Womble, Michelle

From: Womble, Michelle

Sent: Tuesday, February 12, 2019 2:36 PM

To: 'Angela Sparks'
Subject: RE: Old complaint

Thanks for all the help Angela!

From: Angela Sparks [mailto:angela@ccswda.com]

Sent: Tuesday, February 12, 2019 2:20 PM

To: Womble, Michelle **Subject:** RE: Old complaint

I talked to Deputy Sharp and he went to the CR 118 address and got permission from the owner's to look on the property but saw no tires.

Angela

Angela L. Sparks

Craighead County Solid Waste Disposal Authority

"Legacy Landfill"

Craighead County Regional Solid Waste Management District

Phone: 870-972-6353 Ext 4

Fax: 870-972-0495

From: Womble, Michelle < WOMBLEM@adeq.state.ar.us >

Sent: Tuesday, February 12, 2019 10:36 AM **To:** Angela Sparks <angela@ccswda.com>

Subject: RE: Old complaint

Thanks so much Angela. So I don't guess there ever was a dump on CR 774? I remember a little about this but not a lot. Anything you and/or Randy give me will be helpful.

Thanks again, Michelle

From: Angela Sparks [mailto:angela@ccswda.com]
Sent: Tuesday, February 12, 2019 10:33 AM

To: Womble, Michelle

Cc: <u>rksharp@craigheadso.org</u> **Subject:** RE: Old complaint

There was a complaint about a tire dump in Bono that is a tire shop that was purchased by new owners. We went a year or two ago and talked to them. They had tires piled in and around trailers. Those were brought to the Craighead County Tire Collection Center. At one time we received a complaint about a tire dump in Bono and our Illegal Dump Control Officer went and never could find the tires so that site was cleaned up before he got there.

I am sending Deputy Randy Sharp a copy of this e-mail to see if or what he knows about the Rickey Millsap tire situation. Angela

Angela L. Sparks Craighead County Solid Waste Disposal Authority "Legacy Landfill" Craighead County Regional Solid Waste Management District

Phone: 870-972-6353 Ext 4

Fax: 870-972-0495

From: Womble, Michelle < WOMBLEM@adeq.state.ar.us >

Sent: Tuesday, February 12, 2019 10:27 AM

To: angela@ccswda.com
Subject: Old complaint

Hey Angela,

I'm trying to get some information on a complaint that is approximately 9 years old. It was on Rickey Millsap. The address we had initially was 7 CR 774 in Jonesboro. Apparently Mr. Millsap lives at 7 CR 774 and dumped tires at 1680 CR 118 in Bono. I guess my question is was there ever a tire dump on CR 774 and is there was, is it cleaned up? I also kind of need any information you might have on the tire dump in Bono. I have this site marked as cleaned up per your district but it's so old I can't remember anything about it and the inspector that worked the complaint is retired. What, if any information do you have on this?

Thanks,

Michelle Womble Administrative Analyst Tire Accountability Program/ADEQ 5016820581



Virus-free. www.avast.com



Document ID # 008178-comp

January 21, 2009

Rickey Millsap 7 CR 774 Jonesboro, AR 72401

Dear Mr. Millsap:

On January 20, 2009, I performed an investigation on J.L. Baker's property located at 1680 CR 118, Bono, Arkansas. This investigation was in response to a complaint alleging the dumping of waste 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):

- 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 waste 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 (870) 424-3322 within 10 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 will warrant formal enforcement. Your cooperation is appreciated.

Sincerely,

Gary Meador, Inspector Solid Waste Division



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



County Craighead	PDS ID 008178	AFIN 16-000	000	Page 1	of 2
Date Received 01/16/2009		Received By	Dean Vanderho	off	
Complainant Name / Address / Phone				Anon	ymous
Bret Ditto - Greene County Wildlife Officer (870) 926-0441					
Complaint Lodged Against / Add	ress / Phone				
Rickey Millsap 7 CR 774					
Jonesboro, AR. 72401 (870) 316-2254					
Location Description			Complair	nt Description of W	aste
1680 CR 118, Bono, Craighead C	ounty		Report that a ti	re business closed	and the
			owner dumped on a relative's l	500 – 600 tires of	all types
			on a relative 3 i	land	
	Investigatio	n Section			
Date Investigated 1-20-09	Date Investigated 1-20-09 Time Investigated 1500				
SECTION 1 Size of Waste Mass Violation Ranking				Points	
Length	>640 yd³			5	
Width	320 yd ³ to 640 yd ³ = 160 yd ³ to 320 yd ³ =	16 roll offs 8 roll offs		5 4	4
Height Total	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	4 roll offs		3	
~yd3	40 yd ³ to 80 yd ³ =	2 roll offs		2	
	40 yd ³ or < =	1 roll off	Size of Wa	ste Mass Score	4
SECTION 2	Contents of W	aste Mass		Violation Ranking	Points
Household Waste				5	
	er, cleaning chemicals, oil cans, herbic	ides, medical waste,	asbestos}	5	
White Waste (i.e. Refrigerators and appliances that may contain Freon) 3					
Construction/Demolition Waste 3 Approximate Number of Tires: 3					4
Abandoned Vehicles /Auto Parts: {May contain gasoline, oil, antifreeze or other automotive fluids} 2					
Other Bulky Waste: {i.e. TV's, Furniture, Mattresses, etc.}					
Yard Waste				1	
Dead Animals 4 Other					
		С	ontents of Was	ste Mass Score	4

Inspector Signature:

ADEQ Complaint/Illegal Dump Investigation Worksheet			008178	Page	e 2 of 2
SECTION 3	Site Assessment		Violation Ra	nking	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	4
Site Usage Assessment	Site attended or maintained for a fee		5	
Site Usage Assessment	History of previous complaints 5		5	
Site Usage Assessment	Active, attractive nuisance; evidence of recent dumping 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			4	
*Violation Ranking: 1 (Least Serious Violation) to 5 (Most Serious Violation) TOTAL SCORE			12	

GPS Reading 35° 52' 03.95"N 90° 48' 35.08"W

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
- (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

- 1-16-09, Called and left message for Bret Ditto, needing additional directions.
- 1-20-09, Stopped at the Craighead Co. SO and met with Deputy Travis Kimberling. Obtained additional directions to the site. He also stated that he would get Rickey Millsap's mailing address.
- 1-20-09, I investigated the site and observed the waste tires dumped in the woods, approx. 300-400 feet behind Mr. JL Baker's house, Millsap's grandfather.
- 1-21-09, called Deputy Kimberling. He provided the mailing address for Millsap.

Final Disposition				
	INVALID COMPLAINT	х	VALID COMPLAINT	
	No evidence found	Х	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	

Inspector Signature:









MessageFrom: Love, Heidi

Sent: Friday, January 16, 2009 8:48 AM

To: VanDerhoff, Dean

Cc: Lewis, Janice

Subject: RE: 09-0033 01-15 Craighead-Tire Dumping-Bono-Complaint

Okay, thanks

-----Original Message-----From: VanDerhoff, Dean

Sent: Thursday, January 15, 2009 3:28 PM

To: Love, Heidi

Subject: 09-0033 01-15 Craighead-Tire Dumping-Bono-Complaint

Report that a tire business went out and the owner dumped 500 - 600 tires of all types on a relatives land at 1680 CR 118, Bono, Craighead County. A message was left for the county coordinator and referring to you as a complaint.

Dean F. VanDerhoff

Emergency Response Section Manager

Arkansas Department of Environmental Quality

5301 North Shore Drive

North Little Rock, Arkansas, 72118-5317

501.682.0716

vanderhoff@adeq.state.ar.us

MessageFrom: Love, Heidi

Sent: Friday, January 16, 2009 11:08 AM

To: VanDerhoff, Dean

Cc: Lewis, Janice; Nance, Kevin

Subject: FW: tire dump site

Thanks

-----Original Message-----From: VanDerhoff, Dean

Sent: Friday, January 16, 2009 9:11 AM

To: Love, Heidi

Subject: FW: tire dump site

More info on the tire dump in Bono.

Dean F. VanDerhoff

Emergency Response Section Manager

Arkansas Department of Environmental Quality

5301 North Shore Drive

North Little Rock, Arkansas, 72118-5317

501.682.0716

vanderhoff@adeq.state.ar.us

----Original Message----

From: Ditto, Michael B. [mailto:mbditto@agfc.state.ar.us]

Sent: Friday, January 16, 2009 9:08 AM

To: VanDerhoff, Dean

Cc: Emery, Rick D.; Aston, Brian T.

Subject: FW: tire dump site

Mr. Vanderhoff, here is the attachment.				
From: Ditto, Michael B. Sent: Friday, January 16, 2009 9:05 AM To: 'vanderhoff@adeq.state.ar.us' Cc: Emery, Rick D.; Aston, Brian T. Subject: tire dump site Mr. Vanderhoff, here is the information on the	the dump site Officer Brian Aston and I located.			
	Thanks,			
	Bret Ditto			
	Wildlife Officer, Greene County			
	(870) 926-0441			

Tire Site

Mr. Vanderhoff, the dump site is located behind the resident at 1680 Craighead County Road 118, Bono, Ar. The site is approximately 150 yards behind the resident, down an ATV trail. I would guess the amount of tires to be around 500. There are tires of all types. The property the tires are on is owned by Mr. J.L. Baker. Mr. Baker resides on the property, and is very cooperative. I do not believe that Mr. Baker had anything to do with the placing of the tires. The tires were dumped there by Mr. Rickey Milsap. Mr. Milsap is the grandson of Mr. Baker. Mr. Milsap had a tire business that was located in Bono, and dumped the used tires at this site. Mr. Milsap had a business partner, Larry Jones. A number to reach Mr. Milsap is (870) 316-2254. I do not believe he has been contacted at this point. The GPS Coordinates are 15S 0697786, UTM 3971691. If your agency needs any other assistance I will be glad to help.