

Scanlan, Joseph (DEQ)

From: Dave Brisson <dbrisson@loadmaster.org>
Sent: Tuesday, May 01, 2018 3:23 PM
To: Scanlan, Joseph (DEQ); St Cyr, Carolyn (DEQ)
Cc: Roycraft, Phil (DEQ); Ozoga, John (DEQ); Daniels, Gary; Dykowski, Thomas; Bill Eisch; Darrell Finley; Wood Island
Subject: Second violation notice response

Dear Mr. Scanlan:

The original "Violation Notice" dated March 19, 2018, was sent via regular mail to our landfill address only. Normal delivery of such notice would have been to send the violation notice to our registered address at our main office, at the P.O. Box 2002, Kingsford, Michigan. While the landfill certainly has an address with personnel present, the assumption by personnel at the landfill was that a copy had been presented to our home registered address, with a follow up email. This has been the normal since the opening of the facility 25 years ago. Personnel at the landfill did not react to the need for follow up. We could run into the same situation at any of our transfer stations. The first we heard of a violation notice was by reference from Carolyn St.Cyr, of MDEQ, in a phone call with our engineers, in reference to the subject of landfill flares. The statement during the phone call was that Mr. Brisson, was aware of the violation notice!?? This was not the case, as I had in fact no knowledge, and was very disappointed to here there was a violation notice sent.

The Second Notice of Violation, was sent to our Kingsford, Michigan, home office via regular mail, but was received while I was headed to the National Solid Waste Expo, in Las Vegas, Nevada. Unfortunately, I did not note the one day response time interval yesterday, and did not get an email which I would have read on my phone. I made various investigative phone calls and am responding today.

The violation notice addresses the 45 day notification prior to excavating or disturbing any asbestos. Personnel at the landfill are knowledgeable on where asbestos had been buried, and are confident we did not disturb asbestos material on the far extreme edges of the landfill, while returning the slopes to the 4 to 1 grade, required for closure of the facility. The records of asbestos disposal were found up to February 2016. Records of asbestos received during the interval year of 2017 were prior inspected by MDEQ, but have not been located. It is assumed that the "disgruntled" prior manager had removed those records, in an effort to cause problems. All current records will be stored on the company hard drive in Kingsford, as well as off site "cloud" type storage, and hard copy at the landfill.

Landfill management was not aware of the need to display warning signs at the landfill entrance, and at the 300 foot interval. These signs have now been placed. The 45 day notification period was provided. I have been in this business for 44 years, and currently haul into six different landfills. I have never witnessed this type of sign at any other landfill facility. I am aware of major excavations in the past and currently going on at other facilities but have not prior to this date witnessed the placement of such signs. Perhaps this regulation should be noticed to all other landfills.

I hope our poor performance in regard to the above issues are behind us. We strive to maintain compliance with all areas required. It is not our policy to avoid, hide, or cut corners in regard to issues, but to comply when required and be knowledgeable of any potential requirement. Our engineering firm, Golder & Associates, has been much more involved at our landfill. We have always welcomed MDEQ visits, and comments. We have great concern for our reputation with the Michigan Department of Environmental Quality, our customers, and the Munising area at large. I hope we can all work together to assure our Michigan Public, that their waste is properly handled.

David J. Brisson – President – Wood Island Landfill (Cell phone 906-250-9006)