal Company's Moss No. 3 Preparation Plant from the 1950s until the plant closed in the 1980s. The historical coal refuse disposal area is approximately 400 acres as estimated based on review of aerial photography.

RCR is considering a portion of the coal refuse disposal area for development as a solid waste landfill. The area being considered is located between two coal refuse dams making up a portion of the coal refuse disposal area. Dam 3 is located upstream and west of the proposed landfill area. Dam 1 is located on the downstream side and is south of the proposed landfill area.

The base area of the landfill includes a depression between the two dams. Both dams were created by filling and disposal of coarse coal refuse. The depression contains water and possibly some fine coal refuse. RCR indicated they have removed coal refuse fines from the depression, but there could be some fine coal refuse remaining under the water. Coal refuse fines were processed and marketed as fuel by RCR. RCR's envisioned landfill would be developed in this depression. The approximate bottom elevation of the landfill is 1900 feet. The top of the existing coal refuse pile and top of Dam 1 is at approximate elevation 2000 feet. Initial development of the landfill would include constructing a liner system in the depression followed by filling the depression with approximately 100 feet of solid waste. The proposed maximum elevation of the solid waste landfill is 2600 feet. To reach this elevation, RCR's plan will include developing and lining the hillside slope north of the depression, and placing solid waste over the lined northern hillside slope, followed by mounding the landfill near the center to elevation 2600 feet. The base area of the landfill is approximately 280 acres. The envisioned disposal volume of the landfill is just over 115 million cubic yards. At an assumed solid waste disposal rate of 5,800 tons per day, 6 days per week, the landfill life is estimated at approximately 38 years.

After review of the fatal flaw screening documentation and following the site visit, POTEITA identified certain site conditions that will require engineering evaluation and provisions included in the development and operation plans for the landfill so that the landfill can be constructed and operated in an environmentally sound manner and achieve regulatory requirements. These items are discussed below.

1. RCR's conceptual plans for the landfill include developing the landfill in a bowl-shaped depression on the existing coal refuse disposal area. The depression is approximately 100 feet in depth. The landfill will be developed with a composite liner system in order to collect and contain leachate. The liner system will include a leachate collection layer and leak detection layer. Both of these layers will require piping so that they drain to an area outside of the landfill. This may include excavation or horizontal drilling, installation of casing pipes for leachate monitoring and conveyance, and installation of piping so leachate and the detection layer can drain by gravity to a location outside of the landfill. Of equal importance is the adequacy of a plan to treat and discharge leachate (wastewater) generated by the landfill or remove it from the site for treatment at an offsite location.
2. As a portion of the landfill is proposed over the bowl area which formerly contained (and may still contain) coal refuse fines, evaluation and measures will be required so that adequate foundation support is provided for the landfill. This will in part require that ponded water be removed, coal fines and/or soft, unsuitable soils be removed, and the resulting surface prepared and tested to result in an acceptable foundation to support the landfill without settling during the placement of solid waste.
3. Where the landfill will be developed above and over existing coarse coal refuse, the existing coal refuse will require evaluation to make sure that coal refuse is adequate and sufficiently stable to support the landfill. This may require geotechnical

exploration, laboratory testing, and engineering analysis of the coal refuse to address slope stability, bearing capacity, consolidation, and liner system/landfill stability.

4. This project will require a detailed analysis of slope stability of the existing coal refuse materials along the sides of the landfill, existing coal refuse dam embankments, and the proposed landfill liner system and landfilled wastes to verify that the minimum required factors of safety will be achieved for the landfill. Of particular concern is the stability of the coal refuse fill slopes comprising the dam embankments of the coal refuse disposal impoundments, Dam Nos. 1 and 3. Dam 3 will be located under a portion of the new landfill. Dam 3 will impound water and coal refuse upstream of the new proposed landfill. Dam 3 is approximately 200 feet high. Dam 1 may still impound water and coal refuse and is approximately 400 feet high.
5. RCR will need to coordinate engineering design and planning associated with the landfill with the federal Mine Safety and Health Administration (MSHA). MSHA reviews and approves designs for coal-mining dams that meet certain criteria. Dams 1 and 3 likely fall under the jurisdiction of MSHA and may also be under the jurisdiction of other regulatory programs. MSHA and possibly other agencies that regulate dams will require consultation, review, and approval of any changes to the coal refuse dams. This will likely include detailed engineering analysis of proposed construction.
6. Existing ground slopes in both the existing coal refuse disposal area as well as the hillside above and north of the coal refuse disposal area may be too steep to construct a composite landfill liner system with an adequate factor of safety for slope stability. Excavation and fill will likely be necessary to obtain satisfactory slopes for development of the landfill liner system. Liner system stability will need to be considered as part of the engineering design of the landfill.
7. Extensive underground coal mining has been completed in the general area of the proposed landfill. Underground mining below the proposed landfill may present concerns with regard to monitorability of the site and performance of the landfill liner system. An evaluation of historical underground mining should be performed including horizontal location, coal seam thicknesses, and the angle of draw to rule out impacts from mine subsidence.

RCR is considering developing a solid waste landfill over an area historically used for coal mining and disposal of coal mining wastes. The conditions resulting from the historical mining and coal waste disposal will require detailed engineering design and analysis to be completed to ensure that the landfill is designed and constructed in accordance with rules established by Virginia's regulatory requirements. This letter report identifies some of the issues for which engineering analysis will be required. In summary, at this point, POTESTA has not identified issues that make this site "unpermissible" for use as a landfill; rather the above items will require evaluation and proper

Mr. Lonzo Lester  
December 16, 2022  
Page 5

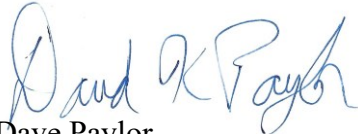
technical design to address the various issues to VDEQ's satisfaction. Before moving forward, Russell County may want to have RCR provide more detailed information regarding the issues identified in this letter report, and how RCR plans to collect information and further evaluate the site to verify that no fatal flaws will exist for the development of the project.

## CLOSING

This report has been prepared to aid the Russell County Board of Supervisors in their evaluation of information obtained from RCR regarding a proposed solid waste disposal facility located on property owned by RCR. Its scope is limited to the specific project and location described herein and represents our understanding of the factors as presented in this report. If these factors change as additional data concerning this study is obtained, we should be informed so that we may examine the data and, if necessary, modify or revise the conclusions and recommendations presented in this report.

Respectfully submitted,

POTESTA & ASSOCIATES, INC.



Dave Paylor  
Vice President of Environmental



D. Mark Kiser, PE  
Chief Engineer

DP:DMK/clr

February 14, 2024

Mr. Mike Rolband, Director  
Virginia Department of Environmental Quality  
1111 East Main Street, Suite 1400  
Richmond, Virginia 23219

Submitted via email: [michael.rolband@deq.virginia.gov](mailto:michael.rolband@deq.virginia.gov)  
& USPS first class mail: P.O. Box 1105, Richmond, Virginia 23218

**RE: Notice of Intent to permit a solid waste facility at Carbo, Virginia**

Dear Mr. Rolband,

This is a Notice Of Intent informing the Virginia Department of Environmental Quality (VDEQ) Director that The Nova Company of Virginia (Owner) is intending to submit a Part A and Part B Permit Application to establish a new privately-owned and operated solid waste management facility (SWMF) in Russell County, Virginia. The facility will be used to dispose of Municipal Solid Waste (MSW).

The Owner advertised and convened a public meeting on January 29, 2024, at 5:00 PM, at the Russell County Government Center in Lebanon Virginia. Additionally, the Owner is negotiating a host agreement with Russell County and additional public meetings are scheduled.

The Owner has met with the Cumberland Plateau Regional Waste Management Authority, which serves Buchanan, Dickerson, and Russell Counties. They are currently disposing their waste out of state and this facility would provide them with a local facility to dispose waste for decades to come.

The owner will be submitting the required documentation for a Part A Permit Application for the facility. Attached to this letter is an Area Map (Figure 1) showing the area of the County, in which the facility is located; and a Site Location Map (Figure 2) showing the location of the site. The location of the facility is currently undergoing reclamation to remediate the former use of the property as a coal processing facility / landfill under the VADMME.



Mr. Mike Rolband  
February 14, 2024  
Page 2 of 2

Please acknowledge that you have received this notice letter via return email at [ehoch@TRCcompanies.com](mailto:ehoch@TRCcompanies.com). We look forward to working with VDEQ during the permitting process for the facility. Please let us know if you have any questions.

Sincerely,



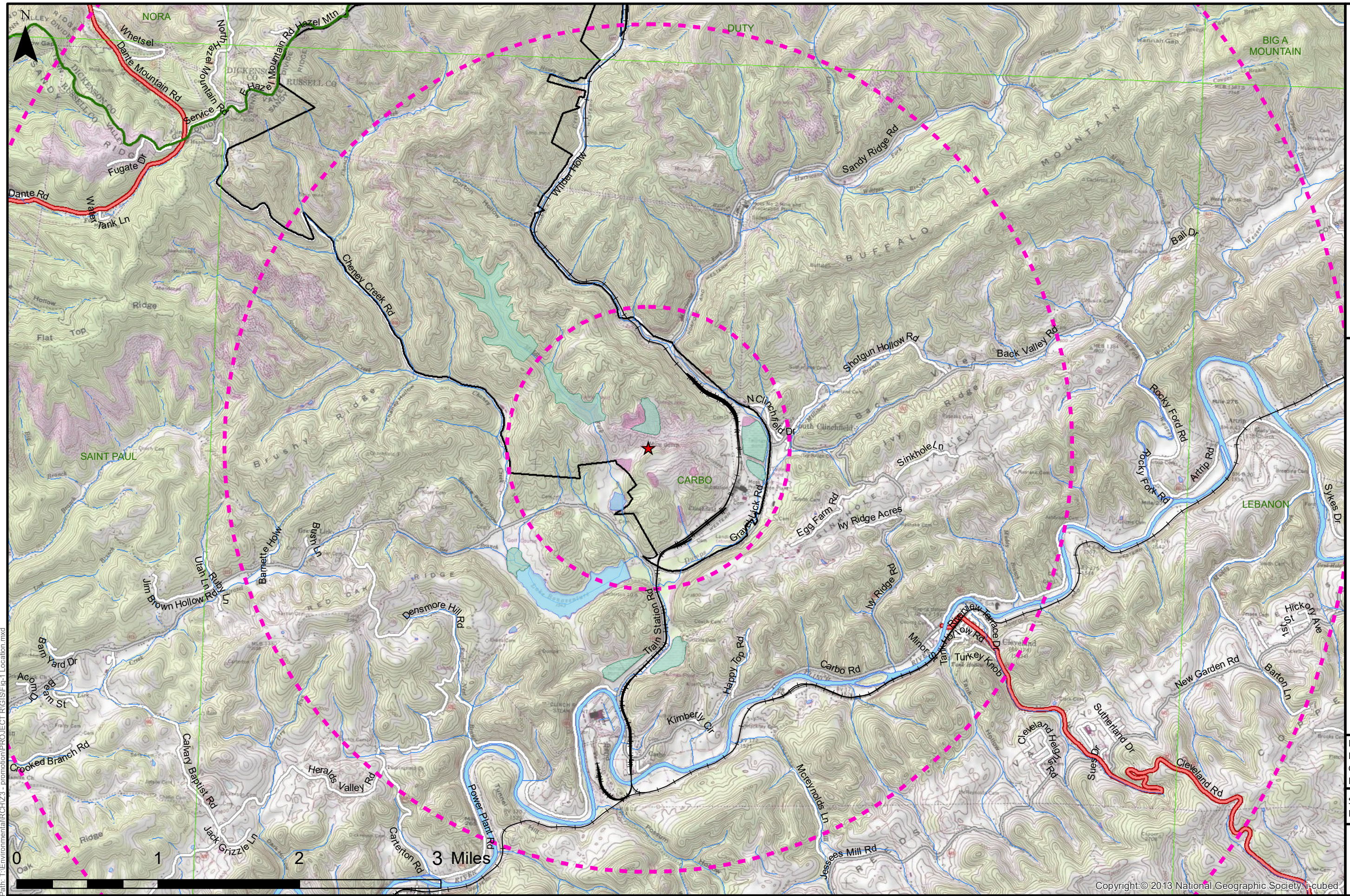
Ernest Hoch  
Environmental Division, Solid Waste Manager  
TRC Engineering, Inc.

Attachments: Figure 1 – Area Map  
Figure 2 – Site Location Map


cc: John Matney, The Nova Company of Virginia  
Jeffery Hurst, Southwest Regional Director, VDEQ  
Mr. Lonzo Lester, County Administrator, Russell County Virginia







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**TRC**  
 TRC ENGINEERS, INC.

2200 South Main Street  
 Suite A  
 Blacksburg, VA 24060  
 540-552-0444

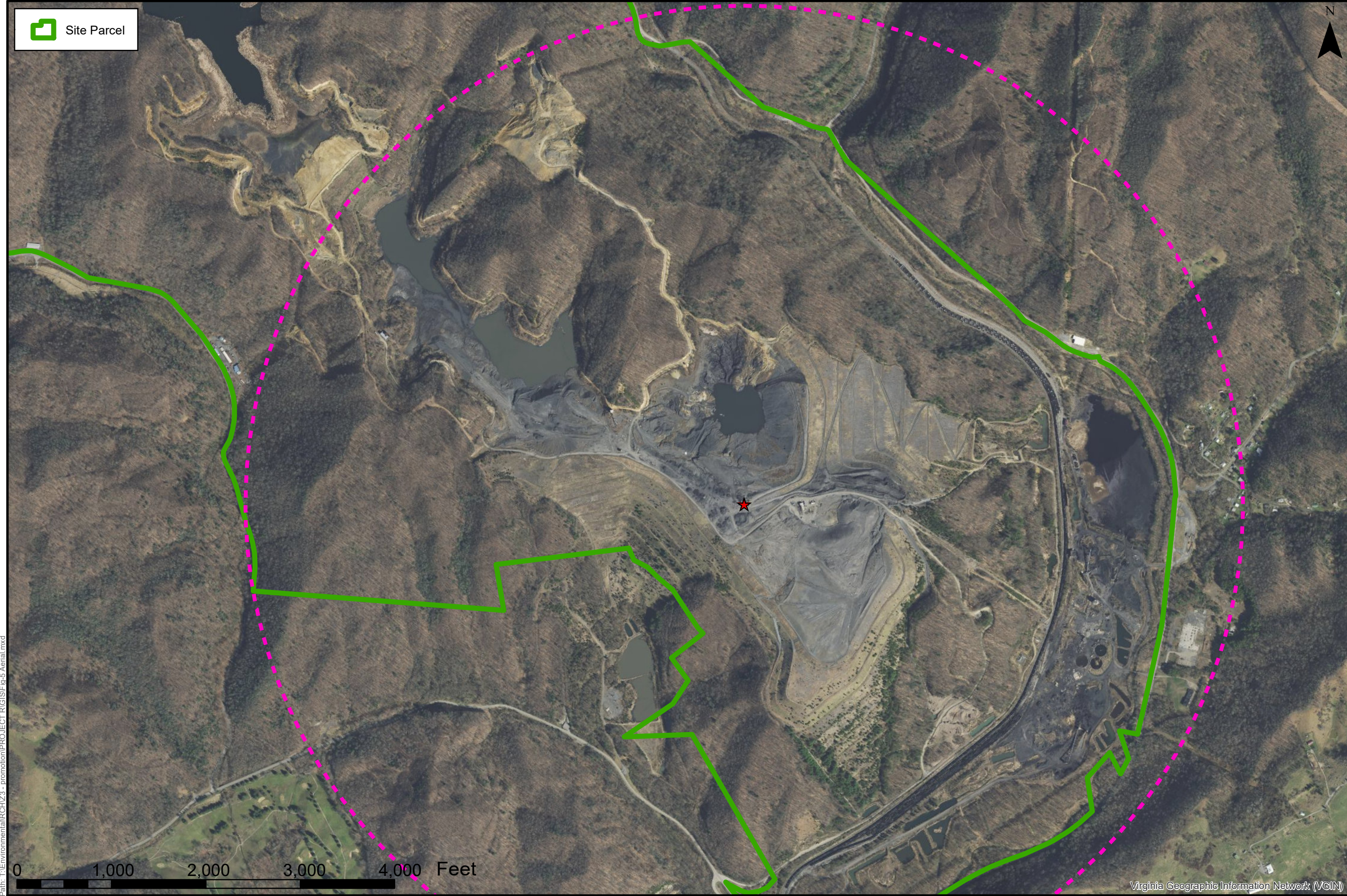
DESIGNED:  
 DRAWN: SMF  
 CHECKED:  
 DATE: 01-08-24

SCALE: 1:40,000  
 PROJECT:  
**FIGURE 1**

Russell Co. VA

Copyright © 2013 National Geographic Society, Inc.





 Site Parcel



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0 1,000 2,000 3,000 4,000 Feet

Virginia Geographic Information Network (VGIN)

2200 South Main Street  
Suite A  
Blacksburg, VA 24060  
540-552-0444



Russell Co. VA

DESIGNED:  
DRAWN: SMF  
CHECKED:  
DATE: 01-08-24

SCALE: 1:15,000  
PROJECT:

**FIGURE**  
**2**





*Commonwealth of Virginia*

**VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY**

SOUTHWEST REGIONAL OFFICE  
355-A Deadmore Street, Abingdon, Virginia 24210  
(276) 676-4800  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

Travis A. Voyles  
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus  
Director  
(804) 698-4020

Jeffrey Hurst  
Regional Director

February 22, 2024

Mr. Ernie Hoch  
TRC Companies  
2200 S. Main Street, Suite A  
Blacksburg, VA 24060  
[ehoch@trccompanies.com](mailto:ehoch@trccompanies.com)

**Subject:** Proposed Carbo Landfill  
Notice of Intent  
Russell County, Virginia

Dear Mr. Hoch:

The Virginia Department of Environmental Quality (DEQ) Southwest Regional Office (SWRO) is in receipt of a Notice of Intent (NOI) dated February 14, 2024. The submittal was prepared on behalf of The NOVA Company of Virginia by TRC Companies.

The NOI was reviewed for administrative completeness in accordance with § 9 VAC 20-81-450.A, B, and C, § 9 VAC 20-81-460, and § 9 VAC 20-81-120 of the Virginia Solid Waste Management Regulations (VSWMR, 9 VAC 20-81-10, *et seq.*) and found to be **administratively incomplete**. The following items need to be addressed in a subsequent revision:

1. Please refer to LPR-SW-S1-01 Submission Instruction 01 - Procedural Requirements for a New or Modified Solid Waste Management Facility Application.  
This may be found at <https://townhall.virginia.gov/L/ViewGDoc.cfm?gdid=2126>  
Section III, Items A-H delineate the requirements for the Notice of Intent
2. LPR-SW-SI-01 clarifies the Virginia Solid Waste Management Regulations which may be found here: <https://law.lis.virginia.gov/admincode/title9/agency20/chapter81/>

3. Per the above, you are required to submit the following items, in addition to the Cover Letter and Area Map and Site Location Map provided, in order to be considered administratively complete:

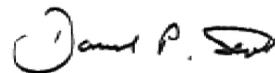
- Disclosure Statements
- Local Government Certification
- Public Participation Documentation
- Disposal Capacity Guarantee
- Host Agreement
- Demonstration of Need
- SCC Certification

4. A copy of the NOI Checklist and the Disclosure Statement Checklist are included for your use and reference when preparing your revised NOI submission.

Please note that the conclusions presented in this letter are based solely on information supplied by the addressee or their environmental representative. The resulting review of this information was undertaken in accordance with applicable law, regulations, and Department guidance. This letter does not make or imply a final determination of compliance, nor does it constitute a “case decision,” as defined by Virginia Code § 2.2-4001, regarding any of the actions undertaken as discussed in this letter. Pursuant to Virginia Code § 2.2-4001, a “‘case’ or ‘case decision’ means any agency proceeding or determination that, under laws or regulations at the time, a named party as a matter of past or present fact, or of threatened or contemplated private action, either is, is not, or may or may not be (i) in violation of such law or regulation or (ii) in compliance with any existing requirement for obtaining or retaining a license or other right or benefit.”

If you have any questions about this letter or the application review and approval process, in general, please contact me by telephone at (276) 698-7546, and/or by e-mail at [daniel.scott@deq.virginia.gov](mailto:daniel.scott@deq.virginia.gov).

Sincerely,



Daniel P. Scott, PE  
Environmental Engineer Senior

Enc:

- NOI Checklist
- Disclosure Checklist

c: Jeff Hurst – DEQ-SWRO – Regional Director  
Stacy Bowers – DEQ-SWRO – Land Protection Manager  
Jenny Poland – DEQ-CO – Solid Waste Coordinator  
Ernie Hoch – TRC Companies ([ehoch@trccompanies.com](mailto:ehoch@trccompanies.com))  
John Matney – The Nova Company of Virginia (via TRC Companies)  
File PAA247 – Part A – Carbo Landfill

## Completeness Review - 1

<b>Notice of Intent / Part A Application:</b> Carbo MSW Landfill, Permit No. <b>XXX</b>	Provided (y/n)	Complete (y/n)	Date NOI Received: 2/14/24 Date Part A Received: _____ <b>Comments:</b>
<b>NOTICE OF INTENT (§ 9 VAC 20-81-450.B)</b>			
<b>A. Cover Letter, PTA Attachment I, (§ 9 VAC 20-81-450.B.1)</b>		Y	Cover letter indicates John Matney NOVA Company and TRC Companies Consultant
A.1 Area Map		Y	No information for contact otherwise
A.2 Site Location Map		Y	
<b>B. Disclosure Statement, PTA Attachment II, (§ 9 VAC 20-81-450.B.2 and § 10.1-1408.1. B.2; DEQ Forms DISC-01 and 02)</b>		N	
<b>C. Local Government Certification for Consistency with all Applicable Ordinances for Location and Operation and local SWMP developed and approved pursuant to § 10.1-1411, PTA Attachment III, (§ 9 VAC 20-81-450.B.3; § 10.1-1408.1. B.9; and DEQ Form SW-11-1)</b>		N	
<b>D. Public Comment Steps, PTA Attachment IV, (§ 9 VAC 20-81-450.B.4, § 10.1-1408.1. B.4 (Privately owned), and § 10.1-1408.1. B.5 (Owned by local govt. or public authority - New Sanitary LF and Transfer Station Only, Not Expansions)</b>			
D.1 A (signed) statement describing the steps taken by the applicant to seek the comments of the residents of the area where the sanitary landfill or transfer station is proposed to be located		N	
D.2 Publication of public notice once a week for 2 consecutive weeks (450.B.4.a)		N	
D.2.a Site location (450.B.4.b.(2))		N	
D.2.b The date, time, and location of public meeting in public notice (450.B.4.b.(3))		N	
D.2.c Contact Person's name, address and telephone number in the ad (450.B.4.b.(4))		N	
D.3 First publication of the public notice was at least 14 days prior to the public meeting (450.B.4.c)		N	
D.4 (§ 10.1-1408.1.B.5 - For Local govt. or public authority owned) Formation of citizens' advisory group to assist the locality or public authority with the selection of a proposed site for the sanitary landfill or transfer station.		N/A	
<b>E. Disposal Capacity Guarantee/Reserve Capacity, PTA Attachment V, (§ 9 VAC 20-81-450.B.5 and § 10.1-1408.1. B.6.) - New or Expansion of Sanitary Landfill Only</b>			
E.1. (Locality-owned and locality-operated sanitary landfill) Provide a signed statement specifying the proposed sanitary landfill is locally-owned and locally-operated and will only accept waste generated within the member jurisdictions		N/A	
E.2. (Privately-owned sanitary landfill) Provide a signed statement guaranteeing that sufficient disposal capacity will be available in the facility to enable localities within the Commonwealth to comply with their Solid Waste Management Plans developed pursuant to 9 VAC 20-81-130 and certifying that such localities will be allowed to contract for and reserve disposal capacity in the facility. Other documents such as a typical letter and a contract form that were sent to the localities as well as a list of the localities contacted should also be provided.		N	
<b>F. Host Agreement, PTA Attachment VI, (§ 9 VAC 20-81-450.B.6 and § 10.1-1408.1.B.7) or Discussion of Disposal Limits/Service Area (§ 9 VAC 20-81-450.B.7.) - For New or Expansion of Sanitary Landfill Only</b>		N	

## Completeness Review - 1

Notice of Intent / Part A Application: Carbo MSW Landfill, Permit No. XXX	Provided (y/n)	Complete (y/n)	Date NOI Received: 2/14/24 Date Part A Received: _____ <b>Comments:</b>
<b>F.1</b> Private Facilities (10.1-1408.1 B.7) - a certification from the local governing body (DEQ Form SW-11-2) must be provided indicating that a host agreement has been reached between the applicant and the host government or authority		N	
<b>F.2</b> Locally Owned and Operated Facilities (450.B.7) Provide the following information:		N	
<b>F.2.a</b> The daily routes and traffic volumes (450.B.7.a)		N	
<b>F.2.b</b> The daily disposal limit (450.B.7.b), and		N	
<b>F.2.c</b> The anticipated service area of the facility (450.B.7.c)		N	
<b>G. Demonstration of Need, PTA Attachment VII, (§ 9 VAC 20-81-450.B.8 and § 10.1-1408.1 D.1, All Landfills)</b> - If the application is for a new solid waste management facility or an amendment allowing a facility expansion or an increase in capacity, the director shall evaluate whether there is a need for the additional capacity in accordance with § 10.1-1408.1.D.1(ii) of the Code of Virginia. The information in either subdivision 8 a or 8 b must be provided with the notice of intent to assist the director with the required investigation and analysis. Based on the information submitted, the owner or operator will demonstrate how the additional capacity will be utilized over the life of the facility.			
<b>G.1. Demonstration based on 9 VAC 20-81-450.B.8.a. (All Landfills)</b> - Provide information demonstrating that there is a need for the additional capacity, to include:			
<b>G.1.a</b> Anticipated area to be served (450.B.8.a.(1));		N	
<b>G.1.b</b> Similar or related WMFs that are located in the same service area and could impact the proposed facility, and the capacity and service life of those facilities (450.B.8.a.(2));		N	
<b>G.1.c</b> Present quantity of waste generated within the proposed service area (450.B.8.a.(3));		N	
<b>G.1.d</b> The disposal needs specified in the local solid waste plan (450.B.8.a.(4));		N	
<b>G.1.e</b> Projected future waste generation rates for the anticipated area to be served during the proposed life of the facility (450.B.8.a.(5));		N	
<b>G.1.f</b> Recycling, composting or other waste management activities within proposed service area (450.B.8.a.(6));		N	
<b>G.1.g</b> The additional SW disposal capacity that the facility would provide to the proposed area of service (450.B.8.a.(7));		N	
<b>G.1.h</b> Information demonstrating that the capacity is needed to enable localities to comply with solid waste plans developed pursuant to 10.1-1411 of the Code of Virginia (450.B.8.a.(8));		N	
<b>G.1.i</b> Any additional factors that provide justification for additional capacity provided by the facility (450.B.8.a.(9)).		N	
<b>G.2. Demonstration based on 9 VAC 20-81-450.B.8.b. (Sanitary Landfills Only)</b> - Based on current or projected disposal rates, provide information demonstrating there is less than 10 years of capacity remaining in the facility and information demonstrating either of the following:			
<b>G.2.a</b> Available disposal capacity for the state is < 20 years based on the most current reports submitted pursuant to the Waste Information and Assessment Program in § 9 VAC 20-81-80 or		N	
<b>G.2.b</b> The available permitted disposal capacity is < 20 years in either:		N	
<b>G.2.b.(1)</b> The planning region, or regions, immediately contiguous to the planning region of the host community		N	
<b>G.2.b.(2)</b> The facilities within a 75 miles radius of the proposed facility		N	
<b>G.3. Director's Determination based on § 10.1-1408.1 D.1 (Both for 450.B.8.a and 450.B.8.b)</b>			
<b>G.3.a.</b> The proposed facility, expansion or increase protects present and future human health and safety and the environment (1408.1 D.1(i))		N	
<b>G.3.b.</b> There is a need for the additional capacity (1408.1 D.1(ii))		N	
<b>G.3.c.</b> Sufficient infrastructure will exist to safely handle the waste flow (1408.1 D.1(iii))		N	
<b>G.3.d.</b> The increase is consistent with locality-imposed or state-imposed daily disposal limits (1408.1.D.1(iv))		N	

## Completeness Review - 1

<b>Notice of Intent / Part A Application:</b> Carbo MSW Landfill, Permit No. <b>XXX</b>	Provided (y/n)	Complete (y/n)	Date NOI Received: 2/14/24 Date Part A Received: _____ <b>Comments:</b>
G.3.e. The public interest will be served by the proposed facility's operation or the expansion or increase in capacity of a facility (1408.1.D.1(v))		N	
G.3.f. The additional capacity is consistent with regional and local SWMPs developed pursuant to §10.1-1411 (1408.1.D.1(vi))		N	
<b>H. SCC Certification, PTA Attachment VIII, (§ 9 VAC 20-81-450.B.10) -</b> Certification from the State Corporation Commission that the business entity (both owner and operator, if separate) - not required for those facilities owned or operated solely by governmental units)		N	

**Disclosure Statement Review Checklist** (to be used internally, in conjunction with the Disclosure Statement Instructional Guide)

Permit Writers review DISC Forms submitted with permit applications/modifications; Inspectors review quarterly DISC updates

DISC-01 FORM	Yes/No/NA	Comments
Applicant/permittee submitted new DISC-01 Form (revised 9/30/2020)		
If non-gov't owner/operator, applicant/permittee business entity name matches SCC certification		
ALL required entities listed as Key Personnel in DISC-01 table ( <i>See Instructional Guide, p. 1-2</i> )		
<ul style="list-style-type: none"> <li>Applicant/permittee itself (must list separately, even if the entity is a company and not an individual person)</li> <li>Applicant/permittee's managers and discretionary decision makers regarding waste operations in VA</li> <li>If required, applicant/permittee's officers, directors, or partners (may include Board members as applicable)</li> <li>If required, individuals/parent corporations holding 5% or more of the applicant/permittee's equity or debt</li> <li>If required, parent corporations' key personnel</li> <li>If gov't agency, CEO of agency or political subdivision (Co Admin, City/Co Manager, Mayor, etc.)</li> <li>If gov't agency or owner contracts out facility operations, all key personnel of contracted facility operator</li> </ul>		
If waste operations regulated outside of VA in past 10 years, agencies and permits/licenses disclosed		
Equity interest information disclosed, as applicable		
Organizational and/or corporate structure attached		
Signed by responsible official (defined by 9VAC20-81-10)		

DISC-02 FORM	Yes/No/NA	Comments
Applicant/permittee submitted new DISC-02 Form (revised 9/30/2020)		
DISC-02 Form submitted for EACH Key Personnel listed in DISC-01 table		
Separate DISC-02 Form submitted for the applicant/permittee itself (even if not an individual person)		
All required information disclosed by each Key Personnel ( <i>See Instructional Guide, p. 3-5</i> )		
Other DEQ SW & HW permits held by applicant/permittee in past 10 years listed on applicant/permittee's DISC-02		
At least 1 Key Personnel is a licensed WMFO (not required for facilities only in post-closure care)		
10-year waste NOV & enforcement history (except dereferred NOVs), including at other facilities, if applicable		
Equity interest information disclosed, as applicable		
Signed by responsible official (defined by 9VAC20-81-10) or Key Personnel		

DISC-03 FORM	Yes/No/NA	Comments
Applicant/permittee submitted new DISC-03 Form (revised 9/30/2020)		
Updates submitted quarterly or within 3 months of material changes		
DISC-02 Form submitted when adding new Key Personnel		
Signed by responsible official (defined by 9VAC20-81-10)		