

ARKANSAS

ENERGY & ENVIRONMENT

ENVIRONMENTAL QUALITY

October 1, 2019

Mr. Alan Spangler
City of Fort Smith
5900 Commerce Road
Fort Smith, AR 72916

RE: Quarterly Inspection conducted on September 23, 2019
AFIN 66-00226
Permit Number 0267-S1-R1

Dear Mr. Spangler,

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 regarding the alleged violations, please do not hesitate to contact me at (501) 682-0333 or jason.gilkey@adeq.state.ar.us.

Sincerely,



Jason Gilkey
Solid Waste Inspector
Office of Land Resources

Enclosure

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

**Arkansas Division of Environmental Quality
Office of Land Resources - Solid Waste Management
Class 1 Landfill Inspection**



Site Name	City of Fort Smith Class 1 Landfill	County	Sebastian	AFIN	66-00226
Facility Address	5900 Commerce Rd, Fort Smith, AR 72901	Phone Number	479-784-2351	Permit Number	0267-S1-R1
Permittee Address	5900 Commerce Rd, Fort Smith, AR 72901	E-Mail Address		PDS #	109518
Date	9/23/2019	Entry Time	1044	Exit Time	1156

Regulation 22 – Operational Standards

Category 1

	Regulation	Item Description	Comments
	411(l)	Adequate employee facilities	
	421(a)(b)	Record keeping meets requirements specified by regulations	
	417	Access requirements	
	411(j)	Adequate provisions for backup equipment	
	421(d)	Waste receipt records, ticket system maintained	
	411(k)	Telephone system & written emergency response plan on site	
	423(b)	Annual compliance inspection by registered professional engineer	
	422	Facility implements operating plan and narrative	
	421(f)	Leachate disposal/recirculation records	
	421(g),701	Special waste disposal and procedures records	

Category 2

	Regulation	Item Description	Comments
	411(a)	Operations in accordance with permit documents	
	417(c)	Adequate all weather operational roads	
	411(c)	Smallest practical area, unloading supervised, single working face	
	411(e)	Salvage operations meet approved conditions	
	411(f)(1)	Scavenging of waste prohibited	
	411(p)	Proper wet weather repairs	
	411(b)	Operations by licensed on-site personnel at all times	
	411(d)	Waste spread and compacted as unloaded	
	411(g)	Litter control provisions maintained	
	414(a)	Disease vectors controlled	

Category 2 (continued)												
Regulation	Item Description					Comments						
427	Surface Water Controls											
411(h)(1)	Contouring prevents surface water flowing into or through waste											
418(a)(b)	Run-on/off control system present and adequate											
411(h)(2)	Surface water control prevents off-site sediment accumulation											
411(i);427(f)	Adequate maintenance of intermediate/final cover vegetation											
415	Gas monitoring program											
411(o)	Leachate leaks or evidence of leachate seepage											
426	Survey controls											
429	Leachate collection system											
420	Liquid Restrictions											
Category 3												
Regulation	Item Description					Comments						
412	Implementation of hazardous/unauthorized waste exclusion plan											
413(a)(b)	Satisfactory daily/alternative cover											
X 413(c)	Satisfactory intermediate cover					Solid waste observed exposed on the northern top of the landfill. (Refer to Photos # 1 - #4.)						
416(b),411(f)(4)	Open burning prohibited											
419	Cause discharge/leachate discharge leaving landfill											
411(f)(3),419(a)(4)	Depositing waste in standing water prohibited											
411(o)	Erosion or other cover defects resulting in exposed refuse											
309(c)	Overfill/Off lined area											
Regulation 22 - Records												
421(a)(8), 1203(k)	Date of last groundwater monitoring report			1/17/2019		Site Conditions		Wet				
423(b)	Date of last engineering report			3/19/2018		Weather Conditions		Rain				
428	Liner construction in progress	Yes/No	No	Notice of liner construction		Yes/No	NA	Third party CQA on-site during construction		Yes/No	NA	
412(a)	Date of last random inspection for unauthorized waste			9/23/2019		Total # for month		62 August				
415, 421(e)	Date of last quarterly methane monitoring			7/11/2019		Detection level		0	415(a)	Explosive gas records current?	Yes/No	Yes
421(g),412(a)(2),701	Date of last special waste received			6/28/2019		Disposal location		35.46527, -93.51277				
421(d)	Previous quarter waste received			67,702.73		Tons						
427(c)	Surface water DMR records current?			Yes/No	Yes	2 nd Quarter 2018						
Fayetteville Shale Related		Yes/No	No	Out of Compliance with Fayetteville Shale			Yes/No	No				
Operator Name & Number		Alan Spangler - 002694				Signature of Inspector						
Exit Interview Conducted with		Alan Spangler		Method	On-site		Date	9/23/2019		Time	1150	

Arkansas Division of Environmental Quality Official Photograph Sheet

Location	City of Fort Smith Class 1 Landfill				Permit	0267-S1-R1	AFIN	66-00226
Photographer	Jason Gilkey, Solid Waste Inspector			JEG	Witness	N/A		
Photo #	1	Of	4		Date	9/23/2019	Time	1130
Description	View of exposed solid waste observed on the northern portion on top of the landfill, facing southeast.							
								
Location	City of Fort Smith Class 1 Landfill				Permit	0267-S1-R1	AFIN	66-00226
Photographer	Jason Gilkey, Solid Waste Inspector			JEG	Witness	N/A		
Photo #	2	Of	4		Date	9/23/2019	Time	1130
Description	View of exposed solid waste observed on the northern portion on top of the landfill, facing east.							
								

Arkansas Division of Environmental Quality Official Photograph Sheet

Location	City of Fort Smith Class 1 Landfill				Permit	0267-S1-R1	AFIN	66-00226
Photographer	Jason Gilkey, Solid Waste Inspector			JEG	Witness	N/A		
Photo #	3	Of	4		Date	9/23/2019	Time	1130
Description	View of exposed solid waste observed on the northern portion on top of the landfill, facing northeast.							
								
Location	City of Fort Smith Class 1 Landfill				Permit	0267-S1-R1	AFIN	66-00226
Photographer	Jason Gilkey, Solid Waste Inspector			JEG	Witness	N/A		
Photo #	4	Of	4		Date	9/23/2019	Time	1130
Description	View of exposed solid waste observed on the northern portion on top of the landfill, facing north.							
								



AFIN: 66-00226
PMT#: 0267-S1-R1

OCT 14 2019

DOC ID#: 77172
TO: RH>FILE KMB

October 8, 2019

Mr. Jason Gilkey
Arkansas Division of Environmental Quality
Office of Land Resources
5301 Northshore Drive
North Little Rock, AR 72118-5317

RE: Quarterly Inspection conducted on September 23, 2019
AFIN 66-00226 Permit Number 0267-S1-R1

Dear Mr. Gilkey

In response to the September 23, 2019 Quarterly Inspection the Fort Smith Landfill proposes the following remedy to the allegations noted:

- Category 3 Regulation 413 Satisfactory intermediate cover:

The Fort Smith Landfill is in the process of covering the area of concern. This area of the landfill has been our active wet weather area during the large amount of rains we have had. We will recover the area to comply with the rules of Regulation 22.

If you should have any other questions or concerns feel free to contact me any time.

Thank you,

A handwritten signature in blue ink that reads "Alan Spangler".

Alan Spangler
Landfill Manager
City of Fort Smith