



ARKANSAS
Department of Environmental Quality

Certified Mail 91 7199 9991 7030 4788 8500
Return receipt requested

September 20, 2018

Blue Mountain Storage, LLC
dba Bedrock Boat & RV Storage
P.O. Box 2053
Bentonville, Arkansas 72712

**RE: Complaint Investigation of August 30, 2018
Complaint #024312**

Dear Blue Mountain Storage, LLC:

The Arkansas Department of Environmental Quality Office of Land Resources (ADEQ) conducted a complaint investigation at your property located on Trafalgar Road, Bella Vista, AR, pursuant to the Arkansas Solid Waste Management Act (Arkansas Code, Annotated, § 8-6-201, *et seq.*) of 1971, as amended, APC&EC Regulation No. 22 (Solid Waste Management). The investigation identified conditions at the property which the ADEQ alleges constitute violations of Arkansas Solid Waste Management Act, A.C.A. § 8-6-205. A copy of the complaint investigation report is attached.

A copy of the investigation report has been referred to the Office of Land Resources' Enforcement Section. ADEQ will pursue formal enforcement for the alleged violations observed during the above referenced investigation. If you have any questions regarding the enforcement process, please contact Scott McDonald at (501) 682-0633.

Sincerely,

A handwritten signature in blue ink, appearing to read "CKrou", with a long horizontal flourish extending to the right.

Chris Krou
Compliance Branch Manager
Office of Land Resources
Arkansas Department of Environmental Quality

Attachment

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

ADEQ

ARKANSAS
Department of Environmental Quality



Arkansas Department of Environmental Quality
5301 Northshore Drive, North Little Rock, AR 72118

Office of Land Resources

HAZARDOUS WASTE MINING REGULATED STORAGE TANKS SOLID WASTE

COMPLAINT REPORT

COMPLAINT# 024312 AFIN# 04-00000 DATE RECEIVED 8/30/2018

PERMIT# / RST ID# / EPA ID# COUNTY Benton

PERSON RECEIVING REPORT Ryan Hayden DATE 8/30/2018

HOW COMPLAINT WAS RECEIVED PHONE LETTER EMAIL/WEBSITE EPA VERBAL

COMPLAINANT NAME	ADDRESS	PHONE
Anonymous		

COMPLAINT AGAINST	ADDRESS	PHONE
Blue Mountain Storage LLC (dba Bedrock Boat & RV Storage)	Trafalgar Rd., Bella Vista, AR	(479) 855-4637

COMPLAINT DESCRIPTION Alleged part of unpermitted landfill site below the RV storage lot.

LOCATION (In Detail)

SUPERVISOR REFERRAL Ryan Hayden DATE 8/30/2018

MEDIA SUPERVISOR REFERRAL DATE

RECEIVING INSPECTOR Travis Atwood DATE 8/30/2018

PREVIOUS COMPLAINT YES NO MEDIA DATE

DISCHARGE TO STREAM YES NO NAME OF STREAM

ADDITIONAL INFORMATION

FOLLOW UP ON COMPLAINT

COMPLAINT# 024312

INSPECTOR Travis Atwood

DATE 8/30/18

INVESTIGATION FINDINGS

ADEQ Solid Waste Inspector(s) conducted a complaint investigation of the property on August 30, 2018. Photographs of the site were taken in order to record current conditions/observations. (Refer to attached Photolog, Photos #1 - #4.) Time lapsed satellite imagery (screenshots) of the area was also captured from within Google Earth. (Refer to Attached Photolog, Photos #5 - #15.)

APC&EC Regulation 22.102 defines Class 4 solid wastes as nonhazardous, bulky, inert, nonputrescible solid wastes that do not degrade, or degrade very slowly, and are permitted by the Department to be disposed of in a Class 4 landfill. Class 4 wastes include construction and demolition wastes, appliances, furniture, stumps, limbs, and other bulky wastes that are not normally collected with other household, commercial, or industrial waste.

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.

The property on Trafalgar Road meets the definition of a disposal site. Satellite imagery shows the RV storage lot is located above the southern portion of this disposal site which was filled with solid wastes over the years, and therefore, must have a permit from the ADEQ. Upon review of current records, Blue Mountain does not currently, or in the past, possess a valid permit for this disposal site of solid wastes from the ADEQ. This is a violation of APC&EC Regulation 22.1502(a) and A.C.A. § 8-6-205(a)(2) which states, in part, it is unlawful to construct, install, alter, modify, use or operate, any solid waste disposal or processing facility or site without a permit from the Department.

Upon referencing the photos, solid waste (specifically two (2) tree stumps) were observed partially buried along the northern berm of the RV storage lot. This is a violation of A.C.A. § 8-6-205(a)(3) which states it shall be illegal for any person to dispose of solid wastes at any disposal site or facility other than a disposal site or facility for which a permit has been issued by the Department.

FUTURE ACTIONS

Letter will be sent to owner.

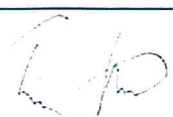
PHOTOS

YES (Attached) NO

FUNCTION CODE

10401

INSPECTOR SIGNATURE







DATE 8/30/2018


HOURS WORKED

4


**Arkansas Department of Environmental Quality (ADEQ)
Official Photograph Sheet**

Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Travis Atwood, ADEQ Solid Waste Inspector			Witness	N/A		
Photo #	1	Of	15	Date	8/30/2018	Time	1317
Description	View of a stump on berm adjacent to Blue Mountain Storage.						
							
Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Travis Atwood, ADEQ Solid Waste Inspector			Witness	N/A		
Photo #	2	Of	15	Date	8/30/2018	Time	1317
Description	Additional stump, same as Photo #1. No other stumps or logs were observed around gravel pad.						
							

**Arkansas Department of Environmental Quality (ADEQ)
Official Photograph Sheet**

Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Travis Atwood, ADEQ Solid Waste Inspector			Witness	N/A		
Photo #	3	Of	15	Date	8/30/2018	Time	1317
Description	Top of berm from Photos #1 & #2. Looking west along the northern berm of the RV lot.						

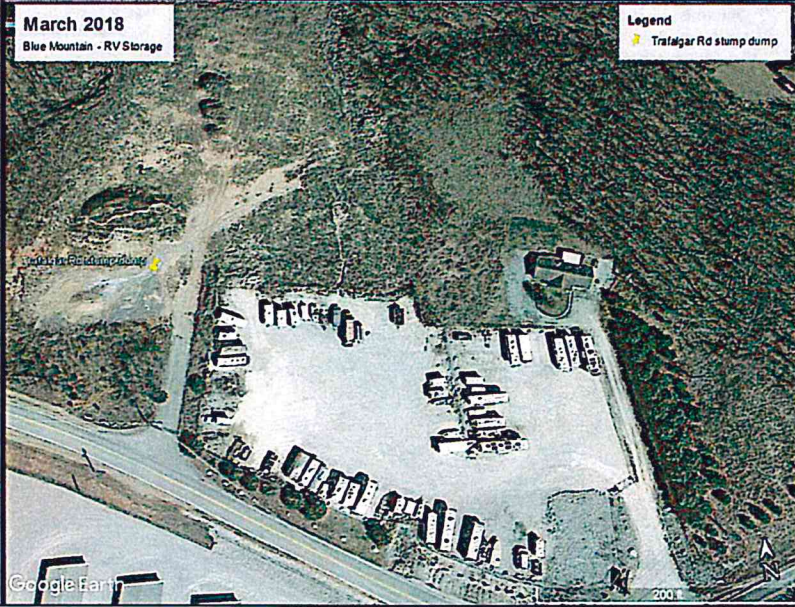


Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Travis Atwood, ADEQ Solid Waste Inspector			Witness	N/A		
Photo #	4	Of	15	Date	8/30/2018	Time	1318
Description	Stormwater outfall on the northern berm of the RV lot.						



**Arkansas Department of Environmental Quality (ADEQ)
Official Photograph Sheet**

Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Chris Krou, Compliance Branch Manager		<i>CK</i>	Witness	N/A		
Photo #	5	Of	15	Date	8/30/2018	Time	NA
Description	Google Earth satellite image of the Trafalgar Road stump dump/Blue Mountain –RV Storage lot.						



Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Chris Krou, Compliance Branch Manager		<i>CK</i>	Witness	N/A		
Photo #	6	Of	15	Date	8/30/2018	Time	NA
Description	Google Earth satellite image of the Trafalgar Road stump dump/Blue Mountain –RV Storage lot.						



Arkansas Department of Environmental Quality (ADEQ) Official Photograph Sheet

Location	Trafalgar Rd., Bella Vista, AR	Complaint #	024312	County	Benton		
Photographer	Chris Krou, Compliance Branch Manager	<i>CK</i>	Witness	N/A			
Photo #	7	Of	15	Date	8/30/2018	Time	NA

Description Google Earth satellite image of the Trafalgar Road stump dump/Blue Mountain –RV Storage lot.

December 2009
Blue Mountain - RV Storage
Legend
★ Trafalgar Rd stump dump
Trafalgar Rd stump dump
Google Earth
© 2009

Location	Trafalgar Rd., Bella Vista, AR	Complaint #	024312	County	Benton		
Photographer	Chris Krou, Compliance Branch Manager	<i>CK</i>	Witness	N/A			
Photo #	8	Of	15	Date	8/30/2018	Time	NA

Description Google Earth satellite image of the Trafalgar Road stump dump/Blue Mountain –RV Storage lot.

March 2008
Blue Mountain - RV Storage
Legend
★ Trafalgar Rd stump dump
Trafalgar Rd stump dump
Google Earth
© 2008

**Arkansas Department of Environmental Quality (ADEQ)
Official Photograph Sheet**

Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Chris Krou, Compliance Branch Manager		<i>CK</i>	Witness	N/A		
Photo #	9	Of	15	Date	8/30/2018	Time	NA
Description	Google Earth satellite image of the Trafalgar Road stump dump/Blue Mountain –RV Storage lot.						



Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Chris Krou, Compliance Branch Manager		<i>CK</i>	Witness	N/A		
Photo #	10	Of	15	Date	8/30/2018	Time	NA
Description	Google Earth satellite image of the Trafalgar Road stump dump/Blue Mountain –RV Storage lot.						

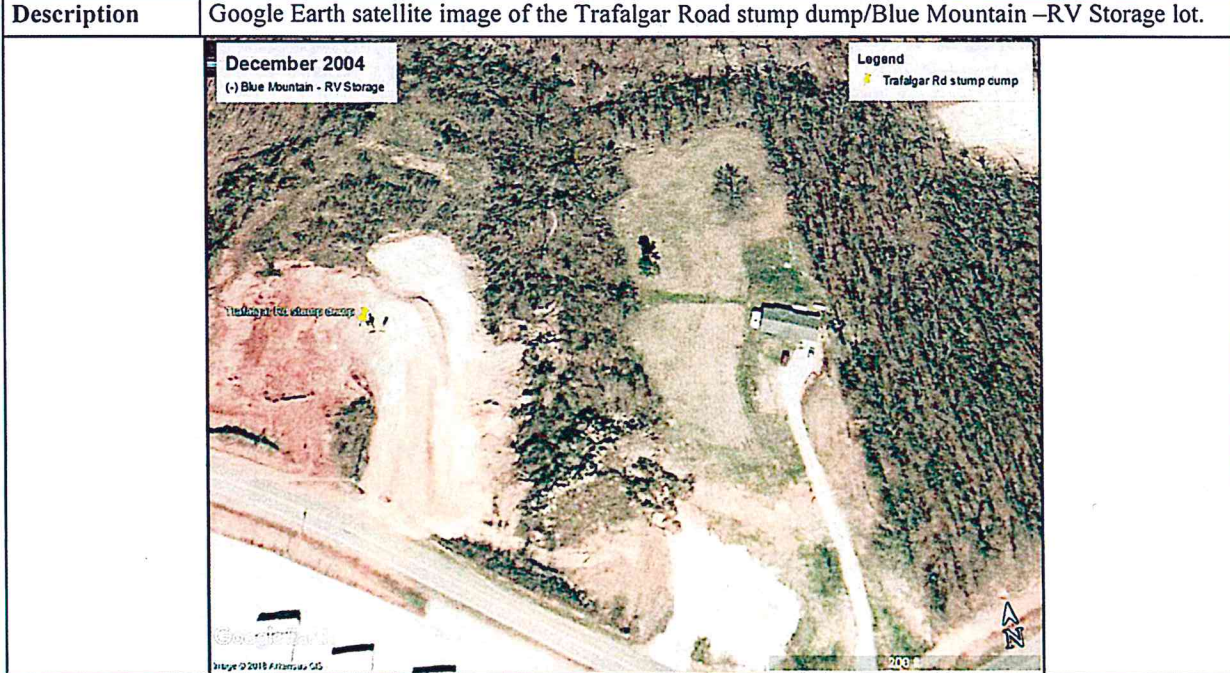


**Arkansas Department of Environmental Quality (ADEQ)
Official Photograph Sheet**

Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Chris Krou, Compliance Branch Manager	<i>CK</i>		Witness	N/A		
Photo #	11	Of	15	Date	8/30/2018	Time	NA



Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Chris Krou, Compliance Branch Manager	<i>CK</i>		Witness	N/A		
Photo #	12	Of	15	Date	8/30/2018	Time	NA



**Arkansas Department of Environmental Quality (ADEQ)
Official Photograph Sheet**

Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Chris Krou, Compliance Branch Manager		<i>CK</i>	Witness	N/A		
Photo #	13	Of	15	Date	8/30/2018	Time	NA
Description	Google Earth satellite image of the Trafalgar Road stump dump/Blue Mountain –RV Storage lot.						
Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Chris Krou, Compliance Branch Manager		<i>CK</i>	Witness	N/A		
Photo #	14	Of	15	Date	8/30/2018	Time	NA
Description	Google Earth satellite image of the Trafalgar Road stump dump/Blue Mountain –RV Storage lot.						

Arkansas Department of Environmental Quality (ADEQ) Official Photograph Sheet

Location	Trafalgar Rd., Bella Vista, AR			Complaint #	024312	County	Benton
Photographer	Chris Krou, Compliance Branch Manager		<i>CK</i>	Witness	N/A		
Photo #	15	Of	15	Date	8/30/2018	Time	NA
Description	Google Earth satellite image of the Trafalgar Road stump dump/Blue Mountain –RV Storage lot.						
