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Return Receipt Requested

August 30, 2018

Blue Mountain Storage, LLC  
P.O. Box 2053  
Bentonville, Arkansas 72712

Dear Blue Mountain Storage, LLC:

The Arkansas Department of Environmental Quality (ADEQ) was notified on August 1, 2018 of an uncontrolled fire at an unpermitted dump site on Trafalgar Road in Bella Vista, Arkansas. The northern parcel of the site shows current ownership as BTS Equipment, LLC., with the southern parcel showing ownership as Blue Mountain Storage, LLC. Both of these parcels were previously owned by Blue Mountain Storage, LLC and operated by the Bella Vista Property Owner's Association (BVPOA).

The above site is not permitted for the proper disposal of solid waste, nor has it ever been permitted in the past. APC&EC Regulation 22.102 and A.C.A. § 8-6-203 defines a disposal site, in part, as any place at which solid waste is dumped, abandoned, or accepted, or disposed of for final disposition by incineration, landfilling, composting, or any other method. In addition, A.C.A. § 8-6-503(4) defines "Illegal Dump" to mean any place at which solid waste is placed, deposited, abandoned, dumped, or otherwise disposed in a manner that is prohibited by this subchapter or other statutes, rules, or regulations, and which constitutes (A) an attractive nuisance, (B) a fire, health, or safety hazard, (C) a potential source of surface or groundwater contamination, or (D) other contamination that is hazardous to the public health or endangers the environment.

Based on determinations that this site is in fact an illegal dump site, ADEQ advises that you discontinue operations at this site and take steps to prevent public access to the site due to safety concerns. Additionally, ADEQ offers assistance in your preparation of a work plan to bring this area back into regulatory compliance.

Following this letter in the near future, you will be receiving an inspection report completed by the ADEQ inspector based on a site visit and a review of the appropriate regulations.

If you have any questions regarding this process, please contact Kevin White at (501) 682-0962 or email [white@adeq.state.ar.us](mailto:white@adeq.state.ar.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin White", is placed over a light gray rectangular background.

Kevin White

Associate Director

Office of Land Resources

Arkansas Department of Environmental Quality

cc: Charles M. Johnson, Senior Manager, Regulated Waste Operations, Office of Land Resources

Tracy Rothermel, General Counsel

Scott McDonald, Enforcement Branch Manager, Office of Land Resources