



Arkansas Department of Environmental Quality

Solid Waste Management Division

Complaint/Illegal Dump Investigation Worksheet



County	Pulaski	PDS ID	5206	AFIN	60-00000	Page 1 of 2
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Date Received	April 18, 2007	Received By	Flora Wrather
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Complainant Name / Address / Phone	X	Anonymous
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Complaint Lodged Against / Address / Phone
George Wilcox 13620 Hansfield Circle North Little Rock, AR 72117 Phone: 501-945-0025

Location Description	Complaint Description of Waste
Go pass the airport and take Faulkner Lake Road exit. Turn left and go approximately 1 1/2 - 2 miles, the road turns into Lynch Drive.	Hauling, dumping and burying old tires.

Investigation Section

Date Investigated	04/23/07	Time Investigated	0910 - 0925
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SECTION 1	Size of Waste Mass	Violation Ranking	Points
Length	>640 yd ³	5	
Width	320 yd ³ to 640 yd ³ = 16 roll offs	5	
Height	160 yd ³ to 320 yd ³ = 8 roll offs	4	
Total	80 yd ³ to 160 yd ³ = 4 roll offs	3	
~yd3	40 yd ³ to 80 yd ³ = 2 roll offs	2	
	40 yd ³ or < = 1 roll off	1	1
Size of Waste Mass Score			1

SECTION 2	Contents of Waste Mass	Violation Ranking	Points
Household Waste		5	
Hazardous items {i.e. paint thinner, cleaning chemicals, oil cans, herbicides, medical waste, asbestos}		5	
White Waste {i.e. Refrigerators and appliances that may contain Freon}		3	
Construction/Demolition Waste		3	
Approximate Number of Tires: 500		3	3
Abandoned Vehicles /Auto Parts: {May contain gasoline, oil, antifreeze or other automotive fluids}		2	
Other Bulky Waste: {i.e. TV's, Furniture, Mattresses, etc.}		2	
Yard Waste		1	
Dead Animals		4	
Other			
Contents of Waste Mass Score			3

Kenneth Burch

SECTION 3 Site Assessment Violation Ranking Points

Air Pollution	Open Burning	5	
Air Pollution	Evidence of Open Burning	4	
Air Pollution	Strong; Foul Order Present	3	
Water Pollution	Waste in or near standing or flowing water	5	
Water Pollution	Probability of leachate (run-off) into ground/surface water	5	
Public Health Risk Assessment	Vectors sighted	5	
Public Health Risk Assessment	Evidence of Vectors {i.e. rats, flies, mosquitoes, snakes, scavengers}	4	
Site Usage Assessment	Site attended or maintained for a fee	5	
Site Usage Assessment	History of previous complaints	5	
Site Usage Assessment	Active, attractive nuisance; evidence of recent dumping	5	5
Site Usage Assessment	Dumping resumed at cleaned up or closed site	4	
Site Usage Assessment	Old Site; no evidence of recent dumping; overgrown	2	
Site Assessment Score			5
*Violation Ranking: 1 (Least Serious Violation) to 5 (Most Serious Violation)		TOTAL SCORE	9

GPS Reading N 34° 45' 17.0"; W 92° 11' 26.5"

SECTION 4 Violations

Solid Waste Management Act §8-6-205

x	(a)(2) To construct, install, alter, modify, use or operate any solid waste processing or disposal facility or disposal site without a permit from the department
x	(a)(3) To dispose of solid wastes at any disposal site or facility other than a disposal site or for which a permit has been issued by the department
	(a)(3) Individual's household disposal that creates a public or private nuisance or a hazard to health and/or violates a city ordinance or other law and/or involves the open dumping of garbage
	(a)(4) To dump, deposit, throw, or in any manner leave or abandon any solid wastes upon property owned by another person without the written permission of the owner or upon public property
x	(a)(5) To sort, collect, transport, process, or dispose of solid waste contrary to the rules, regulations or orders of the department, or create or likely to create a public nuisance or public health hazard or to cause or likely to cause water or air pollution (Ark. Water and Air Pollution Control Act §8-4-101 et seq)
	(a)(5)(b) A rebuttal presumption when one (1) or more items of solid waste bear the name to indicate that the person committed the unlawful act of disposal

Air Pollution Control Code §8-4-310(a)(1)(2)(3)

5)(a) No person shall cause or permit the open burning of refuse, garbage, trade wastes or other waste material, or shall conduct a salvage operation by open burning

Investigation Comments

04/23/07 – I arrived at the site on this date and noted approximately 500 tires dumped on the property.

Final Disposition

<input type="checkbox"/>	INVALID COMPLAINT	<input checked="" type="checkbox"/>	VALID COMPLAINT
<input type="checkbox"/>	No evidence found	<input checked="" type="checkbox"/>	Letter Sent
<input type="checkbox"/>	No illegal disposal occurring	<input type="checkbox"/>	Follow-up Investigation
<input type="checkbox"/>	Salvageable materials	<input type="checkbox"/>	Response Received
<input type="checkbox"/>	8-6-205(a)(3) exemption	<input type="checkbox"/>	No further action
<input type="checkbox"/>	Unknown violator – No further action	<input type="checkbox"/>	Complaint Forwarded To



A R K A N S A S
Department of Environmental Quality

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April 24, 2007

Document ID # - 005206-comp

Mr. George Wilcox
13620 Hansfield Circle
North Little Rock, AR 72117

Dear Mr. Wilcox:

On April 23, 2007, I performed an investigation of your property located on Lynch Drive in Pulaski County. This investigation was in response to a complaint alleging illegal disposal of tires. My investigation revealed that you are in violation of the Arkansas Solid Waste Management Act, A.C.A. § 8-6-205, the Arkansas Solid Waste Management Act 237 of 1971 as amended, and Regulation 14. Specifically, I found the following violation(s):

1. Operation of an unpermitted solid waste disposal facility, which is in violation of §8-6-205 (a)(1)(2)(3) and (5). The waste dumped at this site consists of tires. **"No person shall dispose of solid waste at any disposal site or facility other than a disposal site or facility for which a permit has been issued by the Department"**.
2. **The Property mentioned above is not a permitted waste tire processing facility or a permitted waste tire collection center.** Please be advised that you are in violation of Act 749 of 1991, (c) (2), "It is unlawful for any person to dispose of used or waste tires or portions of used or waste tires in the state, unless such tires are disposed of for processing, or collected for processing at a permitted waste tire processing facility, at a tire collection center, or at a permitted solid waste disposal facility."

Regulation 14, Section 15 (Waste Tire Collector Requirements) states, "After July 1, 1992, any person engaged in collecting or transporting waste tires (25 or more tires) for the purpose of storage, disposal, or processing shall display a current decal with their waste tire collector registration number obtained from the Department.

By law, anyone who violates any provision of the Solid Waste Management Act may be subject to criminal, administrative and civil penalties up to \$10,000. You should immediately cease the activity described above and undertake measures to correct the violation(s). You should notify me in writing at the address below or call (501) 682-0581 **within 20 days of the date of this letter with a plan of action for correcting the violation.**

Please be advised that failure to make contact with me in regard to this notification may warrant formal enforcement. Your cooperation is appreciated.

Sincerely,

Kenneth Burks, Inspector
Solid Waste Division

cc: Enforcement Branch Files, SWD
Flora Wrather, Illegal Dump Coordinator, SWD



**Arkansas Department of Environmental Quality
Solid Waste Management Division
Complaint/Illegal Dump Investigation Worksheet Attachment**



County	Pulaski	PDS ID	5206	Date	05/08/07	Follow-up Investigation	x	Page 3
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Location	Lynch Drive
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Investigation Comments

05/08/07 – I returned to this site on this date after receiving a message that the complainant had witnessed some trucks and heavy equipment remove the tires from the area. She explained that her and her husband had watched the equipment load the tires into the trucks, then follow the trucks out to Mr. George Wilcox’s property on Wilcox Road. She also said that when the trucks departed the property, the trucks were empty.

When I inspected the Lynch Road site on this date, there were no tires and the area had tracks indicating heavy equipment activity. See PDS #5269.

Final Disposition

George S. Wilcox
13620 Hansfield Circle
North Little Rock, AR. 72117

AFIN: 00-00000
Pmt #: Misc
REC'D
SCAN MAY 14 2007
Doc ID#: 47707
To: SM7 file

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W
M
D

May 10, 2007

Arkansas Department of Environmental Quality
Solid Waste Management Division
P.O. Box 8913
Little Rock, AR 72219-8913

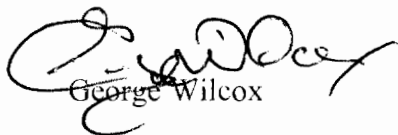
Attn: Kenneth Burks

Dear Mr. Burks,

In response to your letter of April 24, 2007 regarding the dumping of tires on my property located on Lynch Drive in North Little Rock, I wish to inform you that we have started clean-up of this site and hopefully will have the site in order within 30 days of the date of this letter. These tires were dumped on site without my knowledge or permission and I am doing my best to correct this problem.

If you have questions or need other information, contact me at your convenience.

Sincerely,


George Wilcox

cc: file

















