Haley Griffith (adpce.ad)

Subject: RE: Clark County Class 4 Landfill - Permit No. 0044-S4-R1, AFIN: 10-00062

From: Carpenter, Owen <Owen.Carpenter@terracon.com>
Sent: Monday, March 17, 2025 4:21 PM
To: Richard Bennett (adpce.ad) <Richard.Bennett@adeq.state.ar.us>
Cc: Banic, Greg <Greg.Banic@adeq.state.ar.us>; ttucker@ClarkCountyArkansas.com; John Rogers <john.rogers@craftontull.com>
Subject: Clark County Class 4 Landfill - Permit No. 0044-S4-R1, AFIN: 10-00062

Good afternoon Richard!

I hope things are well with you. The attached permit for Clark County Class 4 LF includes a list of Class 4 eligible industrial wastes (PDF page 6, Page 4 of 12) that were prequalified for acceptance at the facility. The Siplast facility uses lime occasionally to clean up floors / sweep up their inert wastes and they generate a few small containers of waste lime for disposal. Can the Clark County landfill accept the waste lime for disposal with the other pre-qualified wastes or for amending the weekly/intermediate cover soils for stabilization? The soils are generally acidic at the site and closure contractors were instructed to place tons of lime to neutralize the on-site soils for seeding, so we questioned whether it might be eligible for use or disposal there. Thanks very much for your consideration. If you have any questions or need any additional information, please let us know.

Best regards,
Owen

F. Owen Carpenter, P.E., P.G.
Senior Engineer I Solid Waste Services
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10/25/2023

The Honorable Troy Tucker, County Judge (ttucker@clarkcountyarkansas.com)
Clark County
Courthouse Square, 401 Clay Street, Arkadelphia, AR 71923

RE: Issuance of Final Permit for Clark County Class 4 Landfill
Permit Number: 0044-S4-R2; AFIN: 10-00062
Document Number: 84795; Cross Reference No.: 82895, 82799, and 82041

Dear Judge Tucker:

The Division of Environmental Quality Office of Land Resources (DEQ) has made a final decision to issue a permit authorizing the construction, operation, and maintenance of the Clark County Class 4 solid waste landfill facility as described in your application submitted on May 26, 2022, and subsequent documentation as referenced in the permit and located in the DEQ facility file. The permit number for the facility is 0044-S4-R2. A Public Notice detailing DEQ's draft proposed decision to issue Permit 0044-S4-R2 was published in the *Arkansas Democrat Gazette* on August 6, 2022, with the public comment period ending September 7, 2022. No comments were received during the comment period.

This permit is granted subject to the terms and conditions specified in the permit. The initial amount of financial assurance required is $1,351,974. Acceptable mechanisms for financial assurance include a surety bond, collateral bond (supported by a letter of credit, securities or cash), or other mechanisms as set forth in Chapter Fourteen of Rule Number 22. The instruments used must be in the exact form set forth in Rule Number 22 and must be filed with the Department before the permit can become effective. The purpose of the financial assurance is to ensure an environmentally sound closure of the site upon conclusion of disposal operations and acceptable post closure care. Please review all terms and conditions of the permit to ensure compliance with all applicable requirements.

If you want to appeal this matter, your appeal must be filed in accordance with Arkansas Pollution Control & Ecology Commission's (APC&EC or Commission) Rule No. 8, available at www.adeq.state.ar.us. If you have any questions regarding the appeal procedure, please contact your attorney. All appeal procedures must be filed with the Commission's Secretary who is located at 101 E. Capitol, Suite 205, Little Rock, AR 72201. For directions to the Commission's office, call (501) 682-7893.

Should you have any questions or wish to discuss this permit, feel free to contact Richard Bennett, P.E. at (501) 682-0861 or Richard.Bennett@adeq.state.ar.us.

Sincerely,

Jarrod Zweifel, P.G.
Associate Director, Office of Land Resources

Enclosures: Permit, Permit Application Summary and Rationale

cc: DEQ – Jones, Hurt, Speake, Krou, and Bennett
John W. Rogers, P.E., B & F Engineering, Inc. (johnr@bnfeng.com)
Owen Carpenter, P.E. P.G., Terracon (Owen.Carpenter@terracon.com)

FINAL PERMIT
FOR THE CONSTRUCTION AND OPERATION OF A
SOLID WASTE DISPOSAL FACILITY

ISSUED BY
STATE OF ARKANSAS
DIVISION OF ENVIRONMENTAL QUALITY
OFFICE OF LAND RESOURCES

Class 4 landfill

Permit Number:	0044-S4-R2
AFIN:	10-00062
Effective Date:	October 25, 2023
Original Issue Date:	October 5, 1994
Modifications:	February 20, 2007 June 29. 2016 July 31, 2018
Permit Owner & Address:	Clark County Courthouse Square 401 Clay Street Arkadelphia, AR 71923
Facility Site Name & Address:	Clark County Class 4 Landfill, County Road 63 (Round Hill Road), Joan, Arkansas
Location:	Portion of the SW ¼ Section 12, Township 7 South, Range 18 West, the NE ¼, NW ¼, Section 13, Township 7 South, Range 18 West, and NE ¼, NW ¼, Section 13, Township 7 South, Range 18 West, Clark County, Arkansas
Permitted Waste Disposal Area: Property Area:	30.7 Acres for Active, Inactive and Proposed Areas 33.7 Acres Property Area
Latitude/Longitude:	34° 7' 52.08"N 92°54' 11.88"W

By this permit Clark County, hereinafter called "owner" or "permittee," is authorized the construction and operation of the solid waste disposal facility as set forth in the permit modification application to the Division of Environmental Quality (DEQ) received on May 27, 2022 (Document ID 82041). The application was completed through a series of documents furnished by the applicant beginning on May 26, 2022 and Document ID #82041 and, follow-up documents received on October 10, 2022 and Document ID #82799 and October 24, 2022 and Document ID 82895. This permit is issued pursuant to the provisions of the Arkansas Solid Waste Management Act (Arkansas Code Annotated § 8-6-201 et seq.) as amended, hereinafter called the "Act"; Rule

No. 22, Arkansas Solid Waste Management Code, as adopted by the Arkansas Pollution Control and Ecology Commission (APC&EC), hereinafter called APC&EC Rule No. 22; and all other applicable rules and regulations of the Division of Environmental Quality, hereinafter called "Division" or "DEQ", and the following terms and conditions:

DESCRIPTION OF THIS PERMIT ACTION:

The permit modification was submitted for the Clark County Class 4 Landfill. The permit modification expansion will allow a capacity increase (increase in permitted acreage and volume), site-life increase and continued disposal of waste eligible for a Class 4 landfill as defined in APC&EC Rule No. 22. On the effective date, this permit modification supersedes all prior permits and permit modifications issued by the Division for this solid waste management facility.

This permit modification provides Clark County the authority to construct and operate the Solid Waste Disposal Facility set forth in this modification application received on May 27, 2022 (Document ID 82041) and subsequent submittals. This permit modification is issued pursuant to the provisions of the Arkansas Solid Waste Management Act (Arkansas Code Annotated 8-6-201 et seq.) as amended, hereinafter called the "Act;" APC&EC Rule No. 22, Arkansas Solid Waste Management, as adopted by the Pollution Control and Ecology Commission, hereinafter called "APC&EC Rule No. 22;" and all other applicable rules and regulations of the Arkansas Division of Environmental Quality, hereinafter called "Division", and the following terms and conditions:

SITE SPECIFIC CONDITIONS

1. This permit is for approximately a 33.7 acre site with a permitted disposal area of 30.7 acres with the disposal areas to be located in the areas as indicated in the design plans (Document ID 82041 and 69212 for proposed area and Document ID 30666 for active & inactive areas). The permit will expire when the disposal area described in the final engineering plans has been filled to design capacity, is closed and post-closure care is completed in accordance with the provision of APC&EC Rule No. 22. The final grades and elevations shown on the approved plans shall not be exceeded in anticipation of settlement and consolidation of the waste mass. [APC&EC Rule No. 22.309]

    a. The Division shall be notified in writing upon construction of each disposal unit and upon facility closure in order that it may be inspected.

    b. Changes to or deviations from the construction/layout and operation of the facility, as indicated on the approved facility plans indicated below, and on the approved permit application documentation, are not authorized unless approved in writing by the Division.

    c. The approved permit plans for the facility are as follows:

Plans from old permit application (Permit # 0044-S4):

Topographic survey	Figure 5, Document ID 44064 (02/20/2007)
Final Cap Contours)	Figure 3, Document ID 44064 (02/20/2007)
Final Cap Details	Figure 4, Document ID 44064 (02/20/2007)
Updated volumes calculation Summery	Appendix D, Document ID 36961 (02/20/2007)

Plans from modification application (Permit # 0044-S4-R1)

Existing Condition	Drawing P1, Document ID 69047 (03/16/2016)
Bottom Linear Grading Plan	Drawing P2, Document ID 69047 (03/16/2016)
Final Cover Grading Plan	Drawing P3, Document ID 69047 (03/16/2016)
Proposed Expansion Area	Drawing P4, Document ID 69047 (03/16/2016)
Proposed Expansion Area	Drawing P5, Document ID 69047 (03/16/2016)
Bottom Liner and Final Cover Details	Drawing P6, Document ID 69047 (03/16/2016)

Plans from modification application (Permit #0044-S4-R2)

Existing Site Conditions	Drawing 3, Doc ID 82041 (5/26/22)
Proposed Top of Subgrade/Geosynthetics	Drawing 4, Doc ID 82041 (5/26/22)
Proposed Top of Bridging Layer and CCL	Drawing 5, Doc ID 82041 (5/26/22)
Proposed Top of Final Cover	Drawing 6, Doc ID 82041 (5/26/22)
Final Cover With Optional Valley Fill	Drawing 7, Doc ID 82041 (5/26/22)
Northeast Cells Cross Sections	Drawing 8, Doc ID 82041 (5/26/22)

2. The facility is permitted for 896,248 cubic yards of solid waste disposal, including daily and intermediate cover material.

3. For active and inactive arears of the facility, the facility shall comply with all conditions of the application submitted on May 12, 1994 (Document ID 30666).

4. This facility is for the disposal of bulky inert, non-putrescible Class 4 waste as defined by APC&EC Rule No. 22. This waste includes non-compostable wood waste such as tree trunks and stumps, demolition and construction debris, shredded or processed tires as defined by APC&EC Rule No. 36, Regulations and Administrative Procedures for the Waste Tire Program, furniture and appliances provided polychlorinated biphenyls (PCBs) and chlorofluorocarbons (CFCs) are removed from the appliance prior to disposal in accordance with applicable state and federal regulations, Industrial Wastes similar to Class 4 wastes (shown in the table) below and other inert wastes that the Division may approve for disposal. 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 APC&EC Rule No. 22 are not authorized for acceptance and disposal at the facility. [APC&EC Rule No. 22.102]

Name of Industry	Waste Name/Description/ Characteristics	Approximate Daily Output (tons/day)
Siplast Liquid Resin Facility - Arkadelphia	Steel pails	0.25
	Compacted plastic	0.25
Siplast Roll Roofing Facility - Arkadelphia	Asphalt roll roofing	4.00
	Broken wooden pallets	2.00
	Scrap rolls of fiberglass	1.00
	Scrap rolls of polyester	1.00
Georgia-Pacific Wood Products - Gurdon	Wood yard debris (rocks)	5.00
	Broken lumber	2.5

5. The permittee shall implement the Hazardous Waste Exclusion Plan presented in Section 2 of the Permit Modification Application (Document ID 82799). In addition to the implementation of the approved Hazardous Waste Exclusion Plan, the facility shall fully meet all requirements of APC&EC Rule No. 22.412 regarding the exclusion of all unauthorized waste streams.

6. The bottom liner and final cover configuration approved for the expansion area is shown on Drawing P6, Document ID 69047. [APC&EC Rule No. 22.621(c)]

7. The final cover shall, at a minimum, consist of eighteen (18) inches of clay material constructed to a permeability of $1x10^{-5}$ cm/sec or less and overlain with six (6) inches of topsoil. After final elevations are attained, the final cover system shall be constructed and vegetation cover of suitable perennial grasses shall be established and maintained. Testing and certification of construction of the final cover system shall be in accordance with the Construction Quality Assurance Plan submitted as part of the operating narrative and Section 22.428(b) Soil Liner Material Criteria of APC&EC Rule No. 22, except that the permeability of the cover system must be $1x10^{-5}$ cm/sec or less in accordance with APC&EC Rule No. 22.621. Closure and construction of the final cover system shall also be in accordance with Chapter 13 of APC&EC Rue No. 22 (APC&EC Rule No. 22.621(d)).

8. This permit authorizes one (1) active disposal area at the facility per Section 22.607(c) of APC&EC Rule No. 22. A second working face may be approved in writing by the Division for the purpose of the disposal of wastes which may be impacted by non-routine activities. [APC&EC Rule No. 22.607(c)]

9. The permittee shall implement the requirements detailed in the Operating Plan and Narrative presented in Section 17 of the Permit Modification Application (Document ID 82041). In addition to the implementation of the approved Operating Plan and Narrative,

the facility shall fully meet all operating requirements of APC&EC Rule No. 22. [APC&EC Rule No. 22.607]

10. After the final elevations are attained, the final cover system shall be constructed and a thick vegetation cover shall be established and maintained. Following establishment of cover vegetation, the vegetation shall be mowed at least annually or as needed during the growing season to control undesirable annual weeds and woody vegetative growth, and to facilitate proper inspection of the final cover system. [APC&EC Regulation No. 22.607(i)]

11. The post closure maintenance period for this facility shall be a minimum of two (2) years starting on the date the Division accepts closure of the facility. The length of the post closure period may be decreased or increased by the Director in accordance with APC&EC Regulation 22.1302(c)(4).

12. The initial total amount of financial assurance is $1,351,974. Of this amount, $1,248,294 dollars will be required for closure costs; $103,680 will be required for the post-closure costs. An 80% reduction in financial assurance for post-closure care is available to facilities that contribute to the post-closure trust fund. This amount shall be subject to annual adjustments and may be increased at the discretion of the Division based upon the estimated cost for a third party to close the largest area requiring final cover during the active life of the facility and the cost for a third party to perform post closure care.

    a. The financial instruments used must be in one of the forms set forth in APC&EC Rule No. 22 or as otherwise approved by the Division;

    b. Operations allowed under this permit shall not commence until all financial assurance is satisfactorily filed with the Division; and

    c. A portion or all of the financial assurance may be held by the Division beyond the time of cessation of disposal operations at the site to ensure satisfactory closure and post closure care.[APC&EC Rule No. 22. 1402(b) & 1403(b)]

GENERAL CONDITIONS FOR A CLASS 4 LANDFILL

13. This permit is issued in reliance upon the statements and representations made in the application, operating narrative, plans, specifications, correspondence, and other related documents. The Division bears 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 from damage to persons or property due to the installation, maintenance, or operation of the disposal facility or any act of the permittee, or the permittee's employee or agents.

14. The disposal facility shall be constructed, maintained, and operated in accordance with the final plans, specifications and operating plan and narrative submitted in the Application

and in compliance with all applicable provisions of the Arkansas Solid Waste Management Act (Arkansas Code Annotated 8-6-201 et seq.), APC&EC Rule No. 22.428, and all other applicable rules and regulations.

15. Any statements in the operational narrative, specifications, and/or engineering plans that conflict with APC&EC Rule No. 22, permit conditions herein, or other applicable laws and regulations shall not be considered authorized by the Division.

16. 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 APC&EC Rule No. 27, Licensing of Operators of Solid Waste Management Facilities and Illegal Dump Control Officers.

17. All disposal fees shall be paid to the Division in accordance with APC&EC Rule No. 11.

18. The bottom liner shall be eighteen inches (18) inches or more of compacted clay material exhibiting permeability equal to or less than $1.0x10^{-5}$ cm/sec. [APC&EC Rule No. 22.621(c)]

    a. Proper construction of the bottom clay liner of each waste cell shall be observed and certified to the Division by a Registered Professional Engineer in a Construction Certification Report in accordance with the approved CQA Plan whenever a cell is prepared for use.

    b. The Construction Certification Report shall include Construction Quality Assurance/Quality Control (CQA/QC) test results as indicated in the approved CQA Plan; drawings indicating the location, designation, and extent of area(s) actually constructed for use; and test locations.

    c. The Certification Report shall be submitted to the Division at least fourteen (14) days prior to waste placement in that cell**.**

19. The final grades and elevations shown on the plans shall not be exceeded at any time or in anticipation of settlement and consolidation of the waste mass.

    a. Timely initiation and completion of closure of landfill cells or units shall be made in accordance with APC&EC Rule No. 22.1301(f) and (g).

    b. Proper construction of the final cover system shall be observed and certified in writing to the Division by a Registered Professional Engineer in a Construction Certification Report in accordance with the approved CQA Plan whenever a cell, module, area or phase of the landfill is closed-out. [APC&EC Rule No. 22. 624]

c. The Certification Report shall include CQA/QC test results as indicated in the approved CQA Plan; drawings indicating the location, designation and extent of closed area(s); and test locations. [APC&EC Rule No. 624]

20. The permittee shall maintain an Operating Record at the location indicated in the permit application, Section 16 (Clark County Class 4 landfill Scale house) or at an alternate location approved in writing by the Division.

a. At a minimum, the following documents and materials shall be retained permanently in the facility operating record for review by authorized representatives of the Division:

i. The approved facility operating plan, approved permit plans and specifications, CQA reports, site inspection reports, operator licenses, this disposal permit and written authorizations issued by the Division that provide modifications to the facility or its operations, all environmental monitoring or test results, and other pertinent records, certifications and correspondence as required by APC&EC Rule No. 22 or other permit conditions herein;

ii. All construction test results, certifications, acceptances, construction reports, photographs, layout drawings, record (as-constructed) drawings, shop drawings, construction drawings, and other documentation required by the specifications, and CQA/QC plans, reports and documents; and

iii. Other documents that pertain to the operation and maintenance closure and/or post-closure of the facility, or as directed by the DEQ.

b. The permittee shall forward a copy of information from the Operating Record when requested by the Division. [APC&EC Rule No. 22. 617]

21. This permit may be revoked or modified whenever, in the opinion of the Division, the facility is no longer in compliance with the Arkansas Solid Waste Management Act (Arkansas Code Annotated 8-6-201 et seq.), APC&EC Rule No. 22, or other applicable rules and regulations. Except where expressly authorized by the Division, this permit shall not relieve the permittee, or the permittee's employees or agents, from compliance with the provisions of the Arkansas Solid Waste Management Act (Arkansas Code Annotated 8-6-201 et seq.), and APC&EC Rule No. 22. [APC&EC Rule No. 22.309(e)]

22. The Division may issue modifications or amendments to this permit governing the design, operation, maintenance, closure or post closure of the facility during the term of this permit. Such modifications or amendments shall be incorporated to this permit and shall be fully maintained and enforceable as a condition or conditions of this permit. [APC&EC Rule No. 22.308(f)]

23. The Division has received an initial permit fee from the permittee. Annual permit fees are due thereafter and shall be assessed in accordance with APC&EC Regulation No. 9, Fee System for Environmental Permits. The Permittee shall remit quarterly payments for disposal fees no later than January 15, April 15, July 15, and October 15 following the quarter to which the payments pertain (APC&EC Regulation No. 11.207(a)). Failure to pay permit fees when due may result in revocation of this permit. [APC&EC Rule No. 22.309(e)]

24. Please note the Closure/Post-Closure Plan shall be revised within 180 calendar days from the effective date of this permit to address how the facility is planning to close the inactive areas after the issuance of a permit for an expansion area. The approved Closure/ Post-Closure Plan for active and inactive areas can be found in (Document ID 30666 (5/12/1994)).

25. The post closure maintenance period for this facility shall be a minimum of two (2) years starting on the date the Division notified the facility in writing acceptance the facility's closure is approved. The length of post closure period may be decreased or increased by the Director. [APC&EC Rule No. 22.1302(c)(4)]

26. Annual fees shall be due forty-five (45) days after the first day of the month in which the Permittee is billed for the required annual fee and are assessed for each calendar year that the solid waste management facility is in operation in accordance with APC&EC Regulation No. 9. The facility shall also be responsible for quarterly payments for disposal fees no later than January 15, April 15, July 15, and October 15 following the quarter to which the payments pertain (APC&EC Regulation 11.207(a)). Failure to pay annual fees or quarterly payments when due may result in revocation of this permit. [APC&EC Rule No. 22.309(e)]

27. Any change in the ownership of the facility or control of the operation may be considered a permit modification and shall be fully disclosed to the Division. For purposes of this evaluation, ownership or control may result from a change in the debt or equity of the permittee of five percent (5%) or more. A permit transfer will not be required when a change in ownership or control of the facility is among the persons and/or entities previously disclosed to the Division in the Disclosure Statement or similar disclosure. [APC&EC Rule No. 22.307]

28. The permittee shall furnish the Division annual engineering inspection reports. This report is due on June 30 of each year and shall cover the preceding period beginning January 1 and ending December 30. [APC&EC Rule No. 22.619]

29. A survey control system shall be established and maintained at the landfill site that complies with APC&EC Rule Nos. 22.622 as referenced to APC&EC Rule No. 22.426.

30. The landfill working face shall be confined to the smallest practicable area. [APC&EC Rule No. 22.607(c)]

31. The permittee shall not engage in or allow salvage operations at the facility except with written authorization from the Division. The Division may review and approve requests for future salvage of disposed materials for recycling purposes on a case-by-case basis. [APC&EC Rule No. 22.607(e)]

32. Disposal of bulk liquid waste in the landfill is prohibited. Liquid waste is waste that contains "free liquids" as defined by Method 9095 (Paint Filter Liquids Test) in EPA Publication No. SW-846. [APC&EC Rule No. 22.616]

33. Appropriate NPDES construction/storm water permit(s) shall be obtained for storm water discharges from the landfill site and borrow sites. A Storm Water Pollution Prevention Plan (SWPPP), which outlines erosion and sediment control measures, shall be prepared and implemented in accordance with applicable NPDES requirements. A copy of the SWPPP shall be maintained on-site for reference by operating staff. [APC&EC Rule Nos. 22.614, 22.615 and 22.623]

34. The permittee shall comply with the air criteria requirements of APC&EC Rule No. 22.612. Those requirements include meeting the State Implementation Plan (SIP) pursuant to Section 110 of the Clean Air Act, prohibiting open burning of solid waste, unless authorized by the Division, and establishing fire safety procedures.

35. The permittee shall implement a hazardous waste screening and detection program at the facility in accordance with the approved operating plan and APC&EC Rule No. 22. The program shall include procedures for the evaluation of any questionable wastes prior to disposal to determine whether the waste complies with the APC&EC Rule No. 22 requirements for disposal in the facility.

36. The Division, 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 APC&EC Rule No. 22 for the purposes of, including but not limited to taking samples, reviewing the operating record, inspecting the facility, and perform other enforcement or engineering action without interference or delay from the permittee. [APC&EC Rule No. 22.1501]

37. Erosion and sediment controls shall be implemented and maintained on an ongoing basis at each borrow site (whether on-site or off-site) to minimize sediment losses until final reclamation/stabilization of the borrow site is accomplished and final reclamation of the borrow site is determined to be acceptable by the Division. Final reclamation/stabilization of each borrow site shall include final grading to promote proper drainage and establishment of suitable perennial grasses such that all disturbed area are fully stabilized, or reclamation through other means approved in writing by the Division. Final side slopes

at borrow pits shall not be any steeper than 3:1 (H:V). [APC&EC Rule No. 22.427, as referenced by APC&EC Rule No.22.623]

38. 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. [APC&EC Rule No. 22.607(i)]

39. At a minimum, a weekly cover of six (6) inches of compacted soil shall be applied to all exposed waste on a regular schedule acceptable to the Division. Cover material shall be applied on a more frequent basis if necessary to provide for the control of leachate, blowing litter, disease vectors, fires, odors, scavenging, or to prevent harm to human health or the environment (APC&EC Regulation No. 22.609(a)). An intermediate cover of sufficient quantity, but not less than twelve (12) inches of soil cover (including six (6) inches of daily cover), shall be applied over disposed waste in any area that is not to receive an additional application of waste or final cover within thirty (30) calendar days. [APC&EC Rule No. 22. 22.609(b)]

40. Prior to construction of any cell of the lateral expansion, the permittee must notify the DEQ Office of Water Quality the proposed changes in the storm water collection system and submit an application for a revision of the permittee's National Pollutant Discharge Elimination System (NPDES) permit(s) to establish compliance with APC&EC Rule No. 22.615.

41. Measures to control and prevent stormwater 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. [APC&EC Rule No. 22.607(h)]

42. Best management practices shall be implemented to control erosion at the site and to prevent off-site deposition of sediment, leachate 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 fall on all exposed surfaces that are not to receive additional waste placement during the next growing season. [APC&EC Rule No. 22.607(h)]

43. Preparation of the site shall be supervised and reported in writing to the Division by a Registered Professional Engineer prior to the placement of wastes. [APC&EC Rule No. 22.624]

44. The permittee shall implement the Construction Quality Assurance Plan (Document ID 82041) and fully meet all regulatory requirements. The facility shall be required to submit construction plans and specifications to the Division prior to each construction event at the facility. [APC&EC Rule No. 22.624]

45. The Division's decision to issue this permit is final for purposes of appeal as of the date indicated in the Certificate of Service below. If any provision of these conditions or the application of these conditions 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 or application. Therefore, to this end, the provisions of these conditions are declared to be severable.

APPROVED BY: **Division of Environmental Quality**
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317



Jarrod Zweifel, P.G.
Associate Director

October 25, 2023

Date

CERTIFICATE OF SERVICE

I, Richard Bennett hereby certify that, on or before this 25th day of October, 2023 a copy of this permit has been submitted by electronic submission to Mr. Troy Tucker, Clark County, at the following email address previously provided to DEQ:

ttucker@clarkcountyarkansas.com

Richard Bennett

Signature of person electronically transmitting this notice

PERMIT MODIFICATION APPLICATION SUMMARY AND RATIONALE

CLARK COUNTY CLASS 4 LANDFILL
DRAFT PERMIT: 0044-S4-R2;
AFIN: 10-00062
October 2023

PERMIT MODIFICATION APPLICATION SUMMARY

This summary form consists of information submitted during the permitting process. It represents basic information from the administrative record utilized in forming recommendations from the Office of Land Resources. The entire file for the solid waste permit application specified below should be reviewed for complete details on the proposed facility.

PERMIT APPLICATION SUMMARY	
Name of Applicant:	Clark County
Name of Facility:	Clark County Class 4 Landfill
Application Date:	May 26, 2022
General Site Location:	County Road 63 (Round Hill Road), Joan, Arkansas
Specific Site Location:	Section 12, Township 7 S, Range 18 W and Section 13, Township 7 S, Range 18 W, Clark County, AR
Class 4 Permit Area:	33.7 property acres; Area to be used for waste disposal: 30.7 acres
Type of Landfill Operation:	Class 4 Landfill
Topography:	The existing landfill actually covers approximately 35 acres. The highest existing elevation at the landfill is 386 feet± MSL (mean seal level). The lowest elevation is located in a drainage on the southern, east edge which is 270±. Several intermittent drainage systems occur on the property, one is located along the eastern boundary and drains to the south. The other, drain is located in the central part of the property and coalesces at the settling pond located in the southern, middle part of the property. The entire drainage of the facility is to the south. Oncoming stormwaters are non-occurring. Final closure topography will not alter these drainage systems. Additional control measures are planned for discharge controls.
Geology:	The facility is mapped on the Eocene-aged Wilcox Group and Pleistocene-aged Terrace deposits. The Wilcox Group is a thick series of non-marine sands, silty sands, clays, and gravels with some thick

	deposits of lignite. The terrace deposits include a complex sequence of unconsolidated gravels, sandy gravels, sands, silty sands, silts, clayey silts, and clays. The individual deposits are often lenticular and discontinuous. Results from drilling on site show similarities to regional trends in terms of geological behavior. The site is underlain by the Wilcox Group which consists of lean and fat clay, sands, thin seams of gravel, and lignite to a depth of about 20-30 feet. Geophysical data indicate that a series of several well developed sand units occur at various depths beneath the site. These sand units appear to consist of a basal sand which grades upward to silt and clay.
Groundwater:	Boring logs advanced across the property indicate that groundwater is encountered within the sandy lean clay, silty sand and clayey sand lenses. The sandy lean clay, silty sand and clayey sand lens were encountered near the surface to depths ranging from 13 to 40 feet bgs.
Surface Drainage Sequence:	The surface water receiving streams are as follows: Unnamed tributaries; thence L'Frais Creek; thence Ouachita River
Types and Sources of Wastes:	Non-putrescible (Class 4) waste from various sources
Projected Average Quantity:	26,400 cubic yards/year
Design Capacity:	896,248 Cubic Yards
Projected Site Life:	6.1 years ±

PERMIT SUMMARY AND RATIONALE

The following information was considered during the preparation of a draft permit for the proposed facility:

- Permit Modification Application dated May 26, 2022, along with supporting documents and revised documents submitted up to the time of preparation of the notice of draft permit decision dated July 26, 2023.
- Correspondence.
- Specifically but not limited to APC&EC Regulation No. 8; Rule No. 9; Rule No. 11; Rule No. 22; Rule No. 27and Rule No. 36.

Site Specific Permit Conditions for this Class 4 Landfill Facility	
Condition No:	Rationale
1 and 3	Refers to the landfill disposal area for Class 4 facility as shown in the approved application and permit plans in accordance with Sections 22.303(c)(12), 22.308, and 22.309 of APC&EC Rule No. 22.

Site Specific Permit Conditions for this Class 4 Landfill Facility	
Condition No:	Rationale
2	Permitted disposal volume as calculated by design engineer based on permitted bottom and waste grades. Sections 22.303(c)(12), 22.303(c)(14), 22.308, and 22.309 of APC&EC Rule No. 22.
4 and 5	Concerns the types of wastes that can be accepted at the facility. The facility is permitted as a Class 4 landfill and may accept bulky, inert, non-putrescible waste. Hazardous and/or toxic waste materials, liquid or semi-liquid waste, household garbage, and putrescible wastes are not authorized for acceptance and disposal at the facility. Sections 22.102 and 22.103(c) of APC&EC Rule No. 22.
6	The minimum requirements of the approval bottom liner system. Sections 22.621, 22.624, and 22.428 of APC&EC Rule No. 22.
7	Concern requirements for construction of bottom liner and final cover systems in accordance with Section 22.621(c) of APC&EC Rule No. 22.
8	Concerns the requirements of the number of active disposal area(s) at the facility per Section 22.607(c) of APC&EC Rule No. 22.
9	Concerns the approved operating plan and narrative. Sections 22.607 and 22.619 of APC&EC Rule No. 22.
10	Requires proper installation and maintenance of final cover. Section 22.607(i) of APC&EC Rule No. 22.
11	Requires a post closure maintenance period of a minimum of two (2) years after closure of the facility in accordance with Section 22.1302 of APC&EC Rule No. 22.
12	Concerns posting of financial assurance by the owner/operator to assure proper closure when the facility is filled to the authorized final elevations and for maintenance of the closed facility during the post closure care period. The amount of financial assurance is based upon closure and post closure care cost estimates by a registered engineer. These estimates are based upon performance of the work by a third party. Chapters Thirteen and Fourteen of APC&EC Rule No. 22 set forth financial assurance requirements
13	Concerns Department reliance upon the permit application and accompanying documents and disclaims any Department responsibility in the operation of the facility. Condition No. 12. Also concerns the permit holder's potential liabilities to other parties in the event of damage to persons or property as a result of facility operation.
14	Notes that waste disposal operations are to be conducted within the limits as described on the approved engineering plans and in accordance with the operating narrative as per Section 22.607 of APC&EC Rule No. 22.
15	Notes that the requirements of the permit or APC&EC Regulation No. 22 shall prevail in the event there is a conflict between them and the documents submitted with the permit application. This is in accordance with Sections 22.103 and 22.301 of APC&EC Rule No. 22.

Site Specific Permit Conditions for this Class 4 Landfill Facility	
Condition No:	Rationale
16	Concerns the requirement that the facility be operated by personnel who are appropriately licensed by the Department. This is a requirement of the APC&EC Rule No. 22 and Rule No. 27, Licensing of Operators of Solid Waste Management Facilities and Illegal Dump Control Officers.
17	Concerns payment of disposal fees to the Department.
18	The minimum requirements of the approval bottom liner system. Sections 22.621, 22.624, and 22.428 of APC&EC Rule No. 22 and the implementation of the Construction Quality Assurance Plan. Sections 22.621, 22.624, and 22.428 of APC&EC Regulation No.
19	Ensures final cover system is compliant with APC&EC Rule No. 22.1301(f) and (g), APC&EC Rule No. 22. 624, and APC&EC Rule No. 624
20	Requires the permittee to maintain operating records at the facility in accordance with Section 22.617 of APC&EC Regulation No. 22.
21 and 22	The Department may revoke or modify the permit in the event the facility is no longer in compliance with APC&EC Rule No. 22 in accordance with Section 22.308 of APC&EC Rule No. 22.
23	Concerns the permit holder's responsibility to pay annual permit fees. This is a requirement of APC&EC Rule No. 9, Fee System for Environmental Permits. Also, the permittee shall remit quarterly payments for disposal fees this is a requirement of APC&EC Rule No. 11.207(a).
24	Rule 22.619(11) requires annual updates of the closure plan.
25	Requires a post closure maintenance period of a minimum of two (2) years after closure of the facility in accordance with Section 22.1302 of APC&EC Rule No. 22.
26	The payment of annual fees is covered in Regulation No. 9 while quarterly fees are addressed in APC&EC Regulation 11.207(a)). Failure to pay annual fees or quarterly payments is discussed in APC&EC Rule No. 22.309(e)
27	Requires that the Department be notified in the event there is a change in the ownership of the facility or control of the operation involving persons or entities not previously disclosed to the Department in a Disclosure Statement - 22.307.
28	Requires submission of annual engineering inspection reports in accordance with Section 22.619 of APC&EC Rule No. 22.
29	Requires establishment of a survey control system at the facility in accordance with Sections 22.622 and 22.426 of APC&EC Rule No. 22.
30	Requires the facility to use the smallest working face possible per APC&EC Rule No. 22.607(c)
31	Requires the facility to follow the proper rules of salvage operations per APC&EC Rule No. 22.607(c)

Site Specific Permit Conditions for this Class 4 Landfill Facility	
Condition No:	Rationale
32	Prohibits disposal of bulk liquid waste in the landfill in accordance with Section 22.616 of APC&EC Rule No. 22.
33	Require the permittee to obtain appropriate NPDES permits for storm water discharges and to implement effective sediment and erosion controls in accordance with Sections 22.614, 22.615, 22.623, and 22.625 of APC&EC Rule No. 22.
34	Requires the permittee to comply with applicable air criteria in accordance with Section 22.612 of APC&EC Rule No. 22.
35	Requires the permittee to implement a hazardous waste screening program in accordance with Section 22.608 of APC&EC Rule No. 22.
36	Concerns the Department's right of entry onto facility property and its authority to make whatever inspections, visits and studies necessary to monitor compliance. This is in accordance with Section 22.1501 of APC&EC Rule No. 22.
37	Concerns the requirement to prevent erosion form surface water control per APC&EC Rule No. 22.427, as referenced by APC&EC Rule No.22.623
38	Concerns the requirement to maintain the final cover per APC&EC Rule No. 22.607(i)
39	Requires weekly cover over disposed waste in accordance with Section 22.609 of APC&EC Rule No. 22.
40	Ensure compliance with APC&EC Rule No. 22.615
41	Ensure compliance with APC&EC Rule No. 22.607
42	Concerns best management practices per APC&EC Rule No. 22.607(h).
43	Concerns the site preparation prior to the placement of wastes per APC&EC Rule No. 22.624.
44	Requires the submittal of the construction plans and specifications to the Division prior to each construction event at the facility per APC&EC Rule No. 22.624.
45	Concerns commencement of the time interval in which the permit can be appealed. This is in accordance with APC&EC Regulation No. 8, Administrative Procedures. Condition No. 22, also concerns severability. This is in accordance with Section 22.1601 of APC&EC Rule No. 22.