ADEQ
ARKANSAS
Department of Environmental Quality

May 17, 2011

Judge Charlie Troutman
Lonoke County - Austin
210 North Center
Lonoke, AR72086

RE: Final Permit Decision for the General Permit for
Solid Waste Transfer Station (Type TS)
Lonoke County - Austin
Current Permit: #0083-STSW-SC; AFIN: 43-00171
Document Identifier: #59988

Dear Judge Troutman:

The ADEQ - Solid Waste Management Division (SWMD) has made a final decision to issue the general permit for Solid Waste Transfer Station. In accordance with APC&EC Regulation 8.207, statewide public notice was published in the Arkansas Democrat-Gazette on March 21, 2011. During the 30-day draft permit comment period, no formal comments were received. The new permit became effective on May 13, 2011. The new permit is attached.

With the exception being individual permit holders, most Arkansas transfer stations operate under the general permit system and are now required to complete the new Notice of Intent (NOI). Submittal of a completed NOI is required by July 29, 2011. The new NOI is attached.

All questions on the new NOI form must be answered and the required attachments must be included or properly referenced. After SWMD receives a complete NOI which meets all regulatory requirements, SWMD will issue an official coverage letter for your facility under the general permit.

If you have questions regarding the above information, please contact a member of the technical branch engineering staff by calling (501) 682-0602.

Sincerely,

Bryan Leamons

Bryan Leamons, P.E.
Engineer Supervisor, SWMD

cc: Susan Speake, Programs Branch Manager
Heidi Love, Inspector Supervisor
Scott McWilliams, Enforcement Coordinator
Roger Lawrence, Chief, Solid Waste Management Division

GENERAL PERMIT
FOR THE CONSTRUCTION AND OPERATION OF A SOLID WASTE TRANSFER STATION – A, B, C, & D CAPACITIES

ISSUED BY STATE OF ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

PERMIT NUMBER:	0000-STSW-(A, B, C, & D)
AUTHORITY:	In accordance with the provisions of The Arkansas Solid Waste Management Act (Act 237 of 1971), Ark. Code Ann. §8-6-201 et seq., as amended, and Arkansas Pollution Control and Ecology Commission, Regulation 22, the Department has the authority to issue general permits for certain classes of solid waste processing facilities as defined in Section 22.102 of Regulation 22. Pursuant to that authority, the Department has chosen to permit solid waste transfer stations using a general permit program.
EFFECTIVE DATE:	May 13, 2011
EXPIRATION DATE:	May 13, 2016
LIMITATIONS:	Owners or operators of solid waste transfer stations within the State of Arkansas who fail to make a written request to the Director to be covered by this general permit and/or submit the required documentation are not authorized to operate under the permit.

Signed this 13th day of May, 2011

Roger Lawrence, Chief
Solid Waste Management Division
Arkansas Department of Environmental Quality

PART I
COVERAGE UNDER THIS PERMIT

SECTION A. PERMIT AREA

The area covered by this general permit includes all areas within the State of Arkansas.

SECTION B. ELIGIBILITY AND AUTHORIZATION

1. Owners or operators of solid waste transfer stations meeting the requirements described herein and in APC&EC Regulation 22, and conforming to the definition of solid waste transfer stations in Regulation 22.102 may be covered under this general permit subject to the following conditions.

   a. The facility shall be permitted to accept a maximum annual throughput of:

      5,200 tons (A capacity);
      10,400 tons (B capacity);
      20,800 tons (C capacity);
      31,200 tons (D capacity);

      of solid waste per calendar year. This does not include source separated recyclables accepted at the facility.

   b. The facility must have been permitted as a Solid Waste Transfer Station prior to January 1, 1999 and have been maintained and operated as a permitted facility since January 1, 1999 or have an active Certificate of Need from the appropriate Regional Solid Waste Management District.

   c. Facilities which accept industrial wastes or special wastes shall maintain a section in the operating plan for each listed waste for coverage under this general permit.

2. The Director reserves the right to require the owner or operator of a transfer station to seek coverage under an individual permit. Notice of the decision to require coverage under an individual permit and the rationale for the decision will be provided to the owner/operator within 30 days of receipt of a notice of intent to become permitted. In considering whether to require individual permitting, the Director may consider:

   a. The compliance history of the owners and operators of the facility;

   b. The size or capacity of the facility;

   c. Whether the facility was in existence prior to the effective date of amendments to Regulation Number 22;

   d. The nature of the solid waste or method proposed for processing the solid waste or the methods proposed for storage, handling, or otherwise transfer of any materials or solid waste, or;

   e. Other overriding environmental or public participation issues.

   It is anticipated that previously exempt sites or locations which engage in the storage or otherwise processing of source separated household hazardous waste (HHW) may become subject to permitting requirements in the future. HHW storage or processing centers are not eligible for coverage under this general permit.

3. Owners or operators of solid waste transfer stations located within the State of Arkansas and meeting the requirements to be covered under this general permit must submit a notice of intent (NOI) to the Department indicating their intent to be covered under the terms of the general permit. Unless otherwise notified in

writing by the Director, owners or operators are authorized to operate under this general permit 30 days after ADEQ receipt of the NOI. Facilities that have previously received coverage under a previous general permit for transfer stations are required to submit a new NOI to obtain coverage under this permit or apply for an individual permit.

SECTION C. NOTICE OF INTENT (NOI)

1. Written notification for intent to be covered under the General Permit shall be made upon the latest version of NOI forms provided by the Department and available on the ADEQ website and all information required by the form shall be provided.

2. The notice of intent shall be signed by an authorized individual as defined in Regulation 22.301(h) and signed and stamped by the registered professional engineer retained by the facility as required by 22.301(i).

SECTION D. DEADLINE FOR SUBMITTAL

1. Notice of Intents for coverage under this General Permit shall be submitted:

   a. For existing facilities, not later than July 29, 2011. Existing facilities which submit a Notice of Intent to be covered under this General Permit by July 29, 2011 will be allowed to continue to operate until a decision has been made by the Department to allow or deny coverage under this General Permit.

   b. For new or planned facilities, a minimum of 30 days prior to commencement of construction. This provision in no way grants new or planned facilities coverage under this general permit without having received a certificate of need from the applicable Regional Solid Waste Management District.

2. Any Department Notification of Deficiency (NOD) or other information request shall be adequately fulfilled within 60-days following the date of the NOD request or as specified in the request. Failure to submit adequate information in a timely manner shall be grounds for Department termination of any coverage under this permit.

3. Within 60 days following submittal of the Notice of Intent (NOI) for coverage under this general permit, the facility shall apply for coverage under an NPDES Industrial Stormwater General Permit (IGP) and an individual NPDES discharge permit for discharge of leachate to the waters of the State from the Water Division of ADEQ. Failure to attain coverage under any required discharge permit shall be grounds for termination of coverage under this general permit. If any permitting processes for water permits conclude with modified system design as depicted in the NOI documents submitted for coverage under this general permit, the facility shall re-submit the NOI for coverage under this general permit within 60-days following the final permit decision or permit coverage determination by Water Division.

SECTION E. TERMINATION OF COVERAGE

1. Owners or operators shall notify the Director if the facility ceases operation and/or if coverage under the permitted is no longer necessary. The Department shall be notified in writing sixty (60) days prior to the proposed termination date of the permit.

2. Within ten (10) days of ceasing operations, all wastes shall be removed from the site and disposed at a properly permitted facility, and the facility and equipment shall be brought to a sanitary condition. The operator shall then arrange for a final cleaning of any containers, equipment, machines, floors, and facility surfaces having come in contact with solid waste. All closure activities shall be completed not later than 45 days after the termination date of facility operations unless otherwise approved by ADEQ.

PART II
PERMIT CONDITIONS

1. The solid waste transfer station shall be maintained and operated in accordance with the conditions of this permit and in compliance with all applicable provisions of the Arkansas Solid Waste Management Act (Act 237 of 1971), Ark. Code Ann. §8-6-201 et seq., as amended, Arkansas Pollution Control and Ecology Commission (APC&EC), Regulation 22, and all other applicable rules and regulations.

2. This general permit may be administratively changed, modified, revoked and reissued, or terminated for cause in accordance with the requirements of APC&EC Regulation 8 and 22. The filing of a request by a covered permittee for a facility modification does not stay any permit condition. Approval of any NOI which is in conflict with any permit conditions or applicable regulations shall not be considered valid; covered permittee are bound to compliance with Regulation 22 and other applicable regulations.

3. The permit holder shall pay an annual permit fee as specified in Regulation 9.

4. The facility shall select a capacity designation as provided on the NOI form.

   a. A Capacity (A) – The facility shall not process in excess of 5,200 tons of solid per calendar year.
   b. B Capacity (B) – The facility shall not process in excess of 10,400 tons of solid waste per calendar year
   c. C Capacity (C) – The facility shall not process in excess of 20,800 tons of solid waste per calendar year.
   d. D Capacity (D) – The facility shall not process in excess of 31,200 tons of solid waste per calendar year.

   Selected throughput capacities are the maximum permitted limits and shall not be exceeded within any calendar year. Should a facility reach the permitted capacity within a calendar year, activities shall cease until such time the facility is properly covered by this permit as a larger capacity designation or under a final approved individual permit. In the interim period of inactivity, the facility shall implement clean-up activities in accordance with Part 1 Section E of this permit.

5. The facility shall maintain financial assurance to cover the amount specified below based on the capacity selection of the applicant on the NOI form.

A Capacity (A)	$5,000
B Capacity (B)	$10,000
C Capacity (C)	$20,000
D Capacity (D)	$30,000

   Financial assurance shall be in a mechanism allowed by Regulation 22.1405. Financial Assurance is waived for state and federally owned facilities only. Generally no other waivers will be allowed without extensive and acceptable rationale which demonstrates an alternative means for coverage should the owner or operator become financially incapacitated. Previous waivers are not valid under this permit revision.

6. The facility shall not store more than 3 consecutive days waste at any time. This does not apply to recovered materials, see condition 16.

7. Any change in ownership or control of the operation of the facility will require submittal of a disclosure statement in accordance with APC&EC Regulation 8. Transfer of this permit will require new NOI for coverage in accordance with Part I, Section C. Failure to notify the Department of a change in ownership or control, or a change in responsibility for the operation of the processing facility will be cause for termination of coverage under this general permit

8. The Department has no responsibility for the adequacy or proper operation of the transfer station. 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 transfer station. The transfer station shall be operated by qualified personnel and maintained in good condition at all times.

9. Whenever it shall be necessary for the purpose of implementing or monitoring the enforcement of any permit condition, law or regulation duly adopted by the Arkansas Pollution Control and Ecology Commission, any authorized employee or agent of the Department may enter the facility property for the purpose of obtaining information, conducting investigations or inspections, taking of samples, or examining and copying records pertaining to the operation of the facility. Investigations or inspections by authorized employees or agents shall be conducted without interference or delay from the permittee or the property owner at a time necessary to observe the suspected violation or unauthorized conduct.

10. The facility shall be operated in accordance with the provisions of the site-specific Operating Plan as approved by the Department and which meets the requirements of Regulation 22.904. The Operating Plan shall address specific facility operations in accordance with 22.904. Facilities which accept any industrial or special waste as defined by Regulation 22 shall have a section in the Operating Plan discussing special handling or storage provisions necessary for each material. Areas used for storage of source-separated recovered materials shall be depicted in facility plans and described in the operating plan. All changes to the site-specific Operating Plan must be approved in writing by the Department.

11. The facility shall be constructed in accordance with the Design Narrative and Permit Plans and Specifications as approved by the Department. Any changes to the approved design for the facility must be approved in writing by the Department prior to implementation.

12. The approved NOI and required attachments shall be considered an integral and enforceable part of this permit. Any modification to facility design or operation shall be updated through a revised NOI including attachments and submitted to the Department for approval. It shall be the sole decision of the Director whether the changes constitute a modification and whether that modification is a major or minor modification.

13. Coverage under this general permit may be terminated at the discretion and upon notification by the Department if construction of the facility has not commenced within 180 days and completed within 365 days from the date of coverage provided under the general permit. Coverage under this general permit may be terminated at the discretion and notification by the Department if the facility fails to operate for sixty consecutive calendar days. If the facility does not operate for sixty consecutive calendar days the facility shall implement the procedures under Part I, Section E of this permit.

14. This permit shall be posted in a conspicuous location at the transfer station during all operating hours. A sign shall be posted at all access points indicating the hours of operation, what materials the facility will accept and not accept. A suitable enclosed office or pay station with potable water available and restroom facilities shall be provided for employees.

15. All operations shall be performed by a licensed on-site operator who has been certified in accordance with Regulation 27 of the Arkansas Pollution Control and Ecology Commission.

16. Facilities that extract and recover recyclable materials from mixed solid waste must obtain an individual Type WRF permit. No recovery activities from mixed solid waste may be allowed under this permit. Storage of source separated recovered materials is authorized under this general permit in accordance with the approved operating plan which meets requirements of 22.904. Timeframes for storage of source separated recovered materials shall be limited to one year retention time.

17. All solid waste passing through the facility must ultimately be recycled or disposed of at a solid waste management facility properly licensed or permitted by the Department.

18. Solid waste shall not be stored onsite in a manner that becomes a nuisance or a sanitary or environmental problem.

19. All areas of the permitted property shall exhibit positive drainage, shall be free of standing water, and shall route waters in accordance with approved stormwater permit or individual discharge permit which may be applicable.

20. Restricted access to the site shall be maintained through the use of fences, gates, warning signs, natural barriers or other means as described in the approved NOI attachments.

21. The transfer station shall be operated so as to prevent the attraction, harborage or breeding of insects, rodents and other vectors.

22. The transfer station shall be designed and operated so that all liquids which come in contact with solid waste is collected and properly treated or disposed as leachate. See Part I, Section D-3 of this permit regarding water division permitting requirements.

23. Recordkeeping Requirements

    a. Required Records - The owner or operator must record and retain at the facility in an operating record or in an alternative location approved by the Director, the following information as it becomes available:

        (i) The current approved APC&EC Regulation 22;

        (ii) This general permit;

        (iii) The most recently updated NOI for the facility, all required attachments to the NOI, and any other associated documents;

        (iv) The Certificate of Need for the facility;

        (v) Any required location restriction demonstrations of the permitted facility;

        (vi) Approved operations plan;

        (vii) Waste receipt and disposal records;

        (viii) Approved design narrative;

        (ix) Records of any periodic inspections required by regulation or permit conditions;

        (x) Approved closure plans;

        (xi) Any cost estimates and financial assurance documentation; and

        (xii) Any other records required by Regulation 22.

    b. Access to Records - All information contained in the operating record must be furnished upon request to the Department or be made available at all reasonable times for inspection by the Department.

    c. Waste Receipt Records - All owner or operators shall provide an adequate means of recording the amount of waste that is received by the facility.

    d. Retention Period - The records required under this section shall be maintained by the owner or operator until destruction of the records is authorized by the Director following completion of closure of the facility.

24. The facility owner or operator shall prepare and file with the Department annual reports by March 31 covering the period from the previous January through December. Contents of the reports shall at a minimum include the completed form supplied by Part III of this permit.

25. Upon termination of facility operations, owners or operators shall perform facility closure in accordance with the requirements of approved closure plan.

PART III
ANNUAL REPORTING FORM

Arkansas Department of Environmental Quality			
Transfer Station – Annual Reporting Form			
Facility Name:			
Permit No:			
AFIN:			
Reporting Period:	January 1 – December 31, _____		
Solid Waste Received			
Source	Volume (cu. yds.) or	Weight (tons)	Class
Source Separated Recyclables Collected			
	Volume (cu. yds.) or	Weight (tons)	Type of Material
Solid Waste Removed			
	Volume (cu. yds.) or	Weight (tons)	Disposal Location

PERMIT RATIONALE
SOLID WASTE TRANSFER STATION –
A, B, C, & D CAPACITIES
Permit No. 0000-STSW-(A, B, C, & D)

Arkansas Pollution Control and Ecology Commission Regulation 22.903(a) provides that the Director of ADEQ may establish a general permit program for construction and operation of solid waste transfer stations. This document discusses authority, permit procedures and requirements as authorized primarily by APC&EC Regulation 22 but also the Solid Waste Management Act, A.C.A. §8-6-202 et seq. and other APC&EC Regulations. Certain discussion items below are not directly referenced or mandated by regulation and represent design or operational limits or permitting choices made by the Director to best fit the general permit program. Facilities are not required to obtain coverage under this particular general permit and may apply for a site-specific individual permit. Certain large capacity facilities, non-traditional waste transfer facilities and *solid waste recovery facilities* as defined by Regulation 22 are not eligible for coverage under this general permit.

Part I – Coverage Under this Permit	
Condition No.	
A	This permit is intended for applicable transfer stations within the boundaries of the state of Arkansas. Certain location restrictions will limit individual site locations. This will be reviewed on a case-by-case basis. [22.902 and 22.903(a)]
B-1	This permit is eligible for transfer stations only as defined by Regulation 22.103 and A.C.A. §8-6-202 et seq. It is not intended for *solid waste recovery facilities* as defined in 22.103 or other sites which operate outside the scope of the traditional transfer station as defined. Under the terms of this permit, the Director has the final decision to determine if a particular site is eligible or ineligible for coverage. [22.903(a)] The Director has chosen to restrict the capacities eligible for coverage under this permit based on annual waste throughput. Various size designations are established under this permit, primarily to provide for incremental financial assurance requirements. Larger sites, those larger than the "D" designation under this permit, will be required to hold an individual permit. [22.903(a)] In accordance with A.C.A. §8-6-706 sites are required to obtain a Certificate of Need (CON) with the Regional Solid Waste Management District or must have existed previous to January 1, 1999. Sites which transfer industrial wastes or special wastes as defined by Regulation 22 must have an operating plan which incorporates specific handling, storage, or otherwise transfer requirements. Transfer activities of industrial or special wastes may be grounds for the Director to require an individual permit. [22.903(a)]
B-2	Under the terms of this permit and the general permit procedures established herein, Director has the discretion to determine if a site is ineligible for this permit including but not limited to the list in the permit section B-2 or any other unforeseen environmental or public health consideration. [22.903(a)]
B-3	It is intended that this permit covers operating facilities after they timely submit a completed NOI on the most recent forms including all necessary attachments. Upon notification by ADEQ for additional information, facilities shall provide the requested information within 60 days or as specified by the notification of deficiency (NOD). New facilities are not covered by this permit until 30-days following submittal of the complete NOI. Nothing shall prevent Department requests and applicant provision of additional information at any time. Failure to provide information on any Department request within 60 days or as specified by the NOD shall be grounds for Department termination of any coverage whether granted or implied. [22.303(d)]

Part I – Coverage Under this Permit	
C-1	All information and attachments required by NOI forms is required or facilities will not be considered covered under this permit. Adequate information for certain NOI items may exist in the Solid Waste Division on-line facility files. Proper reference to the correct on-line document ID must be made on the NOI or information may be resubmitted and attached to the NOI in order to properly reference the files to this permit coverage. [22.303(d)]
C-2	Signatures are required by the facility representative and the representative engineer or the NOI will be considered incomplete and the facility will not be covered under the permit. [22.301]
D-1 D-2	These sections discuss timelines for submittals under the general permit program. Failure to complete NOI forms including required attachments will cause facilities to exist without coverage under this permit. Operating without a permit is a violation of A.C.A. §8-6-205.
D-3	Water Division permits are required. This permit in no way authorizes any surface or groundwater discharges until facilities obtain proper coverage under required discharge permits or certifications. Facilities are required to submit necessary applications to ADEQ - Water Division and obtain coverage under required permits. Failure to obtain coverage will be grounds for cancellation of coverage under this permit. Water division permitting requirements may result in additional handling or treatment systems. Facilities must update the NOI forms and attachments connected with this permit following completion of water division permitting requirements if existing systems are modified. Failure to update documents shall be grounds for Department cancellation of coverage under this permit. [22.904(l)]
E-1	22.906(d)(2)
E-2	22.906(d)(3)

Part II – Permit Conditions	
Condition No.	**Conditions**
1	This condition references the general applicability of Regulation 22 and the Solid Waste Management Act. Any updates to Regulation 22 or and other regulations or statutes affecting this permit shall cause the facility to update the NOI forms and attachments to properly address new requirements.
2	This condition discusses applicability of the permit and revocation of the permit or coverage under the permit for various reasons, which may include, but not be limited to non-compliance, inability to meet existing or updated regulations, failure to pay fees or to provide necessary information. [22.309(e)] Previous rationale discusses the NOI and attachment and the applicant's duty to timely respond to deficiency notifications. [22.303(d)]
3	Annual fees are required per Regulation 9. They are $450 per year at the time of this issuance.
4	Capacity selection and designation requirements are primarily linked to the financial assurance requirement of the following condition. Other rationale exists for limiting facility size including the need for Department review of specific design and operations plans to determine appropriate facilities and provisions are in place based on varying facility sizes. A facility's annual throughput is the tonnage of solid waste accepted by the facility but does not include source separated recovered materials. "Annual" means the January 1st through December 31st calendar year. The preliminary draft permit contained 3 size designations. During the stakeholder review meeting commenters discussed concerns that the "gaps" between size categories did not support needed flexibility in the range of sizes required by actual operating facilities. In other words, some facilities that were required to obtain medium permits were just barely over the capacity dividing line and had to post a higher and more burdensome financial assurance amount. SWMD reviewed existing facility tonnage reports and determined the data supported the request for an additional permit capacity and altered the schedule of capacities. The sizes became A, B, C, & D from the previously SC, MC, & LC. [22.904, 22.905, 22.906]

Part II – Permit Conditions	
5	Closure Cost estimates: A__5,200 tons per year...100 tons per week...20 tons per day * 3 days waste storage limit= 60 tons * $54 per ton (load, haul, dispose) * 150% = $4,860 ≈ $5,000 B__10,400 tons per year...200 tons per week...40 tons per day * 3 days waste storage limit= 120 tons * $54 per ton (load, haul, dispose) * 150% = $9,720 ≈ $10,000 C__20,800 tons per year...400 tons per week...80 tons per day * 3 days waste storage limit = 240 tons * $54 per ton (load, haul, dispose) * 150% = $19,440 ≈ $20,000 D__31,200 tons per year...600 tons per week...120 tons per day * 3 days waste storage limit = 360 tons * $54 per ton (load, haul, dispose) * 150% = $29,160 ≈ $30,000 Load – $4/ton Haul – $8/ton Dispose – $42/ton Certain upfront costs, engineering, bid and advertisement costs, cleanup and disposal of waters and other contingencies are considered and are built into these factors and the 150% adjuster. Annual updates are not required as these estimates are adequate to incorporate annual inflation adjustments for the next five years. The factors may be revisited at any time through revisions to this permit and rationale if necessary. [22.906]
6	Storage of solid waste shall be in accordance with 22.905(b), and is limited to three days. This is to prevent odors, vector attraction, or other nuisance conditions and is also based on the factors used to develop cost estimates, see 5 above. [22.906]
7 and 8	See Regulation 8, Administrative Procedures, Water and Air Pollution Control Act A.C.A. §8-4-101 et seq., and Solid Waste Management Act A.C.A. §8-6-201 et seq. for the Department duties, authority and obligations as the permitting authority.
9	[22.1501]
10	[22.904(p)]
11	[22.905(a)]
12 and 13	[22.903(a)] Under the general permit program established herein, it is required that all components of the NOI be provided for review and approval and updated as necessary to establish the site specific and enforceable operating and design parameters necessary for coverage under this general permit.
14 - 22	[22.904]
16	[22.904, 22.1001(b)] It has been determined that due to the significant handling and storage requirements, this permit is intended to cover transfer stations only and not waste recovery facilities - Type WRF. No extraction from mixed loads is allowed under this permit. The facility may store source separated recovered materials. Also ADEQ acknowledges many transfer stations often operate adjacent to or in conjunction with exempt MRFs which function to separate comingled recyclables from each other. In these cases the exempt MRF activities may operate under the same roof or at least on the same property footprint. It is not intended to begin permitting MRFs under this permit and the MRF operations are still exempt. It is important and required that the MRF operations or otherwise the storage of recovered materials must be discussed in the facility operating plan if recyclable storage exists on the permitted transfer station property.
23	[22.907]

Part II – Permit Conditions	
24	[22.904(n)]
25	[22.906]

Part III – Annual Reporting Form

In accordance with Regulation 22.904(n) annual reporting is required to be submitted by March 31 of each year covering the period from January 1 through December 31 of the previous year. Report shall be on forms provided by the department or acceptable to the Department. No other reporting format is considered acceptable by the Department if it does not contain each of the required items in the form provided in Part III.

This document was prepared by SWMD - Technical Branch Engineers after consideration of preliminary draft permit comments from facility representatives, local consultants, and other stakeholders. A stakeholders meeting was held on February 28th, 2011 at the ADEQ Headquarters. Formal notice to the public was printed on March 21, 2011 in the Arkansas Democrat-Gazette. No formal public comments were received.

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Arkansas Department of Environmental Quality
Solid Waste Management Division
5301 Northshore
North Little Rock, AR 72118
(501) 682-0601

NOTICE OF INTENT
FOR COVERAGE UNDER THE GENERAL PERMIT
FOR THE CONSTRUCTION AND OPERATION OF

SOLID WASTE TRANSFER STATION (TYPE TS)

0000-STSW-A,
0000-STSW-B,
0000-STSW-C,
&
0000-STSW-D

1. Legal Name of Applicant:	2. Name of Facility:
3. Applicant Legal Address (Mailing Address):	4. Facility Physical Location (Site Address):
5. Applicant City, State, Zip:	6. Facility City State, Zip:
7. Applicant Telephone Number:	8. Facility Telephone Number:
9. Responsible Official:	10. Facility Contact Person:
11. Title of Responsible Official:	12. Facility Latitude and Longitude:
13. Responsible Official Telephone:	14. Facility Section/Township/Range:

15. Anticipated Service Area [see 22.903(b)(5)]

16. Maximum Throughput – Select One [see 22.903(b)(5)]

0000-STSW-A	5,200 tons annually	☐ A Capacity
0000-STSW-B	10,400 tons annually	☐ B Capacity
0000-STSW-C	20,800 tons annually	☐ C Capacity
0000-STSW-A	31,200 tons annually	☐ D Capacity

Throughput greater than 31,200 tons annually requires individual permit.

17. Has the facility received a Certificate of Need from the appropriate Regional Solid Waste Management District? [see 22.902(c)]

☐ Yes – Attach CON

☐ No – Explain _____

Note: Facilities existing prior to June 1, 1999 are exempt from the CON requirement.

18. Is the site currently permitted by the Department as a Solid Waste Transfer Station?

☐ Yes

☐ No

If Yes, Permit Number : _____

19. Location Restrictions and Siting Requirements Demonstration [see 22.902]

Facility must provide a location demonstration narrative – explain how the site meets or addresses the following location requirements

Location demonstration is attached ☐ or see SWMD Reference ID_____

Is site located within 10,000 feet of any airport runway end used by turbojet aircraft? ☐ Yes ☐ No

Is site located within 5,000 feet of any airport runway end used only by piston-type aircraft? ☐ Yes ☐ No

Is site located in the 100-year flood plain? ☐ Yes ☐ No

Is site designed and operated to not restrict flow of base flood, reduce water storage capacity of flood plain, or result in washout of solid waste? ☐ Yes ☐ No

Is the site located in a jurisdictional wetland? ☐ Yes ☐ No

Has site obtained all necessary geographic site approval from government(s) of jurisdiction ☐ Yes ☐ No

Site active areas located within 50 feet of property boundary. ☐ Yes ☐ No

Site active areas located within 200 feet of an existing residence, place of business or drinking water supply not owned or leased by the applicant. ☐ Yes ☐ No

Was the site in existence prior to May 7, 1995? ☐ Yes ☐ No

20. Additional Required Attachments

Site Location Map [see 22.903(b)(2)] ☐Attached or SWMD Reference ID_____

Map Depicting Wetlands [see 22.903(b)(3)] ☐Attached or SWMD Reference ID_____

Site Plan [see 22.903(b)(4)] ☐Attached or SWMD Reference ID_____

Design Plans and Specs [see 22.903(b)(6) and conform to 22.905] ☐Attached or SWMD Reference ID_____

Operating Plan [see 22.903(b)(7) and conform to 22.904 and 22.906] ☐Attached or SWMD Reference ID_____

21. Will the facility accept industrial and/or special waste defined by Regulation 22.102 or special waste described by Regulation 22 Chapter 7?

☐ Yes – Include special handling, storage, or other provisions in a dedicated section of the operating plan. List each waste here, unlisted wastes are not considered acceptable or permitted:

_____

_____

☐ No industrial wastes.

22. Permit Fees - for existing facilities the current annual billing cycle will remain unchanged and there are no additional fees. Simply continue paying the $450 annual fee when it is billed by ADEQ.

New Facility – ☐ $900 initial fee is attached

All facilities – Are all ADEQ invoices paid to date (for all permits or licenses)?

☐ Yes

☐ No, explain_____

23. Financial Assurance (FA) Requirement [22.1401]

A Capacity	☐ $5,000 FA Attached
B Capacity	☐ $10,000 FA Attached
C Capacity	☐ $20,000 FA Attached
D Capacity	☐ $30,000 FA Attached

FA must be in a mechanism allowed by 22.1405. Financial Assurance is waived for State and Federal facilities only. Generally, no other waivers will be allowed without extensive and acceptable rationale which demonstrates an alternative means for coverage should the owner or operator become financially incapacitated. Previous waivers are not valid under this permit revision.

24. Disclosure Statement

In accordance with A.C.A 8-1-106 a disclosure statement is required to be maintained on forms provided by ADEQ. Exemption to this requirement exists for federal, state, municipal, county or solid waste management district owned sites. The exemption does not extend to improvement district or other extensions of government that are not instituted by an act of the General Assembly. Publicly held companies which file reports under Securities and Exchange Act are not required to file ADEQ disclosure forms but they must submit the most recent report which provides information regarding the legal proceedings of the applicant.

ADEQ Disclosure/SEC report Attached ☐

Exempt Federal, State, City, County, or RSWMD ☐

Other ☐ explain_____

Certification

To the best of my knowledge and belief, I certify the information provided in this Notice of Intent is true and accurate:

APPLICANT

Signature	Name and Title	Date

ENGINEER/CONSULTANT

Signature and Seal	Name and Title	Date