ARKANSAS
ENERGY & ENVIRONMENT

2/3/2021

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

RE: Inspection conducted on January 26, 2021
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 Kim Davenport. 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) 682-0586 or davenportk@adeq.state.ar.us.

Sincerely,

Kim Davenport
Solid Waste Inspector
5301 Northshore Drive, North Little Rock, AR 72118-5317

Enclosure

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

ARKANSAS
ENERGY & ENVIRONMENT

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, Casa, AR	**Phone Number**	501-889-5128	**Permit Number**	0264-S
Permittee Address	Perry County Courthouse, PO Box 358, Perryville, AR 72126	**E-Mail Address**	Pcjudge1@windstream.net	**PDS #**	114852
Date	**1/26/2021**	**Entry Time**	**1125**	**Exit Time**	**1230**

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	
	618	Facility implements operating plan and narrative	See attached 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	
	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	
X	609(b)	Satisfactory intermediate cover	Exposed waste observed on southern, southeastern, and eastern slopes. No waste reported disposed since the 2nd Quarter of 2019. (Refer to Photos #1 - #4.)
	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	
	607(o)	Erosion or other cover defects resulting in exposed refuse	
	309(c)	Overfill/off lined area	

Regulation 22 - Records

617(a)(4), 621(e)	Date of last groundwater monitoring report		N/A			Site Conditions	Wet		
619	Date of last engineering report		6/29/2020			Weather Conditions	Sunny		
617(a)(4)	Liner construction in progress	Yes/No No	Notice of liner construction	Yes/No No		Third part CQA on-site during construction	Yes/No NA		
608	Date of last random inspection for unauthorized waste		N/A	Total # for month	N/A				
611	Date of last quarterly methane monitoring		N/A	Detection level	N/A	611	Explosive gas records current?	Yes/No	N/A
701	Date of last special waste received		N/A	Disposal location					
617(c)	Previous quarter waste received		0	Tons	No waste reported since 2nd quarter 2019				
623	Surface water DMR records current	Yes/No							

Operator Name & Number	Closed facility		**Signature of Inspector**				
Exit Interview Conducted with	Wesley Spaul Judge Toby Davis	**Method**	On site (at TS) Via phone	**Date**	1/26/2021 1/27/2021	**Time**	1315 1232

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

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

Category 1 Comments

Reg.22.618 (a) Applicability – Each permitted facility shall develop and implement an operating plan and narrative. The purpose of the operating plan and narrative shall be to develop and present site specific methods and procedures by which the facility will maintain and document compliance. The operating plan and narrative shall address the requirements of this regulation and any other regulations applicable to the operation and construction of the facility.

Comment: Notice of Deficiency of Operating Plan, dated September 15, 2020, states in part, please address these deficiencies and submit the requested information to DEQ within thirty (30) calendar days from the receipt of this letter. (Refer to Doc #77939.) No response has been received by the Department.

Date	1/29/2021	Signature of Inspector		Page	4

Division of Environmental Quality
Official Photograph Sheet

Location	Perry County Class 4 Landfill			**Permit**	0264-S	**AFIN**	53-00029
Photographer	Km Davenport, Inspector			**Witness**	N/A		
Photo #	1	**Of**	4	**Date**	1/26/2020	**Time**	1212
Description	Exposed waste (dimensional lumber, plastic) observed on the south slope.						



Location	Perry County Class 4 Landfill			**Permit**	0264-S	**AFIN**	53-00029
Photographer	Km Davenport, Inspector			**Witness**	N/A		
Photo #	2	**Of**	4	**Date**	1/26/2020	**Time**	1212
Description	Shingle waste exposed on the southeast slope.						



Division of Environmental Quality
Official Photograph Sheet

Location	Perry County Class 4 Landfill			**Permit**	0264-S	**AFIN**	53-00029
Photographer	Km Davenport, Inspector			**Witness**	N/A		
Photo #	3	**Of**	4	**Date**	1/26/2020	**Time**	1213
Description	Exposed waste (dimensional lumber, shingles) observed on the eastern slope.						



Location	Perry County Class 4 Landfill			**Permit**	0264-S	**AFIN**	53-00029
Photographer	Km Davenport, Inspector			**Witness**	N/A		
Photo #	4	**Of**	4	**Date**	1/26/2020	**Time**	1215
Description	Another example of the exposed waste observed on the eastern slope.						



ARKANSAS
ENERGY & ENVIRONMENT

09/15/2020

The Honorable Toby Davis
Perry County Courthouse
P.O. Box 358
Perryville, AR 72126

Re: Notice of Deficiency of Operating Plan
Perry County Landfill Class 4
Permit No: 0264-S; **AFIN: 53-00029**
Document ID: 77939; **Reference Document ID: 77859**

Dear Judge Davis:

The Division of Environmental Quality Office of Land Resources (DEQ) received the updated Operating Plan for the Perry County Landfill Class 4 under Document ID 77859. During the review of this Operating Plan (OP), the following deficiencies were noted:

1. The services of a professional engineer registered in the State of Arkansas are required for the preparation of permit drawings and operation plan and narrative under the Arkansas Pollution Control and Ecology Commission Regulation No. 22.301(i). Based on this, the submitted permit drawings and operating plan and narrative must be signed and sealed by a professional engineer registered in the State of Arkansas.

2. The submitted OP states that the plan was prepared in accordance with requirements of (APC&EC) Regulation No. 22.607 through No. 22.627. However, requirements under APC&EC Regulation No. 22.625 through No. 22.627 were not included in this plan. Please revise and submit an updated OP that includes these missing requirements.

3. Inconsistences were found throughout the OP regarding the frequency of use of daily cover. Please review this plan in order to consistently reflect when the daily cover will be applied at the landfill.

4. **1.10 Equipment Requirements -** Please include in this section a more detailed description of maintenance procedure and backup equipment available for the facility.

   In addition, please include in the facility's drawing the area where maintenance activities will be done.

5. **1.11 Communications and Emergency Responses** – As reported in this section of the operating plan, the facility has an Emergency Response Plan. Please submit the Emergency Response Plan as part of this operating plan.

6. **1.12 Employee Facilities** – Please show in the facility's drawing the location of the office building mentioned in this section.

7. **2.0 Procedures for Excluding the Receipt of Hazardous and Unauthorized Waste** – This section does not reflect the actual way the facility will exclude the receipt of hazardous and unauthorized waste. Please update this section by including a detailed description of the facility's procedures to exclude this waste.

8. **7.0 Access Requirements** - Please include in this section, the days and hours when this facility will be opened for the County to dispose waste.

9. **8.0 Run-On/Run-Off Control Systems** – Please update this section by including more details on run-on/run-off controls at the active portion of the landfill. Also, please show in the facility drawing the details of these control systems.

10. **11.0 Recordkeeping Requirements** – In order to approve an alternate location to keep all records required by APC&EC Regulation No. 22, please specify in this section the actual location where the facility's records are kept.

    In addition, please include in the OP a detailed description of the facility's ticket system based on APC&EC Regulation No. 22.421(d).

11. **14.0 Survey Control** – Submit the drawings that show the survey controls mentioned in this section.

12. **15.0 Liner and Final Cover Design and Construction** - The quality assurance plan was not submitted. Please submit this missing plan.

Please address these deficiencies and submit the requested information to DEQ within thirty (30) calendar days from the receipt of this letter.

If you have any questions regarding this correspondence, please contact me at (501) 682-0603 or coker@adeq.state.ar.us.

Sincerely,



Cristina Coker
Engineer
Office of Land Resources

cc: DEQ – Witherow, Rich, Cusher, Krou, Hayden, Gilkey, and Coker
Mr. Tony Bardella, Terracon Consultant, Inc.
Mr. David McCormick, P.E., Terracon Consultant, Inc.