September 22, 2026

Eddie Powell, Assistant Director (eddie.powell@doc.arkansas.gov)
Arkansas Department of Corrections
7800 Correction Circle, Pine Bluff, AR 71603

Re: Draft Permitting Decision for a Compost Facility
Tucker Unit Compost Facility
Solid Waste Permit Number: 0318-SC; AFIN: 35-00112
Cross Reference Document Identifier (Doc ID): 0318-SC Response to Notice of Deficiency Revised Notice of Intent 20260122

Dear Mr. Powell:

The Division of Environmental Quality Office of Land Resources (DEQ) has made a draft permitting decision for the above-referenced facility. In accordance with the Code of Arkansas Rules (CAR), 8 CAR § 11-207, the enclosed legal notice must be published in a newspaper of general circulation in the county where the facility is located. As the applicant you must:

1. Arrange for publication of the notice in the newspaper of general circulation in the county in which the facility is proposed to be located or another newspaper approved by the DEQ;

2. Pay the cost of publishing the notice; and

3. Furnish proof of publication of the notice and paid receipt to the DEQ.

At the end of the comment period designated in the notice and when all costs of publication have been paid, the DEQ will develop a final permitting decision. All written comments received during this designated comment period and at the public hearing will be considered in developing the final permitting decision. If there is sufficient public interest, a public hearing may be scheduled before a final permitting decision is made.

Enclosed is a copy of the public notice and the draft permit including the permit summary and rationale. Should you have any questions or wish to discuss this permit, feel free to contact David Isaacs, Solid Waste Engineer at (501) 682-0706 or david.isaacs@arkansas.gov.

Sincerely,

Bryan Leamons

Bryan Leamons, P.E.
Deputy Director, Office of Land Resources
Division of Environmental Quality

Enclosure: Notice of Draft Permitting Decision.
Draft Permit and Permit Summary and Rationale (Statement of Basis)

cc: DEQ - Hurt, Banic, Sadler, and Krou
Stephen Youngblood, Project Manager, McClelland Consulting Engineers (syoungblood@mce.us.com)

NOTICE OF DRAFT PERMITTING DECISION
For Coverage Under an Individual Permit of a Type O Composting Facility
Tucker Unit Composting Facility
Permit Number: 0318-SC , AFIN: 35-00112

In accordance with the Code of Arkansas Rules (CAR) 8 CAR § 11-207, public notice is hereby given that the Division of Environmental Quality (DEQ), Office of Land Resources (OLR) has made a preliminary decision to issue a draft solid waste disposal permit to the Tucker Unit Composting Facility. This draft permitting decision pertains to issuing a permit for a Type O composting facility located at 2400 State Farm Road, Tucker, AR 72168. The name and address of the applicant is: Arkansas Department of Corrections, 7800 Correction Circle, Pine Bluff, AR 71603.

Pending a final permitting decision by the Director, the Type O composting facility will be permitted to accept only organic food waste from the Correctional Facility's process food waste. The facility will serve the Tucker Unit only.

Any interested person may submit written comments, data, views, or arguments to DEQ regarding the draft permitting decision within thirty (30) calendar days of the publication of this notice. Other than the permit applicant, only those persons who submit written comments on the draft permitting decision during this designated thirty (30)-day comment period, or who make comments for the record at any formal public hearing, if one is held by the DEQ, shall have legal standing to appeal the final permitting decision made by the Director.

Written comments concerning the draft permitting decision should be mailed or delivered to:

Division of Environmental Quality
Office of Land Resources
5301 Northshore Drive
North Little Rock, AR 72118

Comments may also be submitted by electronic mail if received no later than 11:59 p.m. on the last day of the public comment period.

Additional information regarding this draft permitting decision, including copies of the permit application and documents concerning the review process by DEQ, can be made available for inspection by contacting the OLR at the above address or by calling (501) 682-0744. There may be a charge to cover photocopying costs for documents. The application is available online and may be viewed at:

https://adeq.state.ar.us/sw/permits/p_facil_report.aspx?PermitNumber=0318-SC

A final written decision on this permit application will be issued by DEQ after the close of the designated public comments period provided for in this notice. The final permitting decision will include a response to each issue raised during the public comment period and will include an explanation of the rationale for any technical requirements or standards involved in making the final decision. Any person with legal standing in this matter may appeal the final permitting decision to the Arkansas Pollution Control and Ecology Commission (PC&EC). Appeals must be in writing, must be filed within thirty (30) calendar days of the date of the final permitting decision, and must conform to all of the requirements set forth in applicable laws and rules. General information on appeal procedures may be obtained by contacting the Legal Division of DEQ at the above address or by phone at (501) 682-0892, however, specific legal advice cannot be

provided.

Dated this (INSERT DATE OF PUBLICATION) day of _____, 2026

Bailey Taylor
Chief Administrator of Environment and DEQ Director
Arkansas Department of Energy and Environment

DRAFT PERMIT
FOR THE CONSTRUCTION AND OPERATION OF A
SOLID WASTE DISPOSAL FACILITY
ISSUED BY
STATE OF ARKANSAS
DEPARTMENT OF ENERGY AND ENVIRONMENT
DIVISION OF ENVIRONMENTAL QUALITY
OFFICE OF LAND RESOURCES

Type O – Composting Facility

Permit Number:	0318-SC
AFIN:	35-00112
Effective Date:	
Expiration Date:	
Permit Owner & Address:	Arkansas Department of Corrections 7800 Correction Circle, Pine Bluff, AR 71603
Facility Name & Address:	Tucker Unit Composting Facility 2400 State Farm Road Tucker, AR 72168
Facility Location:	Section 19, Township 03 South, Range 08 West, Jefferson County, Arkansas.
Permitted Composting Capacity:	274 cubic yards of organic food waste from the Correctional Facility's process food waste per year.
Financial Assurance:	This state owned and operated facility is exempt from Financial Assurance Requirements

This permit authorizes the construction and operation of the Type O Compost Facility as set forth in the permit application submitted by the Arkansas Department of Corrections, hereinafter called "owner" or "permittee," and received by the Division of Environmental Quality on May 19, 2021. The application was completed through a series of documents furnished by the permittee beginning on October 12, 2022 under Document ID (Doc ID) 82843 and follow-up documents received on January 22, 2026 under Document Identification Number "Doc ID" 0318-SC_Response to Notice of Deficiency Revised Notice of Intent_20260122.

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"; 8 CAR pt. 60, Arkansas Solid Waste Management Rules, as adopted by the Arkansas Pollution Control and Ecology Commission, hereinafter called "Part 60"; and all other applicable rules and regulations administered by the Division of Environmental Quality, hereinafter called "Division", and the following terms and conditions:

DESCRIPTION OF THIS PERMIT ACTION

This permit is for the construction, operation, and maintenance of a new Type O Composting Facility located in Tucker, Jefferson County Arkansas.

SITE SPECIFIC CONDITIONS

1. This permit authorizes the annual processing of 274 tons of organic food waste from the Correctional Facility's process food waste. Only food waste and cellulose – wood fiber (wood chips/shavings/pellets) may be placed into the compost unit. This permit shall expire upon the date given in the permit summary above and the facility is closed in accordance with the provisions of Part 60.

2. Changes to or deviations from the construction 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.

3. The approved application document is filed under Doc ID 0318-SC_Response to Notice of Deficiency Revised Notice of Intent_20260122.

4. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The administratively complete application shall be submitted at least one hundred eighty (180) days before the expiration date of this permit. The Director may grant permission to submit an application less than one hundred eighty days (180) calendar days in advance but no later than the permit expiration date. Continuation of expiring permits with timely submitted renewal applications shall be governed by Ark. Code Ann. § 8-6-207(a)(6).

5. This facility is exempt from financial assurance requirements on the basis that it is state-owned and operated. (8 CAR § 60-1401(b))

6. The permittee shall implement the requirements detailed in the Operating Plan and Narrative presented in Doc ID 0318-SC_Response to Notice of Deficiency Revised Notice of Intent_20260122. In addition to the implementation of the approved Operating Plan and Narrative, the facility shall fully meet the requirements of Part 60.

7. The composting floor system consists of a 5" concrete slab with vapor barrier atop prepared subgrade. The composting is done entirely within a polyethylene rotating drum.

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

Approved Document	Document ID	Page Number
Operating Plan and Compost Testing Plan	0318-SC_Response to Notice of Deficiency Revised Notice of Intent_20260122	106-113
Composting Drum Manufacturer Operator's Manual	0318-SC_Response to Notice of Deficiency Revised Notice of Intent_20260122	116-193
Quality Assurance/Quality Control Plan	0318-SC_Response to Notice of Deficiency Revised Notice of Intent_20260122	5, 111-112, & 213
Closure Plan	0318-SC_Response to Notice of Deficiency Revised Notice of Intent_20260122	196-201

9. The testing frequency shall be defined in the current approved facility quality assurance/quality control (QA/QC) plan found in Doc ID 0318-SC_Response to Notice of Deficiency Revised Notice of Intent_20260122.

10. The permittee shall implement the Closure Plan presented in Doc ID 0318-SC_Response to Notice of Deficiency Revised Notice of Intent_20260122. In addition to the implementation of the approved Closure Plan, the facility shall fully meet all requirements of 8 CAR § 60-804(b)(9) and 8 CAR § 60-810.

GENERAL CONDITIONS

1. 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 facility or any act of the permittee, or the permittee's employees or agents.

2. The composting facility shall be constructed, operated, and maintained in accordance with the final plans, specifications and operation narrative as approved by the Division and in compliance with all applicable provisions of the Act, Part 60, and all other applicable rules and regulations.

3. 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 in accordance with 8 CAR pt. 62, Licensing of Solid Waste Management Facilities and Training and Environmental Officers.

4. This permit may be revoked or modified whenever, in the opinion of the Division, the facility is no longer in compliance with the Act, Part 60, 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 the compliance with all provisions of the Act and Part 60.

5. The Division may issue modifications to this permit governing the design, operation, maintenance, or closure of the facility during the term of this permit. Such modifications shall be attached to this permit and shall be fully maintained and enforceable as a condition or conditions of this permit.

6. The facility shall pay the annual fee assessed in accordance with 8 CAR pt. 12, Permit Fee Rules. Failure to pay fees when due may result in revocation of this permit.

7. The permittee shall maintain an Operating Record at the location indicated in the permit application, or at an alternate location approved in writing by the Division.

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

        i. The approved facility operating plan, approved permit plans and specifications, site inspection reports, operator licenses, this 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 Part 60 or other permit conditions herein;

        ii. Other documents that pertain to the operation and maintenance closure of the facility, or as directed by the Division.

    b. The permittee shall forward a copy of information from the Operating Record when requested by the Division.

8. Transactions that affect the ownership of the facility must be fully disclosed to the Division in accordance with 8 CAR § 60-307.

9. The permittee shall furnish the Division annual engineering inspection reports in accordance with 8 CAR § 60-808. The annual report shall address the 12-month period from January through December and shall be submitted to the Division by March 31 of the following year.

10. The facility shall periodically inspect and document the inspection of the composting surface for cracks, defects, settling, rutting, or other deficiencies and shall make necessary repairs when needed. The composting surface shall be properly graded in order to prevent ponding.

11. Diversion terraces, berms, swales, curbs, and/or ditches shall be constructed and maintained around waste storage and compost areas to properly control and divert run-on water away from waste material and compost and convey run-off water that has been in contact with waste materials or compost to appropriate wastewater storage and disposal facilities. The permittee shall obtain any necessary stormwater and/or wastewater disposal permit(s) from the Office of Water Quality or demonstrate a permit is not required.

12. 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.

13. The composting process must be managed and operated to maintain aerobic conditions thereby limiting the potential for generation of noxious odors. The Division reserves the right to require additional odor control measures, including air pollution control equipment and appropriate air permit, should the owner/operator not be able to adequately control odors through measures indicated in the operation narrative.

14. Litter control fences shall be provided in the active fill area for the control of blowing litter. Other litter control measures shall be implemented, if necessary, to confine litter to the smallest practicable extent and prevent litter from leaving the site.

15. Testing Frequency shall be defined in the current approved Facility Operations Manual.

16. Finished product shall be fully tested in accordance with Table 2 of Part 60 and the provisions of the approved facility quality assurance/quality control (QA/QC) plan. The Division reserves the right to adjust monitoring parameters and frequency of analysis of the incoming waste and finished compost and to require revisions to the QA/QC plan.

17. The Owner/Operator shall comply with the compost distribution and disposal procedures specified in the approved QA/QC plan.

18. Any statements in the operational narrative, application documents, specifications, monitoring plans and/or engineering plans that conflict with and are less stringent than Part 60, permit conditions herein, or other applicable laws and rules shall not be considered authorized by the Division. The permittee shall comply with the most stringent of 1) Permit conditions contained herein; 2) Part 60 and other rules covering solid waste; and 3) State solid waste statutes.

19. 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 Part 60 for 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.

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

21. The facility shall maintain a Fire Prevention and Response Plan which is currently included in the approved Facility Operations Manual. The Fire Prevention and Response Plan shall be updated annually, and any revisions reported in the Facility Annual Report. (8 CAR § 60-804(b)(8)(B)(x)

22. The facility must possess sufficient capacity to handle incoming waste including three (3) days storage, and storage of six (6) months production of finished compost, and methods to handle and remove unacceptable wastes delivered to the facility as required by 8 CAR § 60-806(b)(11) & 60-805(c)(3)(B&C)

23. The composting floor system must be constructed to allow for collection of Leachate into a holding tank, sanitary sewer, a permitted treatment system, or another leachate collection system. Leachate generated at the facility must be collected for incorporation back into the compost piles and/or removal and appropriate treatment. Records of leachate management must be retained by the facility as required by 8 CAR § 60-804.

24. Leachate sampling frequency and parameters may be adjusted by the Division as allowed by 8 CAR § 60-429(l)(B) and 8 CAR § 60-429(l)(C).

25. In order to minimize odors, the attraction of vectors and percolation of liquid waste through soils at the site, liquid and semiliquid wastes, sludges, sewage sludge (bio-solids), and septage shall be mixed with bulking agents or compost material as soon as practicable on the day they are received unless the operator satisfactorily demonstrates that severe conditions prohibit such activities. (8 CAR § 60-805(c)(3)(A))

26. All incoming waste shall be incorporated into the composting process within a maximum of three (3) days such that the liquid or sludge is promptly absorbed and not allowed to flow as free liquid from the bulking material or from the compost windrows. Otherwise, the waste shall be disposed of at a permitted landfill at the end of the three-day period. (8 CAR § 60-805(c)(3)(B))

27. Stored, finished compost that is not sold within six (6) months shall be removed or reprocessed for use or sale. (8 CAR § 60-805(c)(3)(C))

APPROVED BY: **Division of Environmental Quality**
5301 Northshore Drive
North Little Rock, Arkansas 72218

_____
Bryan Leamons, P.E
Deputy Director, Office of Land Resources

_____
Date

Statement of Basis:
Permit Modification Application Summary and Rationale
Tucker Unit Composting Facility
Permit No. 0318-SC; AFIN 35-00112

Permit 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 Modification Application Summary	
Name of Applicant:	Arkansas Department of Corrections
Type of Facility:	Type O Composting Facility
Engineering Firm:	McClelland Consulting Engineers
Application Date:	May 19, 2021
Site Location:	General: 2400 State Farm Road Tucker, AR 72168 Specific: Section 19, Township 03 South, Range 08 West, Jefferson County, Arkansas.
Residence Within 2 Miles:	~16 Correctional Facility Employee Residences
Water Supplies Within ½ Mile:	None / None
Wetlands:	The facility is not located in any wetlands
Geology:	The facility is located on Quaternary – Holocene stream alluvial or overbank flow deposits. Reference: Geologic Map of Arkansas, 1993, Office of the State Geologist
Soils:	The facility is located on the Rilla silt loam with 0 to 1 percent slopes on bottomland. Reference: Soil Survey of Jefferson and Lincoln Counties, Arkansas by USDA Soil Conservation Service
Groundwater:	Groundwater was found in one boring at about 10 feet below the surface.
Surface Drainage Sequence:	The site drains to the south and east. There are drainage ditches located at the northeast and southwest of the facility. These ditches flow into Wabbaseka Bayou.
Waste Streams:	Organic food waste from the correction unit and wood fiber added to facilitate breakdown.
Disposal Rate:	274 tons per year

Permit Summary and Rationale

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

Permit Application dated May 19, 2021. The application was later completed through documents furnished on October 12, 2022 and January 22, 2026.

Correspondence from the Permittee; The Arkansas Solid Waste Management Code, as amended, Part 60; and all other applicable rules of the Division.

Condition No.	Site Specific Conditions
1.	Concerns the approved waste stream and annual capacity and expiration of the permit. The permit will expire on the date given in the first page of the permit. and must be closed out in accordance with 8 CAR § 60-810 and the approved Closure Plan.
2.	Variances from the approved plans and documents must be approved by the Division.
3.	Specifies the approved permit application document(s).
4.	Concerns the requirements for renewal of the permit.
5.	Specifies the amount of financial assurance. (8 CAR § 60-806(b)(11), 8 CAR § 60-1401(b), and 8 CAR § 60-1405(a-l).
6.	This permit condition establishes the approved Operating Plan and Narrative as required by Part 60.
7.	This permit condition establishes the approved composting floor system configuration of the composting facility in accordance with 8 CAR § 60-806(b)(3)(B).
8.	This permit condition details the approved design plans for the facility. Any changes to the plans listed will require a modification to the facility permit.
9.	This condition establishes the approved quality assurance/quality control (QA/QC) Plan for the facility as required by 8 CAR § 60-807(c).
10.	This permit condition establishes the approved Closure Plan for the facility as required by 8 CAR § 60-804(b)(9) and 8 CAR § 60-810.

Condition No.	General Conditions
1.	States the Division has no responsibility for the proper functioning of the disposal facility and the permittee is not exempt from liability to third parties per 8 CAR pt. 11.
2.	Concerns the requirements for construction and operation of the disposal facility in accordance with the approved plans/specifications/operation narrative are in accordance with 8 CAR § 60 Subpart 8.
3.	Concerns requirements to maintain the disposal facility in good operating condition under licensed, qualified, on-site landfill operators is in accordance with 8 CAR § 60-805 and with 8 CAR pt. 62.
4.	Concerns the right of the Division to revoke or modify the permit in the event the facility is no longer in compliance with the Arkansas Solid Waste Management Act, Part 60, or other applicable rules and regulations in accordance with 8 CAR § 60 Subpart 8.
5.	Concerns issuance of modifications to the permit by the Division is in accordance with 8 CAR § 60-308(f).
6.	Concerns payment of permit fees in accordance with 8 CAR pt. 12 and 8 CAR pt. 60.
7.	Concerns requirements for maintenance of compositing related documents in an Operating Record are in accordance with 8 CAR § 60-808.
8.	Concerns permit transfer must be disclosed to the Division in accordance with 8 CAR § 60-307.
9.	Concerns requirements for submittal of an annual engineering inspection report are in accordance with 8 CAR § 60-808.
10.	Concerns the requirement of the facility to conduct internal inspections of the facility.
11. & 12.	Concerns measures to control and prevent stormwater run through or into the active face and requirements for appropriate NPDES permit(s) and a Storm Water Pollution Prevention Plan (SWPPP) is in accordance with 8 CAR § 60-418, 8 CAR § 60-419 and 8 CAR § 60-427, and the Clean Water Act.
13.	Concerns requirements for compliance with applicable air criteria is in accordance with 8 CAR § 60-806(b)(10) and 8 CAR § 60-805(a)(1)(D) and the Clean Air Act and the right of the division to impose additional controls in the case of excessive odors.
14.	Concerns requirements for litter control fences and other control measures for blowing litter in accordance with 8 CAR § 60-804 & 8 CAR § 60-806.
15. - 17.	Concerns the testing of the compost material as required by 8 CAR § 60-807 and 8 CAR § 60-809.
18.	Concerns the requirements for the permittee to comply with Part 60 or permit conditions in the event of a conflict between them and representations in the permit application documents.

Condition No.	General Conditions
19.	Concerns the right of Division employees to enter the permittee's property to inspect the facility at any time without interference or delay is in accordance with 8 CAR § 60-1501.
20.	Concerns providing notice for the purpose of appeal of the final permit in accordance with 8 CAR § 60-306 and in accordance with 8 CAR pt. 11. Provisions regarding severability are in accordance with 8 CAR § 60-105.
21.	Concerns the requirement of the facility to maintain a fire prevention and response plan as required by 8 CAR § 60-804(b)(8)(B)(x).
22.	Concerns the facility's storage requirements (8 CAR § 60-806(b)(11) & 60-805(c)(3)(B&C)
23. - 24.	Concerns requirements for leachate collection and sampling.
25.	Concerns the facility's responsibility to minimize odors and the attraction of vectors and discharge of liquid waste through site soils as required by 8 CAR § 60-805(c)(3)(A).
26.	Concerns the timely usage of waste materials as required by 8 CAR § 60-805(c)(3)(A).
27.	Concerns the storage limit for compost material as required by 8 CAR § 60-805(c)(3)(C)

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