PERMIT
FOR THE CONSTRUCTION AND OPERATION OF A SOLID WASTE DISPOSAL FACILITY
ISSUED BY
STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY

Class 4 Landfill

CSN IDENTIFICATION : 26 - 0405

PERMIT NUMBER : ***0300-S4***

EFFECTIVE DATE : February 9, 2001

EXPIRATION DATE : February 9, 2011

PERMIT OWNER & ADDRESS: Garland County Solid Waste
501 Ouachita, Suite B-4
Hot Springs, AR 71901

FACILITY ADDRESS : Garland County Cedar Glades Class 4 Landfill
Cedar Glades Road
Hot Springs, AR 71913

LOCATION : Approximately 1 mile north of city of Hot Springs, Arkansas.

LEGAL DESCRIPTION: A portion of the S ½ of the SW 1/4, Sec. 19, T-2-S, R-19-W, located east, south and west of the existing Garland County landfill and west of Wildcat Road; A portion of the W ½, Sec. 30, T-2-S, R-19-W, located north of Cedar Glades Road and excepting the NE 1/4 of the NW 1/4, Sec. 30; A portion of the E ½, Sec. 25, T-2-S, R-20-W, located east of Bull Bayou Creek; And a portion of the SE 1/4 of the SE 1/4, Sec. 24, T-2-S, R-20W, located south of the existing Garland County landfill and east of an existing City of Hot Springs parcel of land; Containing approximately 355 acres of land, more or less, all located in Garland County.

DESIGN ENGINEER : B & F Engineering Inc.
928 Airport Road
Hot Springs, AR 71913

DESCRIPTION OF THE PERMIT ACTION

The proposed Garland County Class 4 Landfill on Cedar Glades Road will replace the existing Class 4 Landfill located on Wildcat Road. Garland County proposes the aforementioned landfill site, facilities and borrow area, consisting of approximately 200 acres with a landfill footprint of about 61acres. The proposed landfill is located approximately ½ mile south of the existing permitted area and will be used for the disposal of general and commercial Class 4 waste generated from Garland County, Arkansas.

PERMIT CONDITIONS

This permit authorizes the construction and/or operation of the Solid Waste Disposal Facility set forth in an application dated June 23, 2000. This permit is issued pursuant to the provisions of the Arkansas Solid Waste Management Act (Act 237 of 1971, as amended; A.C.A. § 8-6-201 et seq.); hereinafter called the "Act", and the Arkansas Pollution Control and Ecology Commission Regulation 22 (hereinafter Regulation 22), and all other applicable rules and regulations of the Department of Environmental Quality; hereinafter called "Department", and the following terms and conditions:

SPECIAL CONDITIONS

1. This permit is for a 200 - acre site with landfill footprint of about 61 acres to be used for the disposal of Class 4 waste in the areas as indicated on the plans. The permit will expire either on February 6, 2011, or when the disposal area described in the final engineering plans has been filled to design capacity and is closed out in accordance with the provisions of Regulation 22 whichever occurs first. The final grades and elevations shown on the plans shall not be exceeded in anticipation of settlement and consolidation of the waste mass. Changes in the approved fill progression shall not be implemented unless prior approval is obtained through a permit modification. Changes to or deviations from the construction/layout of the facility, as indicated on the approved set of plans that were submitted as a part of the permit application, are not authorized unless approved by the Department. The plan identifier number for the approved set of plans is No. 11112 (B & F Engineering, Inc., June 2000, Volume II). The approved application document is also filed under the Document Identification No. 11112.

2. There are jurisdictional areas on the property identified by the Department of Army Memphis District Corps of Engineers (CORPS) as wetlands and subject to regulations pursuant to section 404 of the clean water act. If there is any work involving the discharge of dredged or fill material (land clearing, ditching, filling, leveeing, excavation, etc.) within the limits of the jurisdictional areas, Garland County Landfill will be required to obtain a Department of Army Section 404 permit prior to beginning work.

3. The facility is permitted to operate a salvage operation under the conditions listed in Regulation 22.607, (e),(1)(2)(3)&(4).

4. Usage of the wastewater treatment plant sludge for the purpose of maintaining the vegetative cover on the landfill shall comply with all applicable regulations. Pursuant to 40 CFR part 503, municipal wastewater treatment sludge must meet pollutant limits and pathogen and vector attraction reduction operational standards when biosolids are applied to the land. Based on this regulation, only "Exceptional Quality" (EQ) Biosolids can be land applied. The sludge must be tested by a certified laboratory and identified prior to mixing with the vegetative soil cover.

5. The amount of financial assurance is estimated to be $92,600.00. This amount is subject to annual adjustment and may be increased at the discretion of the Department, based upon the estimated cost for a third party to close the largest area of all permitted facilities ever requiring final cover during the active life and the cost for a third party to perform post closure care. The instruments or demonstrations used to satisfy financial assurance requirements must be in the exact form set forth in Regulation 22 or as approved by the department. If a Trust Fund is used to demonstrate financial assurance, payments into the trust fund must be made annually for an amount as required in Regulation 22 Section 22.1405(a). The permittee shall provide documentation from the trustee to the Department showing the latest balance in the trust fund. This documentation verifying the balance in the trust fund should be included in the annual engineering inspection report. A portion or all of the financial assurance may be held by the Department beyond the time of cessation of disposal operations at the site to ensure satisfactory closure and post closure care in accordance with Regulation 22.

GENERAL PERMIT CONDITIONS

1. The disposal facility shall be constructed, maintained, and operated in accordance with the final plans, specifications and operation narrative as approved by the Department and in compliance with all applicable provisions of the Act, Regulation 22, and all other applicable rules and regulations. Changes to or deviations from the construction/layout of the facility, as indicated on the approved set of plans that were submitted as a part of the permit application, are not authorized unless specifically approved by the Department.

2. This permit shall automatically terminate unless construction of the disposal facility has been commenced within 180 days of the original effective date of the permit and is completed with all reasonable diligence, or when the authorized fill elevations have been attained, or upon the expiration of this permit whichever occurs first. The Department shall be notified in writing when the initial construction has been completed and upon facility closure in order that it may be inspected. The permittee shall provide a ten (10) day minimum written notice to the Department prior to the anticipated start-up date for the facility.

3. Preparation of the site shall be supervised and reported in writing to the Department by a Registered Professional Engineer prior to the placement of wastes.

4. At all times the disposal facility shall be maintained in good condition and operations shall be conducted by licensed, qualified on-site operators holding the appropriate license as required by Regulation Number 27, Certification of Sanitary Landfill Operators.

5. An operating record shall be maintained on-site, or at an alternative location approved by the Department, of all documentation, monitoring or test results, construction quality assurance/quality control (CQA/ QC) test results, records, operator license and training certificates, certifications required by Regulation 22, the permit application documents, and permit conditions contained herein. The operating record shall be available for review by authorized representatives of the Department during normal business hours. The permittee shall provide a copy of any information from the operating record to the Department when requested.

6. This permit is issued in reliance upon the statements and representations made in the application, operating narrative, the plans, specifications and related documents. The Department has no responsibility for the adequacy or proper functioning of the disposal facility. Nothing contained herein shall be construed as releasing the permittee from any liability for damage to persons or property by reason of the installation, maintenance, or operation of the disposal facility.

7. This facility is for the disposal of bulky inert, non-putrescible and non-hazardous Class 4 solid wastes that do not degrade or degrade very slowly as defined by Regulation 22. The waste includes non-compostable wood waste such as tree trunks and stumps, demolition and construction debris, shredded or processed tires as defined by Regulation Number 14, Regulations and Administrative Procedures for the Waste Tire Program. Hazardous and/or toxic waste materials, liquid or semi-liquid waste, household wastes of any kind, putrescible waste, paper waste including cardboard and "Special Materials" as these terms may be defined by Regulation 22 are not authorized for acceptance and disposal at the facility. Polychlorinated biphenyls (PCBs), chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs) must be removed from all appliance and furniture prior to disposal in accordance with applicable state and federal regulations.

8. Written procedures which meet the requirements of Section 22.608 of Regulation 22 shall be followed for excluding hazardous and unauthorized waste from the disposal area. The hazardous and unauthorized waste screening/detection plan shall be fully implemented, including proper training of facility operators to recognize hazardous waste.

9. An initial permit fee has been received by the Department. Annual permit fees due thereafter shall be assessed in accordance with Regulation Number 9, Fee System for Environmental Permits. Failure to pay annual fees when due may result in revocation of this permit. Other fees due shall be assessed in accordance with Regulation No. 11, "Regulations for Solid Waste Disposal Fees, Landfill Post-Closure Trust Fees, Illegal Dumps Program and Recycling Grants Program."

10. A weekly cover of six (6) inches of compacted soil shall be applied to all exposed waste on a regular schedule acceptable to the Department and more frequent cover may be required if necessary to control disease vectors, fires, odors, blowing litter, scavenging and to limit the generation of leachate. An additional compacted cover soil layer (interim cover) shall be applied to all surfaces that will not receive an application of waste or final cover within 30 days. Interim cover shall be of sufficient thickness to cover all exposed waste and shall not be less than 12" in total thickness including the weekly cover.

11. Measures to control and prevent storm water from running through or into the active fill area shall be constructed and maintained at the site and no waste shall be deposited in standing water or within five (5) feet of the seasonal high groundwater table.

12. Best management practices shall be implemented and maintained on an ongoing basis to control erosion at the site and to prevent off-site deposition of sediment and waste. In addition to other measures that may be necessary to control erosion, seeding of suitable perennial grasses and soil stabilization shall be conducted in the spring and in the fall on all exposed surfaces that are not to receive additional waste placement during the next growing season.

13. Erosion and sediment controls shall be implemented and maintained on an ongoing basis at all borrow sites (whether on-site or off-site) to minimize off-site deposition of sediment. Such controls would typically include silt fences, vegetative buffer/filter strips, sediment ponds, outlet controls and similar measures that are effective in controlling erosion and minimizing sediment losses. Final reclamation/stabilization of borrow sites shall include final grading to promote proper drainage and seeding with suitable perennial grasses to control erosion, or reclamation through other means acceptable to the Department.

14. The top and side slopes of sedimentation ponds shall be seeded with suitable perennial grasses to maintain the integrity of slopes and control erosion. Pond slopes shall be properly mowed as needed during the growing season to control undesirable annual weed and woody vegetation growth.

15. The permittee shall obtain all necessary construction permit(s) and/or storm water discharge permit(s) from the ADEQ, Water Division prior to initiation of disposal operations. Copies of any required Notices of Intent, construction permits, storm water discharge permits, and/or Storm water Pollution Prevention Plans that may be required by the Water Division shall be maintained in the facility's operating record. Storm water prevention plans shall be prepared in accordance with good engineering practices. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from the facility.

16. The permittee shall report all overflows from the sedimentation pond. These reports shall be summarized and reported in tabular format. The summaries shall include: the date, time, duration, location, estimated volume, and cause of overflow; observed environmental impacts from the overflow; action taken to address the overflow. Overflows which endanger health or the environment shall be orally reported to this department (Enforcement Branch of Solid Waste Management Division), within 24 hours from the time the permittee becomes aware of the circumstance. A written report of overflows which endanger health or the environment, shall be provided within 5 days of the time the permittee becomes aware of the circumstance.

17. Interim and final cover vegetation shall be properly mowed as necessary to control undesirable annual weed and woody vegetation growth and to facilitate proper inspection of the cover.

18. Any change in the ownership of the facilities or control of the operation may be considered a permit modification and shall be fully disclosed to the Department. For purposes of this permit, ownership or control shall be determined by a change in the debt or equity of the permittee of five percent (5%) or more. Notwithstanding the above, the permittee is not required to disclose a change in ownership or control of the facility if the change is among the persons and/or entities previously disclosed to the Department in Section E of the Disclosure Statement or similar public disclosure.

19. The permittee shall prepare and submit to the Department an annual engineering report in accordance with the provisions of Section 22.619 of Regulation 22. The report shall cover the one year period beginning July 1 and ending June 30 and shall be submitted no later than September 30 of each year.

20. Any statements in the operational narrative, specifications, and/or engineering plans that conflict with Regulation 22, permit conditions herein, or other applicable laws and regulations shall not be considered authorized by the Department.

21. This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable provision of Regulation No. 22. This permit shall not relieve the permittee, its agents or employees, from compliance with all provisions of the Act and Regulation 22.

22. The Department, its employees, agents, or any authorized person shall have the right to enter the property at any time for any reason as set out in Regulation 22 for purposes of, including but not limited to, taking of samples, inspection, and any other enforcement or engineering action, without interference or delay from the permittee.

23. If any provision of these conditions or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these conditions that can be given effect without the invalid provision of application, and to this end provisions of these conditions are declared to be severable.

24. The Department's decision to issue this permit is final for purposes of appeal as of the date indicated in the Certificate of Service below.

APPROVED BY: Arkansas Department of Environmental Quality
8017 I-30, Post Office Box 8913
Little Rock, Arkansas 72219-8913

For the Interim Director

2-09-01
Date

CERTIFICATE OF SERVICE

I, _____, hereby certify that a copy of this permit has been mailed by first-class mail to The Honorable Larry Williams, Garland County Judge, Garland County, AR, on or before this 9th day of February, 2001.

*****

ADEQ

ARKANSAS
Department of Environmental Quality

April 19, 2012

Garland County Class 4 Landfill
Attn: The Honorable Rick Davis
501 Ouachita Avenue
Hot Springs, AR 71901

RE: Administrative Change to Permit and Transmittal of Permit Addendum
Garland County Class 4 Landfill
AFIN: 26-00405 Permit No.: 0300-S4
Document Number: 62223 Cross Reference Number: 62181

Dear Judge Davis:

The Arkansas Department of Environmental Quality-Solid Waste Management Division (ADEQ-SWMD) has received your request to extend the duration of the above referenced permit for the Garland County Class 4 Landfill. Under current regulations the landfill permit allows active fill operations, closure and post-closure phases of the landfill. Active fill operations are permitted as long as the waste remains within the permitted boundaries and does not exceed the permitted capacity, fill volume or elevations.

The ADEQ-SWMD hereby provides this administratively modified permit with expiration date removed, and an addendum to the permit conditions. Attached are the revised permit cover page and the revised Special Condition 1. An additional condition (Special Condition Number 6) is also provided through permit addendum. Please replace the existing permit cover page with the revised cover page and implement the requirements of the new permit addendum.

Please call me at (501) 682-0602 should you have any questions regarding the above information.

Sincerely,

Roger Lawrence,
Chief, SWMD

cc: Lori Burke, District Field Inspector SWMD
John Rogers, B & F Engineering

PERMIT

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SOLID WASTE DISPOSAL FACILITY
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STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY

Class 4 Landfill

AFIN IDENTIFICATION	26 - 00405
PERMIT NUMBER	0300-S4
EFFECTIVE DATE	February 9, 2001
REISSUED COVER PAGE:	April 19, 2012 [Extension of Permit]
PERMIT OWNER & ADDRESS:	Garland County Solid Waste 501 Ouachita, Suite B-4 Hot Springs, AR 71901
FACILITY ADDRESS	Garland County Cedar Glades Class 4 Landfill Cedar Glades Road Hot Springs, AR 71913
LOCATION	Approximately 1 mile north of city of Hot Springs, Arkansas.
LEGAL DESCRIPTION:	A portion of the S 1/2 of the SW 1/4, Sec. 19, T-2-S, R-19-W, located east, south and west of the existing Garland County landfill and west of Wildcat Road; A portion of the W 1/2, Sec. 30, T-2-S, R-19-W, located north of Cedar Glades Road and excepting the NE 114 of the NW 1/4, Sec. 30; A portion of the E ½, Sec. 25, T-2-S, R-20-W, located east of Bull Bayou Creek; And a portion of the SE 1/4 of the SE 114, Sec. 24, T-2-S, R-20W, located south of the existing Garland County landfill and east of an existing City of Hot Springs parcel of land; Containing approximately 355 acres of land, more or less, all located in Garland County.
DESIGN ENGINEER	B & F Engineering Inc. 928 Airport Road Hot Springs, AR 71913

Addendum to Permit

STATE OF ARKANSAS

DEPARTMENT OF ENVIRONMENTAL QUALITY

SOLID WASTE MANAGEMENT DIVISION

Garland County		AFIN:	26-00405
Class 4 Landfill		Permit No:	0300-S4
Date	**Addendum to Permit Conditions**		
April 10, 2012 Doc.# 62181 Permit Cover Page	The cover page of the permit is revised to remove permit expiration date. Note: The revised cover page of the permit replaces the current permit cover page located on Document Identification # 20282, February 9, 2001.		
April 10, 2012 Doc.# 62181 Special Condition 1	Special Condition 1 - This permit is for a 355 - acre site with landfill footprint of about 61 acres to be used for the disposal of Class 4 waste in the areas as indicated on the plans. Under current regulations the landfill permit allows active fill operations, closure and post-closure phases of the landfill. Active fill operations are permitted as long as the waste remains within the permitted boundaries and does not exceed the permitted capacity, fill volume or elevations. The final grades and elevations shown on the plans shall not be exceeded in anticipation of settlement and consolidation of the waste mass. Changes in the approved fill progression shall not be implemented unless prior approval is obtained through a permit modification. Changes to or deviations from the construction/layout of the facility, as indicated on the approved set of plans that were submitted as a part of the permit application, are not authorized unless approved by the Department. The plan identifier number for the approved set of plans is No. 11112 (B & F Engineering, Inc., June 2000, Volume II). The approved application document is also filed under the Document Identification No. 11112. Note: Special Condition 1 is revised to remove the permit expiration date and to define conditions associated with active fill operation of the landfill. Special Condition 1 replaces the existing Special Condition 1, located on Document Identification # 20282, February 9, 2001.		
April 10, 2012 Doc.# 62181 Special Condition 6	Special Condition 6 – In accordance with general permit condition numbers 20 and 21, any and all past CQA and closure plans are no longer approved. The permittee must modify these and any other permit documents, plans and specifications to meet provisions of Regulation 22. Updated permit files must be revised and submitted within sixty (60) days of issuance of this addendum. Revised and approved plans will be necessary to certify additional cells for disposal. Note: Special Condition 6 is added to the existing five (5) special conditions located on Document Identification # 20282, February 9, 2001.		

APPROVED BY: Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317.

For Teresa Marks, Director

4/19/2012
Date

CERTIFICATE OF SERVICE

I, Tommi West, hereby certify that a copy of the aforementioned permit has been mailed by first-class mail to the Honorable Rick Davis, 501 Ouachita Avenue, Hot Springs, AR 71901 on or before this 19th day of April, 2012.

Statement of Basis – Rationale for Permit Conditions 22.306(c) requires permit decisions to include a rationale for the decisions made including technical basis for site specific conditions. Following is a summary of the rationale for the new and revised conditions presented in this modification.	
Special Condition 1	Regulation 22.308(f) and 309(a)
Special Condition 6	• Portions of the closure plan do not account for the estimate of maximum areas open. The site has more areas open than designated in the existing closure plan (Regulation 22.1402.) • The existing CQA plan contains specifications which do not meet Regulation 22.428 and must be updated (Regulation 22.428.)