ARKANSAS ENERGY & ENVIRONMENT | ENVIRONMENTAL QUALITY

September 20, 2019

The Honorable Toby Davis
Perry County Judge
310 West Main Street
PO Box 358
Perryville, AR 72126

RE: **Quarterly Inspection conducted on September 5, 2019**
AFIN 53-00029
Permit Number 0264-S

Dear Judge Davis:

The Arkansas Division of Environmental Quality Office of Land Resources (DEQ) conducted a routine inspection of your facility pursuant to the Arkansas Solid Waste Management Act (Arkansas Code, Annotated, § 8-6-201 *et seq.*), of 1971, as amended, the Arkansas Pollution Control & Ecology Commission Regulation 22 (Solid Waste Management), and the above-referenced permit. The inspection identified conditions at your facility which the DEQ alleges constitutes violations. A copy of the inspection report is attached.

You should immediately initiate actions to correct the alleged violations cited. A written response of the corrective actions taken, or to be taken, must be submitted within thirty (30) calendar days from the date on this letter to the attention of Jason Gilkey. The response may include, but is not limited to, photographs, copies of disposal receipts, records, or analytical results, as applicable. If you have any questions, please do not hesitate to contact me at 479-424-1120 or jason.gilkey@adeq.state.ar.us.

Sincerely,

Jason C. Gilkey

Jason Gilkey
Solid Waste Inspector
Office of Land Resources

Enclosure

cc: David Witherow P.E., Senior Manager, Office of Land Resources

ARKANSAS ENERGY & ENVIRONMENT | ENVIRONMENTAL QUALITY

Arkansas Division of Environmental Quality
Office of Land Resources - Solid Waste Management
Class 4 Landfill Inspection

Site Name	Perry County Class 4 Landfill	**County**	Perry	**AFIN**	53-00029
Facility Address	115 Casa/Aplin Ave	**Phone Number**	(501) 889-5128	**Permit Number**	0264-S
Permittee Address	Perry County Courthouse PO Box 358 Perryville AR 72126	**E-Mail Address**		**PDS #**	109410
Date	**9/5/2019**	**Entry Time**	**1345**	**Exit Time**	**1420**

Regulation 22 – Operational Standards

Category 1

	Regulation	Item Description	Comments
	607(l)	**Adequate employee facilities**	
	617(a)(b)	**Record keeping meets requirements specified by regulations**	
	613	**Access requirements**	
	607(j)	**Adequate provisions for backup equipment**	
	617(c)	**Waste receipt records, ticket system maintained**	
	607(k)	**Telephone system & written emergency response plan on site**	
	619(a)	**Annual compliance inspection by registered professional engineer**	
X	**618**	**Facility implements operating plan and narrative**	Facility Operating Plan does not reflect current facility operations. (Refer to Category 1 Comments Page.)
	701	**Special waste disposal and procedures records**	

Category 2

	Regulation	Item Description	Comments
	607(a)	**Operations in accordance with permit documents**	Permit is valid but dated 1992. Recommend updating Operating Permit in conjunction with Operating Plan. (Refer to Reg.22.618(c).)
	613(c)	**Adequate all weather operational roads**	
	607(c)(d)	**Smallest practical area, single working face**	
	607(e)	**Salvage operations meet approved conditions**	
	607(f)(1)	**Scavenging of waste prohibited**	
	613 (c)	**Proper wet weather repairs**	
	607(b)	**Operations by licensed on-site personnel at all times**	
	607(d)	**Waste spread and compacted as unloaded**	
	607(g)	**Litter control provisions maintained**	
	610(a)	**Disease vectors controlled**	
	611	**Gas monitoring program**	
	622	**Survey controls**	

Category 2 (continued)

	Regulation	Item Description	Comments
	623	Surface water controls	
	607(h)(1)	Contouring prevents surface water flowing into or through waste	
	614(a)	Run-on/off control system present and adequate	
	607(h)(2)	Surface water control prevents off-site sediment accumulation	
	607(h)(i)(o)	Adequate maintenance of intermediate/final cover vegetation	
	607(o)	Leachate leaks or evidence of leachate seepage	
	616	Liquid restrictions	

Category 3

	Regulation	Item Description	Comments
	608	Implementation of hazardous waste exclusion plan	
	609(a)	Satisfactory weekly or more frequent cover	
	609(b)	Satisfactory immediate cover	
	612(b),607(f)(4)	Open burning prohibited	
	615	Cause discharge/leachate discharge leaving landfill	
	607(f)(3),615(a)(4)	Depositing waste in standing water prohibited	
X	607(o)	Erosion or other cover defects resulting in exposed refuse	Exposed solid waste observed on the south, southeastern, and eastern slopes of the landfill. (Refer to Photos #1 - #4.)
	309(c)	Overfill/off lined area	

Regulation 22 - Records

617(a)(4), 621(e)	Date of last groundwater monitoring report			NA			Site Conditions	Dry	
619	Date of last engineering report			June 2018			Weather Conditions	Sunny	
617(a)(4)	Liner construction in progress	Yes/No	NA	Notice of liner construction	Yes/No	NA	Third part CQA on-site during construction	Yes/No	NA
608	Date of last random inspection for unauthorized waste			Every Load	Total # for month	Every Load			
611	Date of last quarterly methane monitoring			NA	Detection level	NA	Explosive gas records current?	Yes/No	
701	Date of last special waste received			NA	Disposal location				
617(c)	Previous quarter waste received			None	0	Facility has not received waste since the 2nd Quarter 2019			
623	Surface water DMR records current	Yes/No		Yes					

Operator Name & Number	Wesley Spaul 003961			Signature of Inspector	Jason C. Silkey		
Exit Interview Conducted with	Wesley Spaul	Method	On-site	Date	9/5/2019	Time	1415

ARKANSAS ENERGY & ENVIRONMENT | ENVIRONMENTAL QUALITY

Arkansas Division of Environmental Quality
Office of Land Resources-Solid Waste Management
Comments Page

Site Name	Perry County Class 4 Landfill	AFIN	53-00029	Permit Number	0264-S

Category 1 Comments

Reg.22.618(c) – Updates – Each facility shall update the plan and narrative as required to reflect current operations and regulations. Revisions to the document shall be submitted to the Department which reserves the right to require that the changes be accomplished through a permit modification prior to implementation.

- Operating Plan Landfill Operations 1.1 states the landfill is open to the public on the 1st and 3rd Saturdays in each month during the hours of 8 am till 1 pm. (Refer to Perry County Class 4 Landfill Operating Plan - 1.1)

Comment: The facility is not open to the public. The operator, Wesley Paul, stated the facility has not been open to the public in several years, but could not confirm when this change of operation was made. There is no record of the Operating Plan being updated to reflect this change in operation.

- Operating Plan Landfill Operation 1.2 states all operation shall be performed by a licensed operator at all times. (Refer to Perry County Class 4 Landfill Operating Plan - 1.2.1)

Comment: Perry County has one (1) Class C operator who operates the Perry County Transfer Station. Class 4 wastes are transported by unlicensed county employees and dumped at the facility. Mr. Paul stated he is not present at the site during dumping by other county employees on a regular basis.

Date	9/12/2019	Signature of Inspector	Jason C. Dilley	Page	1

Arkansas Division of Environmental Quality
Official Photograph Sheet

Location	Perry County Class 4 Landfill			**Permit**	0264-S	**AFIN**	53-00029
Photographer	Jason Gilkey, ADEQ Solid Waste Inspector JEG			**Witness**	N/A		
Photo #	1	**Of**	4	**Date**	9/5/2019	**Time**	1403
Description	Solid waste (shingles) observed exposed on the south slope of the landfill.						



Location	Perry County Class 4 Landfill			**Permit**	0264-S	**AFIN**	53-00029
Photographer	Jason Gilkey, ADEQ Solid Waste Inspector JEG			**Witness**	N/A		
Photo #	2	**Of**	4	**Date**	9/5/2019	**Time**	1403
Description	Close up view of shingles shown in Photo #1.						



Arkansas Division of Environmental Quality
Official Photograph Sheet

Location	Perry County Class 4 Landfill			**Permit**	0264-S	**AFIN**	53-00029
Photographer	Jason Gilkey, ADEQ Solid Waste Inspector JEG			**Witness**	N/A		
Photo #	3	**Of**	4	**Date**	9/5/2019	**Time**	1404
Description	Solid waste exposed on the southeast slope of the landfill.						



Location	Perry County Class 4 Landfill			**Permit**	0264-S	**AFIN**	53-00029
Photographer	Jason Gilkey, ADEQ Solid Waste Inspector JEG			**Witness**	N/A		
Photo #	4	**Of**	4	**Date**	9/5/2019	**Time**	1404
Description	Solid waste exposed on the east slope of the landfill.						





Toby Davis

PERRY COUNTY JUDGE
310 West Main Street
P.O. Box 358
Perryville, AR 72126
Phone: (501) 889-5128
pcjudge1@windstream.net

AFIN: 53-00029
PMT#: 0264-S

NOV 07 2019

DOC ID#: 77262
TO: RH>FILE 4KMB

October 29, 2019

Jason Gilkey, Solid Waste Inspector
ADEQ
5301 Northshore Dr.
North Little Rock, AR 72118-5317

RE: Quarterly Inspection; AFIN 53-00029 Permit 0264-S

Dear Mr. Gilkey:

In reference to your inspection of the above mentioned facility, the regulation 618 is being addressed. Mr. Dave McCormick with Terracan is currently working on a new operating plan. One will be provided when it is completed.

Thank you, for the consideration of this request. Should you have any questions or concerns regarding this matter, please contact my office at pcjudge1@windstream.net, or by calling me at 501-889-5128.

Respectfully,

Toby L. Davis
Perry County Judge