



Arkansas Department of Environmental Quality

Solid Waste Management Division

Complaint/Illegal Dump Investigation Worksheet



Complaint Lodged Against: Tyronza Truck Salvage

Page 1 of 2

County: Poinsett

AFIN:

PDS ID:

Access ID:

Complainant Name & Address: Becky Keogh

Valid

X

Invalid

Phone:

Unknown

Location Description: Highway 63, Tyronza, AR

Complaint Description of Waste: Truck Salvage Yard

Complaint Received by: H. Love, H. Elliott

Date Received: 7-6-04

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		0
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		0

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		0
Construction/Demolition Waste		3		0
Approximate Number of Tires:		3		0
Abandoned Vehicles /Auto Parts: {May contain gasoline, oil, antifreeze or other automotive fluids}		2		0
Other Bulky Waste: {i.e. TV's, Furniture, Mattresses, etc.}		2		0
Yard Waste		1		0
Dead Animals		4		0
Other Truck Salvage Parts & Equipment			3	9
{Section 2 Multiplier = 3}		Contents of Waste Mass Score		9

George Finner

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		0
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		0
Site Usage Assessment	Site attended or maintained for a fee	5		0
Site Usage Assessment	History of previous complaints	5		0
Site Usage Assessment	Active, attractive nuisance; evidence of recent dumping	5		0
Site Usage Assessment	Dumping resumed at cleaned up or closed site	4		0
Site Usage Assessment	Old Site; no evidence of recent dumping; overgrown	2		0
{Section 3 Multiplier = 4}		SITE ASSESSMENT SCORE		0
		TOTAL for Section 1 & 2		9
Date Investigated: 7-6-04		Time Investigated: 13:00		(F9) TOTAL SCORE 9

GIS:

Section 4: Violations

Solid Waste Management Act §8-6-205

	(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
	(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:

	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

	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

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

George Finner

**Complaint Investigation and Illegal Dump Form
Attachment**

<i>Location: Tyronza Truck & Trailer Sales</i>	<i>County: Poinsett</i>
<i>Inspector: G. Turner</i>	<i>Date: 7-6-04</i>

COMMENTS:

On July 6, 2004, I made a follow-up inspection of the Tyronza Truck & Trailer Sales. My findings on this inspection are much the same as the inspection of April 30, 2004. I found the following changes:

- (1) The trailer loaded with waste tires was gone. There are not a sufficient number of tires present to violate the Arkansas Waste Tire Regulation 14.*
- (2) Semi-trailers have been placed in the open fence area on the south side of the site. The storm of July 5, 2004, had blown down a small portion of the fence on the north east corner. The site is enclosed by a fourteen(14') foot high fence.*
- (3)The Arkansas High Department is constructing an overpass at Tyronza. Highway 63 will become I-555 and it will require several feet of frontage from this site.*
- (4) Les Branscum with the HW division of the ADEQ was recently at the site and as a result Larry Higginbotham has replaced the 1000 gl. Waste Oil Tank with a 250 gl. Tank. I do not have a copy of Les's report and do not know of any other requirements he may have noted.*

As previously stated in my report of April 30, 2004, the Arkansas Solid Waste Act §8-6-205 does not cover this facility. The Arkansas Solid Waste Act §8-6-205 covers the disposal of waste and not the stock-piling and storage of materials such a scrap metals, tires, batteries, for eventual recycling, reuse and/or disposal.

FURTHER ACTION TAKEN/TO BE TAKEN:

None

Inspector Signature *Gesige Turner* *Date* 7-7-04 *Hours* 8
ADEQ dump form att. 9/99





TIRE SERVICE
SALVAGE TRUCK PARTS
24 HOUR SERVICE

WRECKER SERVICE
WELDING
DIESEL REPAIR

Tyronza Truck and Trailer Sales

Highway 63 • One Mile North Of Tyronza
Rt. 2 Box 570 • Tyronza, AR 72386

BILL McCOY
LARRY HIGGINBOTHAM

Mobile: 901-484-8854
Office: 870-487-2073
Home: 870-487-2864



COMMERCIAL
EQUIPMENT





















MURATA L275





637-2321

WARD
TRUCKING CO.

637-2321

BLACKFISH LAKE AR.

ST. MARYS

PO BOX 1000

2















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



Complaint Lodged Against: Tyronza Truck Salvage

Page 1 of 2

County: Poinsett

AFIN: 56-00000

PDS ID: 150

Access ID: 2169

Complainant Name & Address: Becky Keogh

Valid

X

Invalid

Phone:

Unknown

Location Description: Hwy 63, Tyronza, AR

Complaint Description of Waste: Truck Salvage

Complaint Received by: G. Turner

Date Received: 4-23-04

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		0
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		0

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		0
Construction/Demolition Waste		3		0
Approximate Number of Tires:		3		0
Abandoned Vehicles /Auto Parts: {May contain gasoline, oil, antifreeze or other automotive fluids}		2		0
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		0

George Turner

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		0
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		0
Site Usage Assessment	Site attended or maintained for a fee	5		0
Site Usage Assessment	History of previous complaints	5		0
Site Usage Assessment	Active, attractive nuisance; evidence of recent dumping	5		0
Site Usage Assessment	Dumping resumed at cleaned up or closed site	4		0
Site Usage Assessment	Old Site; no evidence of recent dumping; overgrown	2		0
{Section 3 Multiplier = 4}		SITE ASSESSMENT SCORE		0
		TOTAL for Section 1 & 2		0
Date Investigated: 4-30-04		Time Investigated: 12:30		(F9) TOTAL SCORE 0

GIS:

Section 4: Violations

Solid Waste Management Act §8-6-205

	(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
	(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:

	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

	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

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

George Finner

Complaint Investigation and Illegal Dump Worksheet Attachment
--

<i>Location: Tyronza Truck Salvage</i>	<i>County: Poinsett</i>
<i>Inspector: G. Turner</i>	<i>Date: 4-30-04</i>
<i>Follow-Up Investigation</i>	<i>PDS ID: 150</i>
	<i>Access ID: 2169</i>

Comments:
On April 30, 2004, I investigated the Tyronza Truck Salvage. The Arkansas Act §8-6-205 does not cover this facility. I found no violations of the Arkansas Solid Waste Code. There have been some concerns about oil spillage on the site. However, I spoke with the operator, Larry Higginbottom and informed me that he caught the Diesel Fuel for his own use and he drained the engine oil for proper disposal. He has a tank with which to store the used engine oil present. I also checked the ditches around the site and did not see any evidence of oil on the waters present. It did not appear that any oil was being discharged to the waters of the state at the time of this investigation. I also took photos of all the properties adjacent to and across the road from the salvage yard.

FURTHER ACTION TAKEN/TO BE TAKEN:

Inspector Signature _____ **Date** _____













SYSTEM
LOAD









FREIGHTLINER







FOR INFORMATION
PLEASE CONTACT US AT
1-800-368-7263











#5























DECA
DISPOSAL, INC.















DBase # 2004
PDS# 000011

ADEQ

ARKANSAS
Department of Environmental Quality

December 9, 2003

Congressman Marion Berry
House of Representatives
108 East Huntington Avenue
Jonesboro, AR 72401

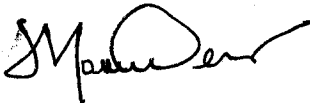
Dear Congressman Berry:

I am writing in regard to your letter of October 8, 2003, in which Harold Lee Blackwood expressed his concerns of a junk yard near Polly's Café in Tyronza. An inspector investigated this issue and confirmed the existence of a truck salvage yard but confirmed it does not fall within the authority of the Solid Waste Management Regulation No 22.

Automobile salvage yards may pose aesthetic problems in that they may be considered "eyesores". The Arkansas Highway and Transportation Department does have rules for such along some state highways. For your convenience, I will forward your constituent letter to Dan Flowers, Director of the Arkansas Highway and Transportation Department, with a copy of this letter.

If I may be of further assistance please let me know.

Sincerely,



Marcus C. Devine
Director

cc: Dan Flowers, Director, AHTD

Attachment

MARION BERRY
1ST DISTRICT, ARKANSAS

COMMITTEE:
APPROPRIATIONS
SUBCOMMITTEES:
ENERGY AND WATER DEVELOPMENT
HOMELAND SECURITY

Congress of the United States
House of Representatives
Washington, DC 20515-0401

1113 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
TEL.: (202) 225-4076
FAX: (202) 225-5602

108 EAST HUNTINGTON AVENUE
JONESBORO, AR 72401
TEL.: (800) 866-2701
FAX: (870) 972-4605

116 NORTH FIRST STREET
SUITE C-1
CABOT, AR 72023
TEL.: (501) 843-3043
FAX: (501) 843-4955

October 8, 2003

Steve

Mr. Marcus Devine, Director
Department of Environmental Quality
8001 National Drive
Little Rock, AR 72209

AFIN: _____
Pmt #: _____
REC'D
SCAN OCT 29 2003
Doc ID#: _____
To: _____

S
W
M
D

RE: Harold Lee Blackwood
Tyronza, AR 72386

Dear Mr. Devine:

The above referenced constituent has contacted my office requesting assistance which falls within the jurisdiction of your agency. I am requesting that you review the enclosed information and forward a response regarding this case to my Jonesboro office. Please keep me advised of any further developments.

Thank you for your assistance in this matter of mutual interest and concern.

Sincerely,

Marion
MARION BERRY
Member of Congress

MB/tt

Steve

From: Wrather, Flora
Sent: Wednesday, December 03, 2003 3:11 PM
To: Martin, Steve
Subject: FW: Tyronza Junk Yard

Categories: Complaint, George, Poinsett County

-----Original Message-----

From: Turner, George
Sent: Wednesday, November 12, 2003 9:22 AM
To: Wrather, Flora
Subject: RE: Tyronza Junk Yard

have already worked this one for Harry. This is a truck salvage yard and they do not come under Reg. 22.

-----Original Task-----

Subject: Tyronza Junk Yard

Start date: Fri 11/7/2003
Due date: Mon 12/8/2003

Status: Not Started
% Complete: 0%

Total work: 0 hours
Actual work: 0 hours

Requested by: Wrather, Flora

<<<<file://E:\EnforcementBr\ Staff\TURNER\INSPECTOR FILES\Complaints\2003\Poinsett 56\Tyronza Junk Yard
\Tyronza Junk Yard.doc>>>>

Memorandum

To: Harry Elliott, Enforcement Officer, SWD
CC: Heidi Love, Inspector Supervisor, SWD
From: George Turner, District 2 Solid Waste Inspector
Date: 10/30/03
Re: Tyronza Truck Salvage Yard

On December 4, 2001, I investigated the Truck Salvage Yard on Hwy 63 just west of Tyronza, AR. I was accompanied by Blann Rains (ADEQ Water Inspector) on this investigation. I did not find any violations of the Solid Waste Management Act (Reg. 22) since the site was not being used as a disposal site. Reg. 22 is not applicable to salvage yards and we do not regulate them.

Also, I did not find any violation of the Arkansas Waste Tire Regulation (Reg.14). There were not enough tires present to violate the regulation.

There was an issue with oil on the ground and I left that determination to the Water Division,

(See Attached Photos)













