



Arkansas Department of Environmental Quality

Solid Waste Management Division

Complaint/Illegal Dump Investigation Worksheet



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|--------------------------|--------------------|----------------------|-------------|
| County Washington | PDS ID 5542 | AFIN 72-00000 | Page 1 of 2 |
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|-----------------------------------|---|
| Date Received June 4, 2007 | Received By Flora Wrather from Glenn DeAtley |
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|---|-----------|
| Complainant Name / Address / Phone Tom Millican | Anonymous |
|---|-----------|

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| Complaint Lodged Against / Address / Phone University of Arkansas Kappa Sig Fraternity 711 W. Dickson Street Fayetteville, AR 72701 |
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| Location Description In a dumpster behind the fraternity house by Evergreen Cemetery. | Complaint Description of Waste Refrigerators are being tossed in the dumpster. |
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Investigation Section

| | |
|--------------------------|--------------------------|
| Date Investigated | Time Investigated |
|--------------------------|--------------------------|

| 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 | |
| Size of Waste Mass Score | | | 0 | |

| 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: | | | 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 | | | 0 | |

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 | |
| 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 | | | 0 |
| *Violation Ranking: 1 (Least Serious Violation) to 5 (Most Serious Violation) | | | TOTAL SCORE 0 |

GPS Reading

SECTION 4 Violations

Solid Waste Management Act §8-6-205

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| | (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 |

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

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| | 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 |
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Investigation Comments

Complaint forwarded to:
 Hillary Booth, Safety Coordinator,
 University of Arkansas Office of Health and Safety
 (479) 575-5448

Final Disposition

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| INVALID COMPLAINT | | VALID COMPLAINT |
| No evidence found | | 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 | x | Complaint Forwarded To U of A Office of Health & Safety on 6/7/07. |

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

From: Mike Stiles [<mailto:mstiles@uafphpl.uark.edu>]

Sent: Thursday, June 07, 2007 1:05 PM

To: Sparrow, Justin

Cc: M. Lonon

Subject: Email_from_your_Web_site

Arkansas Department of Environmental Quality

Mr. J. Sparrow-

We received your message concerning "abandoned refrigerators" behind the Kappa Sigma fraternity house on the University campus. I called earlier this morning and left a message.

I inspected the location this morning and the refrigerators were gone. This is a privately owned house, but I talked to the Kappa Sigma maintenance man at the house. He indicated there had been 2 or 3 refrigerators in their dumpster a couple of weeks ago. An assumption on my part is that they were dumped by students before returning home for the summer. Although the house is privately owned:

1. I have made the maintenance man aware that the University has the facilities and expertise on campus to capture coolants such as Freon and properly dispose of them. I made him aware that landfills would not accept them unless the coolants were properly removed and recovered.
2. We will educate the fraternity's leadership on proper disposal of refrigerators and their coolants.

Mike

M. B. (Mike) Stiles

Office of Environmental Health & Safety

Occupational Safety Coordinator

University of Arkansas

Office Phone: 479.575.7916