



Arkansas Department of Environmental Quality

Solid Waste Management Division

Complaint/Illegal Dump Investigation Worksheet



Complaint Lodged Against:
 Northwest Arkansas Vending Company (NAVCO)
 2406 N Gregg St.
 Fayetteville, Ar 72703

Page 1 of 2

County: Washington

AFIN: 72-00000

PDS ID: 147

Access ID: 2168

Complainant Name & Address:
 Councilman Don Marr; City of Fayetteville
 Melissa Terry; Audubon Arkansas (479) 527-0700
 Fayetteville Fire Dept. Through the Air Division

<input checked="" type="checkbox"/>	Valid
<input type="checkbox"/>	Invalid
<input type="checkbox"/>	Unknown

Location Description:

West edge of the above property adjacent to Skull Creek in Fayetteville.

Complaint Description of Waste:

Vending Machine parts; delivery van bodies; tires; oil filters

Complaint Received by: Justin Sparrow

Date Received: 4/22/04

Section 1: Size of Waste Mass		Pts	Points	Total
Length		>640 yd ³	5	0
Width		320 yd ³ to 640 yd ³ = 16 roll offs	5	0
Height		160 yd ³ to 320 yd ³ = 8 roll offs	4	4
Total		80 yd ³ to 160 yd ³ = 4 roll offs	3	0
Approx. Cyd		40 yd ³ to 80 yd ³ = 2 roll offs	2	0
		40 yd ³ or < = 1 roll off	1	0
		{Section 1 Multiplier=5} Size of Waste Mass Score		20

Section 2: Contents of Waste Mass	Pts	Points	Total
Household Waste	5		0
Hazardous items {i.e. paint thinner, cleaning chemicals, oil cans, herbicides, medical waste, asbestos}	5		0
White Waste {i.e. Refrigerators and appliances that may contain Freon}	3	3	9
Construction/Demolition Waste	3		0
Approximate Number of Tires:	3	3	9
Abandoned Vehicles /Auto Parts: {May contain gasoline, oil, antifreeze or other automotive fluids}	2	2	6
Other Bulky Waste: {i.e. TV's, Furniture, Mattresses, etc.}	2		0
Yard Waste	1		0
Dead Animals	4		0
Other			0
		{Section 2 Multiplier = 3} Contents of Waste Mass Score	24

Section 3: Site Assessment		Pts	Points	Total
Air Pollution	Open Burning	5		0
Air Pollution	Evidence of Open Burning	4		0
Air Pollution	Strong; Foul Order Present	3		0
Water Pollution	Waste in or near standing or flowing water	5	5	20
Water Pollution	High probability of leachate (run-off) into ground/surface water	5		0
Public Health Risk Assessment	Vectors sighted	5		0
Public Health Risk Assessment	Evidence of Vectors {i.e. rats, flies, mosquitoes, snakes, scavengers}	4		0
Public Health Risk Assessment	Public Nuisance {i.e. feces and/or eggs and/or tunnels}	3	3	12
Site Usage Assessment	Site attended or maintained for a fee	5		0
Site Usage Assessment	History of previous complaints	5	5	20
Site Usage Assessment	Active, attractive nuisance; evidence of recent dumping	5		0
Site Usage Assessment	Dumping resumed at cleaned up or closed site	4	4	16
Site Usage Assessment	Old Site; no evidence of recent dumping; overgrown	2		0
{Section 3 Multiplier = 4}		SITE ASSESSMENT SCORE		68
		TOTAL for Section 1 & 2		44
Date Investigated: 4/26/04		Time Investigated: 1300		(F9) TOTAL SCORE 112

GIS: N36.097; W094.1630

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

Waste Tire Regulations #14 §9, Prohibitions:

X	Tires disposed unless part of a permitted processing/collection facility
	Caused or permitted the open burning of tires

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
--	---

Litter Act §8-6-406

x	Dispose of litter upon any public or private property or into any body of water
	Vehicle is not covered to prevent the contents from departing from vehicle

Final Disposition

X	Investigated – Letter Sent	Investigated – No Evidence Found
	No Further Action Required	Complaint Forwarded To:



**Complaint Investigation and Illegal Dump Form
Attachment**

Location: 2406 N Gregg St., Fayetteville	County: Washington
Inspector: J. Sparrow	Date: 5-5-04

COMMENTS:

This complaint was originally worked in October of 2000. The material located behind the business was considered to be stored on site and not abandoned; therefore the complaint was classified as invalid. However, recent complaints from the City of Fayetteville Fire Department and Audubon Arkansas have concerned waste tires and auto parts including used oil filters.

On April 26, 2004, I preformed an inspection on this site regarding these recent complaints. In addition to the material found in 2000 there are several waste tires and auto parts located between the business and Scull Creek. The material observed in 2000 has not been removed and there is evidence that the material is being flooded by Scull Creek during heavy rain events.

FURTHER ACTION TAKEN/TO BE TAKEN:

Inspector Signature _____ **Date** _____ **Hours** _____
ADEQ dump form att. 9/99

From: melissa terry [melissaterry@yahoo.com]
Sent: Monday, April 26, 2004 5:02 PM
To: Sparrow, Justin
Cc: ken smith; Kyle Cook; don marr; sophie morrison; Shawn Shrum; shatfield@ci.fayetteville.ar.us; Love, Heidi
Subject: Scull Creek NAVCO Dump Site
April 26, 2004

Dear Justin,

Thank you for taking the time to walk with City Councilor Don Marr and me at the dump site on Scull Creek this afternoon. As evidenced by what we saw on our walk, the tractor-trailers, crushed car and various metal piles are the most unsightly part of the dump. With the help of heavy equipment at the parking lot level, the removal of these items could be accomplished in a matter of days. Moreover, the business could very well recover their equipment/staff time costs by selling the recovered steel items to a metal recycler.

The other major part of the dump site includes about a hundred or more 18-wheeler tires and a similar number of oil filters (mostly lining the flood berm as a revetment material). Regardless of whether the dump site is brand new or 30 years old, it is Audubon's opinion that the large amount of tires represents an aesthetic blemish on our urban creek community while also creating a public health risk by encouraging artificial mosquito habitat. With each storm event sending tires and oil filters down the watershed, this dump site also contributes to the downstream pollution of the Illinois River watershed as a whole.

Due to the classification of these materials as hazardous waste, it is our hope that the landowner can be relied on to dispose of these items properly in an appropriate manner. This could present a possible partnership with the Tri-County Solid Waste District, although that would be entirely between the landowner and the District.

The City of Fayetteville is working hard to develop aesthetically pleasing and contiguous trail corridors along urban stream greenways and the efforts of ADEQ will be matched by community support for this clean up. As we have been working on restoring this particular riparian area to its natural state since our first report in Feb. of 2000, Audubon Arkansas strongly supports and appreciates your continued attention in this matter. Please let us know when you have a report prepared.

Thank you,
Melissa Terry
Audubon Arkansas
44 N. School Ave.
Fayetteville, AR 72701
mterry@audubon.org
479.527.0700
www.ar.audubon.org

CC:

Ken Smith - Director, Audubon Arkansas

Don Marr & Kyle Cook - Fayetteville City Councilors, Ward 2

Shawn Shrum - Director, Washington County Environmental Affairs

Sophie Morrison - Educator, Washington County Environmental Affairs

Steve Hatfield - Trails & Greenways Coordinator, City of Fayetteville

Heidi Love - Inspection Supervisor, Solid Waste Division, ADEQ

Do you Yahoo!?

Yahoo! Photos: [High-quality 4x6 digital prints for 25¢](#)

2406 North Gregg Ave
Fayetteville, AR 72703
Phone: (479) 442-7331
Fax: (479) 442-6866



Fax

*FAX 479-452-4827
H. Smith — NOT*

To: Justin Sparrow From: Dwayne Franco "Narco"


Fax: _____ Pages: 2

Phone: 479-442-7331 Date: 6-1-04

Re: _____ CC: _____

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

• Comments:

*If you have any questions please
give me a call Thanks
*

Quality you can taste

2406 N. GREGG
(501) 442-7331



Service you can trust

FAYETTEVILLE, AR 72703
FAX: (501) 442-6865

In the late 80's Navco was told by the state that we had to clean up the west end of our company. Navco was told what we needed to do to fix the problem.

We did what we were told to do including disposing the tires which we are also doing every month. Navco called the state to come out and inspect the work. The state inspected the work and then ok'd it.

[Handwritten Signature]
6-1-04













