



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



County	Pike	PDS ID	5622	AFIN	55-00000	Page 1 of 2
Date Received	06/14/07			Received By	Bryan Leamons	
Complainant Name / Address / Phone						Anonymous
Larry E. Cummings 1298 Lakeshore Drive Hot Springs, AR 71913 501-525-1090 or 501-538-5598						
Complaint Lodged Against / Address / Phone						
Randy Tidwell 1 st National Bank of Glenwood 214 North First Street Glenwood, AR 71943 870-356-3196						
Location Description				Complaint Description of Waste		
Hwy. 70 West				Various types of waste behind Caddo River Plaza Shopping Center.		
Investigation Section						
Date Investigated	06/22/07			Time Investigated	0715 - 0730	
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		
~yd ³		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	5	
White Waste {i.e. Refrigerators and appliances that may contain Freon}				3		
Construction/Demolition Waste				3		
Approximate Number of Tires:				3		
Abandoned Vehicles /Auto Parts: {May contain gasoline, oil, antifreeze or other automotive fluids}				2	2	
Other Bulky Waste: {i.e. TV's, Furniture, Mattresses, etc.}				2		
Yard Waste				1		
Dead Animals				4		
Other						
Contents of Waste Mass Score				7		

ADEQ Complaint/Illegal Dump Investigation Worksheet		PDS ID 5622	Page 2 of 2
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	3
Water Pollution	Waste in or near standing or flowing water	5	
Water Pollution	Probability of leachate (run-off) into ground/surface water	5	5
Public Health Risk Assessment	Vectors sighted	5	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			18
*Violation Ranking: 1 (Least Serious Violation) to 5 (Most Serious Violation)		TOTAL SCORE	26
GPS Reading	N 34° 19' 29.7"; W 93° 32' 22.4"		
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		
x	(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			
06/22/07 – I entered the site on this date behind the Caddo River Plaza. The shopping center consists of several businesses that place their waste at the rear of the building. I noted automobile batteries stacked on the ground, cardboard boxes, paper, plastic, food waste, paint cans, and other assorted waste uncontained, and scattered around the property, possibly on property owned by other persons. I noted several cats among the waste as well as a large number of flying insects. There were several chain-link containment areas with either open doors, spillage outside of the containment area, or putrified food waste which apparently was attracting vectors.			
Final Disposition			
	INVALID COMPLAINT	x	VALID COMPLAINT
	No evidence found	x	Letter Sent
	No illegal disposal occurring		Follow-up Investigation
	Salvageable materials		Response Received
	8-6-205(a)(3) exemption		No further action
	Unknown violator – No further action		Complaint Forwarded To



ARKANSAS
Department of Environmental Quality

July 11, 2007

Mr. Randy Tidwell
905 Hwy. 70 E.
Glenwood, AR 71943

Dear Mr. Tidwell:

On June 22, 2007, I performed an investigation of your property located on Highway 70 at the Caddo River Plaza in Pike County. This investigation was in response to a complaint alleging illegal dumping. My investigation revealed that you are in violation of the Arkansas Solid Waste Management Act, A.C.A. § 8-6-205. Specifically, I found the following violation(s):

Operation of an unpermitted solid waste disposal facility, which is in violation of §8-6-205 (a) (1)(2)(3)(4) and (5). The waste dumped at this site consists of food waste, cardboard, plastic, paper, and various other assorted types of waste. **"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".**

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. 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,

A handwritten signature in black ink that reads "Kenneth Burks". The signature is written in a cursive style with a prominent "K" and "B".

Kenneth Burks, Inspector
Solid Waste Division



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



County	Pike	PDS ID	5622	Date	06/22/07	Follow-up Investigation		Page 3
--------	------	--------	------	------	----------	-------------------------	--	--------

Location	Hwy. 70 in Glenwood.
----------	----------------------

Investigation Comments

07/11/07 – On 07/10/07, the letter I had mailed to Mr. Randy Tidwell to the First National Bank of Glenwood was returned as “Undeliverable as Addressed.” I will send another letter to Mr. Tidwell’s home address of 905 Hwy. 70 E. in Glenwood.

Final Disposition

Kenneth Burck



ARKANSAS
Department of Environmental Quality

Document ID # - 005622-comp

June 25, 2007

Mr. Randy Tidwell
1st National Bank of Glenwood
214 North First Street
Glenwood, AR 71943

Dear Mr. Tidwell:

On June 22, 2007, I performed an investigation of your property located on Highway 70 at the Caddo River Plaza in Pike County. This investigation was in response to a complaint alleging illegal dumping. My investigation revealed that you are in violation of the Arkansas Solid Waste Management Act, A.C.A. § 8-6-205. Specifically, I found the following violation(s):

Operation of an unpermitted solid waste disposal facility, which is in violation of §8-6-205 (a) (1)(2)(3)(4) and (5). The waste dumped at this site consists of food waste, cardboard, plastic, paper, and various other assorted types of waste. **"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".**

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. 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,

A handwritten signature in black ink that reads "Kenneth Burks".

Kenneth Burks, Inspector
Solid Waste Division

LARRY E. CUMMINGS, R.S.

1298 Lakeshore Drive
Hot Springs, Arkansas 71913
(501) 525-1090

June 14, 2007

**Arkansas Department of Environmental Quality
Attn: Bryan Leamons, P. E.
P.O. Box 8913
Little Rock, AR. 72219**

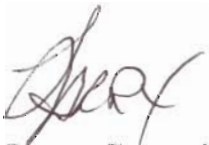
AFIN:	00-00000	S W M D
Pmt #:	Misc	
REC'D SCAN <input checked="" type="checkbox"/>	JUN 19 2007	
Doc ID#:	48875	
To:	SMZ file	

Dear Bryan,

Attached are self-explanatory photo documentation of what I consider a serious infringement on my relatives property. City authorities have been approached several times and needless to say the photos show nothing has been done.

Please have the district solid waste inspector contact me before he reviews the complaint, my numbers are 501-525-1090 and 501-538-5598.

Best regards,



Larry Cummings

Hwy 70 west right

Caddo River Plaza Shopping Center -----left

Owner- Randy Tidwell- President- 1st National Bank of Glenwood

Photo taken May 2007 By Larry Cummings 501-525-1090 Family member
of adjacent property owner.



In rear of Caddo River Plaza Shopping Center
Owner- Randy Tidwell- President- 1st National Bank of Glenwood

Photo taken May 2007 By Larry Cummings 501-525-1090 Family member
of adjacent property owner.



**In rear of Caddo River Plaza Shopping Center
Owner- Randy Tidwell- President- 1st National Bank of Glenwood**

Photo taken May 2007 By Larry Cummings 501-525-1090 Family member of adjacent property owner.

Photos show this area has been neglected of disposal maintenance and migrating to private property owners.



In rear of Caddo River Plaza Shopping Center
Owner- Randy Tidwell- President- 1st National Bank of Glenwood

Photo taken May 2007 By Larry Cummings 501-525-1090 Family member of adjacent property owner.

Photos show this area has been neglected of disposal maintenance and migrating to private property owners.



In rear of Caddo River Plaza Shopping Center
Owner- Randy Tidwell- President- 1st National Bank of Glenwood

Photo taken May 2007 By Larry Cummings 501-525-1090 Family member of adjacent property owner.

Photos show this area has been neglected of disposal maintenance and migrating to private property owners.



**In rear of Caddo River Plaza Shopping Center
Owner- Randy Tidwell- President- 1st National Bank of Glenwood**

Photo taken May 2007 By Larry Cummings 501-525-1090 Family member of adjacent property owner.

Photos show this area has been neglected of disposal maintenance and migrating to private property owners.













6/22/2007



























