



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

July 12, 2013

City of Muscatine
Attn: Laura Liegois, Solid Waster Manager
1000 South Houser Street
Muscatine, IA 52761

RE: Muscatine County Landfill; SDP Permit #70-SDP-02-75P, Muscatine, Iowa
Response Letter

Dear Ms. Liegois:

On July 10, 2013 this office received a letter from you via email requesting that the notice of violation (NOV) issued to the Muscatine County Landfill on April 24, 2013 be rescinded. The letter outlined violations regarding litter control, surface water requirements for landfills, and Storm Water General Permit # 1 requirements as a result of my April 9, 2013 complaint investigation.

The NOVs regarding storm water management and surface water discharges were not issued solely due to the sediment collected in the culvert located towards the NE corner of the landfill. Sediment from the landfill was observed discharged off site to the neighboring property to the east in other locations at the time of my April 9, 2013 visit (see pictures 1 and 2 on page 2). In addition, gully erosion was observed on the NE corner in an area above the culvert in question. I did not observe erosion control measures implemented by the landfill that indicated sediment from that gully was retained on site. Furthermore, a follow up visit on June 27, 2013 did reveal that sediment from that gully discharged over improperly installed silt fence and across property lines (see attached pictures 3 and 4). The silt fence had been installed after my April visit. An NOV was not issued as a result of that visit.

The department appreciates your investigation into the culvert in question located towards the NE corner of the landfill property. Erosion control issues were clearly identified initially by the department, but after further investigation and information presented by you, the issues were determined to not solely be the result of ineffective landfill operations and management. The department appreciates the efforts made by you and the Iowa DOT regarding the implemented repairs and maintenance that has been completed.

The NOV issued on April 24, 2013 to the Muscatine County Landfill, specifically for erosion control and sediment discharge issues, will not be rescinded at this time. Additionally, effective erosion control measures are still required to be implemented across the landfill, in the areas identified in previous letters and visits, by August 1, 2013. If you have any questions or would like further explanation of any part of this letter, please contact me at this office at 319-653-2135 or at brian.lee@dnr.iowa.gov.

Sincerely,
FIELD SERVICES & COMPLIANCE BUREAU

Brian Lee
Environmental Specialist

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xc: Becky Jolly, IDNR Solid Waste Section, via email
Muscatine County SDP File
via email: Alex Moon & Amie Davidson (IDNR), Doug Luzbetak (HLW Engineering),
Lonnie Ford (IDOT), Randy Hill (City of Muscatine)



Picture 1: Sediment on the neighboring property to the east of the landfill (landfill property is across the fence).



Picture 2: Sediment downstream of one of the landfill's storm water discharge points on the east perimeter.



Picture 3: Silt fence downslope of the gully on the NE corner. Sediment has topped fence and continued to migrate north.



Picture 4: Additional photo of silt fence on NE corner. The silt fence was not properly installed (not trenched in).