

Mr. Brent Richardson
Richardson Landscaping Services
P.O. Box 30068
Little Rock, AR 72260

ADEQ

ARKANSAS
Department of Environmental Quality

Document ID # 006067-comp

December 11, 2008

Mr. Brent Richardson
Richardson Landscaping Services
P.O. Box 30068
Little Rock, AR 72260

Dear Mr. Richardson:

On December 08, 2008, I performed an investigation of your property located on Dunn Circle in Saline 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) and (5). The waste dumped at this site consists of household and yard 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,



Kenneth Burks, Inspector
Solid Waste Division



Arkansas Department of Environmental Quality

Solid Waste Management Division

Complaint/Illegal Dump Investigation Worksheet



County	Saline	PDS ID	006067	AFIN	63-00000	Page 1 of 2
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Date Received	11/26/2008	Received By	Lori Latimer
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Complainant Name / Address / Phone	Anonymous
Caroline Ratliff 1300 Dunn Circle Alexander, AR 72002 501-940-9834	

Complaint Lodged Against / Address / Phone	
Richardson Landscaping 1301 Dunn Circle Alexander, AR 72002	

Location Description From Little Rock, take the Co Line Exit, go right, to the end of the road, go L to Hwy 5, go a couple of miles past Pine Crest Cemetery, go R on Hilldale, to a bunch of mailboxes and a little bridge. There is Dunn Circle, go to the end. They have most of their stuff stockpiled right by the road.	Complaint Description of Waste Hauling in yard debris and various trash, stockpiling and burning.
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Investigation Section

Date Investigated	12/08/08	Time Investigated	1110 - 1120
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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	1
Size of Waste Mass Score			1

SECTION 2	Contents of Waste Mass	Violation Ranking	Points
Household Waste		5	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	2
Yard Waste		1	
Dead Animals		4	
Other			
Contents of Waste Mass Score			7

Kenneth Burch

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	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	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			15
*Violation Ranking: 1 (Least Serious Violation) to 5 (Most Serious Violation)		TOTAL SCORE	23

GPS Reading N 34° 38' 54.1"; W 92° 28' 34.7"

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
x	(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
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

12/08/08 – I entered the site on this date and noted a full trash dumpster with trash bags and other waste scattered around the area. Also, there is a large amount of yard waste on the property. The property is for sale, and I called Mr. Ralph McDaniel of McDaniel Realty and explained that there appeared to be a solid waste violation on the property and that anyone buying the property could be held liable. At this time, the complaint appears to be valid. However, I will send the owner, Mr. Brent Richardson, a letter for a response as to the nature and intent of the full dumpster and yard waste.

Final Disposition

<input type="checkbox"/>	INVALID COMPLAINT	<input checked="" type="checkbox"/>	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		Complaint Forwarded To









RALPH McDANIEL
CELL PH: 680-0220

FOR SALE
McDANIEL
& CO., REALTORS

562-2000

12/8/2008





ALLIED WASTE SERVICES
501-568-1645

www.disposal.com

12/8/2008

**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY
5301 NORTHSHORE DRIVE, NORTH LITTLE ROCK, AR 72118**

COMPLAINT REPORT

PDS #:		AFIN: 63-00000	PERMIT:	
DATE RECEIVED: 11-26-2008		COUNTY: Saline		
COMPLAINANT NAME: Caroline Ratliff		COMPLAINT AGAINST: Richardson Landscaping		
ADDRESS: 1300 Dunn Circle, Alexander AR 72002		ADDRESS: 1301 Dunn Circle, Alexander (Bryant annex)		
PHONE: 501-940-9834	FAX:	PHONE:	FAX:	
HOW COMPLAINT WAS RECEIVED: <input checked="" type="checkbox"/> PHONE <input type="checkbox"/> LETTER <input type="checkbox"/> VERBAL <input type="checkbox"/> FAX <input type="checkbox"/> E-MAIL				
PERSON RECEIVING REPORT: Lori Latimer		DATE: 11-26-08	RECEIVING INSPECTOR:	
DATE:				
DESCRIPTION (IN DETAIL)				
Hauling in yard debris, and various trash, stock-piling and burning.				
LOCATION (IN DETAIL)				
From Little Rock, take the Co Line Exit, Go Right, to the end of the road, go L to Hwy 5, go a couple of miles past Pine Crest Cemetery, go R on Hlldale, to a bunch of mailboxes, and a little bridge. There is Dunn Circle, go to the end. They have most of their stuff stockpiled right by the road.				
PREVIOUS COMPLAINT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO DATES: 03-31-06, 01-11-08				
DISCHARGE TO STREAM? <input type="checkbox"/> YES <input type="checkbox"/> NO NAME OF STREAM:				
FOLLOW UP ON COMPLAINT				
PHOTOS TAKEN: <input type="checkbox"/> YES <input type="checkbox"/> NO		VIOLATION(S): <input type="checkbox"/> 18.602 <input type="checkbox"/> 18.801 <input type="checkbox"/> 18.901		
FURTHER ACTION TAKEN/TO BE TAKEN: <input type="checkbox"/> VERBAL WARNING <input type="checkbox"/> WARNING LETTER SENT				
INSPECTOR'S SIGNATURE:		DATE:	HOURS WORKED:	



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



County	Saline	PDS ID	008149	Date	01/12/2009	Follow-up Investigation	x	Page 3
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Location	Dunn Circle
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Investigation Comments

01/12/09 – I met with Mr. Brent Richardson at the site on this date. He explained that he had contacted the company that owned the dumpster and had arranged for more frequent pick-up. The site was clean and all waste noted previously has been cleaned up.

Follow-up investigation regarding previous PDS #006067

Final Disposition

No further action anticipated in this matter.

