

The Commission on Pollution Control & Ecology, having considered the following applications for permit submitted by the following respective firms and having received the staff recommendations and reports attached thereto, does hereby approve said applications, subject to the conditions contained with the application and reports or amendments, thereto, and the requirements of the Solid Waste Management Act and the Solid Waste Disposal Code; provided, that each applicant is hereby ordered and directed to comply with all general terms of the permit, the Act and the Code, and all specific terms and conditions to the permit, if any, which are so specified:

Arkansas Waste Disposal

Name of Facility - Brushy Island #II

Conditions - A Registered Professional Engineer shall report the proper preparation of the site to the Department before the site is approved for operation. Final cover shall be placed over the entire surface of all portions of the fill within (6) months following the final placement of refuse in each area.

Sunray Sanitation

Name of Facility - Sunray Sanitation #4

Conditions - A Registered Professional Engineer shall report the proper preparation of the site to the Department before the facility is approved for operation. Final cover application shall be made periodically as a section of the fill area is completed with no portion of fill area being left without final cover longer than 6 months following completion of fill in said area. An impervious liner of at least 2 foot thickness of clay shall be placed over the bottom and side slopes of all fill areas.

Dow Chemical U.S.A.

Name of Facility - Dow Chemical U.S.A.

Conditions - A Registered Professional Engineer shall report the proper preparation of the site to the Department before the site is approved for operation. Final cover shall be placed over the entire surface of all portions of the fill within (6) months following the final placement of refuse in each area. The refuse placed in the landfill is limited to domestic type refuse only. No hazardous material will be accepted for disposal or storage.

The Commission on Pollution Control and Ecology hereby approves issuance of the Solid Waste Disposal Permits to the above noted applicant with the above conditions.

COMMISSIONERS
SIGNERS

[Handwritten signatures of Commission members]

[Signature of Chairman]
Chairman

Submitted By: PARA

Date Passed: 11/16/79

ADDENDUM TO SUMMARY

Arkansas Waste Disposal Application

Due to non compliance with the Arkansas Solid Waste Disposal Code in the past, operations of the Bushy Island landfill; this permit terms requires that backup equipment in the form of crawler tractor be on hand at all times, the gate will be closed in the evening early enough to permit covering of each days refuse before dark, six inch daily cover shall be applied on each day of operation; cover material shall be stockpiled in sufficient quantity to cover an extended wet weather period. More attention shall be give on site roads, and a water discharge permit be aquired, all prior to starting operations.

BD/tw

11/6/79

PUBLIC HEARING - November 5, 1979 - Jacksonville - "Arkansas Waste"

COMMENTS: Mark Barnhard

I have several comments pertaining to the avocation (1) it has been some six plus years since the first permit was issued to Arkansas Waste and it has been six years since the Solid Waste Management Code has been in existence. In that time both the Department and Arkansas Waste, SCA, have not been able to meet the specs. The landfill and actions taken by the Department to date have yet to bring the site into compliance. Over the years the Brushy Island landfill has left almost everything to be desired as far as compliance with the Code is concerned. To begin with, I have given dozens and dozens of people directions to that landfill and about the best I can do is say to turn at the Blue Rock Ski Club, the location is totally inadequately signed and due to that problem numerous dumping occurs in the area around the landfill. If that is not a public nuisance then I don't know what is. In the last several years, particularly 1977 and 1978, Arkansas Waste was asked to sign better; they had in 1978 placed a sign at what I suppose they claim is at the entrance of their landfill. It is across the building on the service road there, but it is not at the entrance where their road meets the public road. In other words, there is no way to see that is a landfill until you are at the landfill. At the site I have seen both scavaging and blowing litter zone which are both violations of the code, simple such things as access roads, not the 24 foot wide newly paved road that leads to the window and to the sign but the roads in and out of the actual cell areas are almost some times dangerous. The roads are wide enough only because they are one way. It is the surface composition and repair sometimes, particularly in wet weather. At times in wet weather there is standing water, in various areas, both cells, and drainage is poor in some areas, which means there is both run-off from the surface areas and also some problems because the water stands above the cells with leachate and there is a creek adjacent to the present site, and fairly near to the proposed site which is basically a northward extension of the present facilities. Equipment maintenance is somewhat lacking, in that there is not a good shop. Backup equipment is somewhat scarce. In addition, there is a standing water problem zone, and poor covering practices. The code calls for daily cover and, in many instances, the cover is not well packed or not covered at all; There is from previous days, exposed, left exposed by vehicle traffic over the cells. The Arkansas Waste, Brushy Island, landfill was recently, this summer and last week listed on several lists. The June 28 list, the Gazette published a varied state sites, their hit list, and also last week house sub-committee list as areas of known and unknown hazards because of Hazardous Waste Management Code, it will be available eventually and, as such, these practices may be stopped. There is no reason to assume they will be stopped now or in the near future and we are going to be in a lot of trouble by expanding what we don't know already by 131 acres, which is more than double the already existing area. I find it somewhat interesting that

Public Hearing
Nov. 5, 1979
Jacksonville - "Arkansas Waste"
Page 2

the landfill here at Brushy Island is operated the way it is and the same apparent company operates a fairly, good landfill site for the Pine Bluff/ Jefferson County area. I find it very difficult to reason as to why one site basically is in compliance and the other site, while a garbage dump, hardly qualifies as a sanitary landfill. I believe that both Arkansas Waste and the Department share responsibility in both recognizing and enforcing the code and violations and any other sections having to do with the code. It is not solely Arkansas Waste's responsibility, the Department has a legal and moral obligation to keep up with this sort of thing. So basically overall it is my recommendation, as a citizen of this county, that the permit not be granted and that a closer look at the existing permit be made. Thank you.

Bearden mcuh

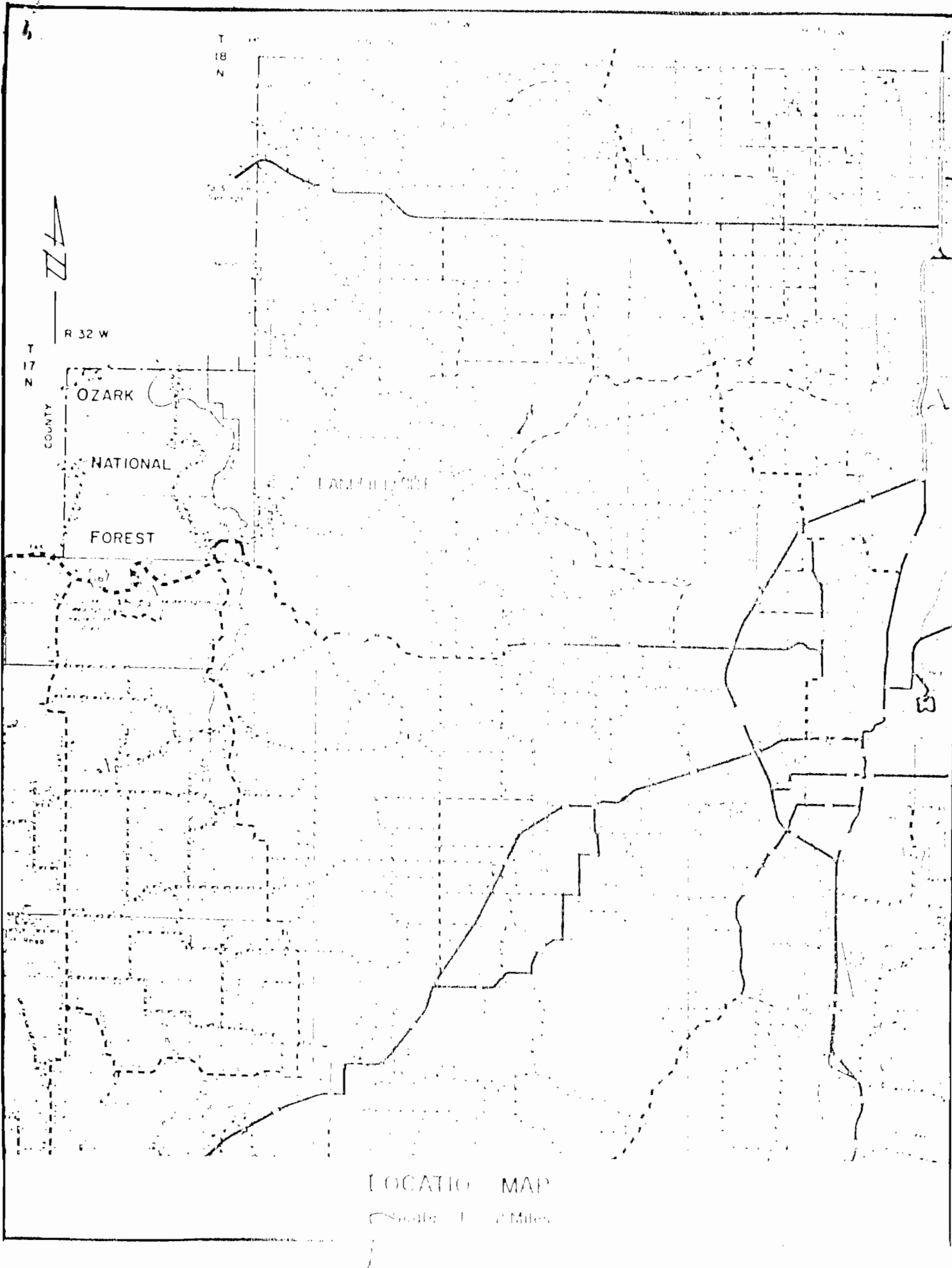
PERMIT APPLICATION SUMMARY

1. Name of Applicant Sunray Sanitation Address 105 Old Missouri Road
Springdale, Arkansas 72764
2. Name of Facility Sunray Sanitation #4
3. Engineer/Firm McGoodwin, Williams & Yates Address 909 Rolling Hills Drive
Fayetteville, Arkansas 72701
4. Application Date 10/15/79
5. Site Location Portion NE 1/4 Sec 23, T17N, R31W Washington County, Arkansas
6. Operation Ravine fill type SLF
7. Residences Within $\frac{1}{2}$ Mile 1 home 500 feet across road and 1 home on site at
Sunray #3 SLF
8. Water Supplies Within Vicinity Private well 900 feet from fill
9. Soils/Groundwater 11 borings on site, ranging from 25' to 40' did not disclose
groundwater, based on report by McClelland Engineers, Inc.
10. Drainage Sequence .9 mile southerly to Clear Creek
11. Hearing Date 11/8/79 Dept. Represented _____ Remarks _____
Brief to be delivered later
12. Recommended Additional Permit Provisions a Registered Professional Engineer shall
report the proper preparation of the site to the Department before the facility is
approved for operation. Final cover application shall be made periodically as a
section of the fill area is completed with no portion of fill area being left without
final cover longer than 6 months following completion of fill in said area. An
impervious liner of at least 2 foot thickness of clay shall be placed over the
bottom and side slopes of all fill areas.

Approval Recommended

Engineer Robert A. [Signature]

Date



PUBLIC HEARING

Sunray #4 Proposed Sanitary Landfill

November 8, 1979 6:00 p.m.

Tonitown Town Hall
Tonitown, Arkansas

Twenty-one persons attending

Jim Brooks
Chairman
Arkansas Commission on
Pollution Control & Ecology

opening statement and Department staff
introductions

Jim Bearden
(SWMD - ADPC & E)

read public notice

Brooks

called for public comment

(Comment pages are attached. For brevity and clarity, comments have been edited when noted).

Don Grimes

City Manager of Fayetteville

I appear here this evening in support of the application of Sunray Sanitation for a permit to extend the area of their present landfill operation located in Washington County, Arkansas. The City of Fayetteville, along with Washington County and nearly all the municipalities located within Washington and Benton Counties, is a participant in the formation of an authority to find a suitable location, a suitable solution, to the solid waste disposal problems in northwest Arkansas. This group is working very diligently toward the development of a plan and the construction of facilities which hopefully will solve the solid waste problems of northwest Arkansas on a long-term basis. We are doing everything possible to accelerate the planning and construction of this facility so that the time remaining for landfill disposal of solid waste in northwest Arkansas will be minimized. The Sunray Sanitation Landfill presently serves the bulk of the population of Washington County and there is no other alternative disposal method available to us at this time. We sincerely urge the Department of Pollution Control and Ecology to approve the extension of the Sunray Sanitation Landfill permit and provide sufficient additional area so that this landfill might be maintained as a primary disposal site until an alternate disposal facility can be placed on line.

Charles McKinney

Mayor of Springdale

For the past number of years the City of Springdale has had a contract with Sunray Sanitation for the collection and disposal of its solid waste. The current contract expires December 1, 1980. We are currently involved with most of the other cities of Washington and Benton Counties in establishing a northwest Arkansas regional solid waste authority. It is our hope that when established, this authority can provide for another means of solid waste disposal other than landfills. Until this time we respectfully request that the Commission grant a permit for this landfill.

Felix Pozza

Owner and Operator of Tontitown Merchantile, Tontitown

For the sake of brevity, Mr. Pozza's statements have been edited as he repeated his statements many times. However every effort has been made to retain the idea behind his remarks.

I understand that the trash must have somewhere to go, but my objections relate to the way Mr. Carpenter operates his business.

My chief complaints are:

Garbage trucks, both Mr. Carpenter's trucks and others, blow trash along the roads and leave garbage up and down the highway.

I have followed these trucks and have license numbers and dates recorded.

Trucks speed through school zones and I would refer you to an accident which happened concerning a truck which did not have any front brakes and was not safety inspected.

His drivers drink while they are driving. I know they are drinking because I have sold them beer in my store and seen them drive away drinking. They will even come in several times a day.

I have observed his trucks dumping on Sunday at the dump. Several times this summer I have followed them from Springdale, from Steele Canning Company, from Forrest Park Canning Company, and they have dumped green beans. I followed them while the juice ran on the road, and I've got some license numbers and dates on that also.

When you all come from Little Rock everybody knows when you're coming and they've got the trash covered and the bulldozers working. I don't know how he knows when you're coming but he knows.

I know that sometimes it is hard to do everything exactly right, but I do think that he could be made to operate within the law.

I could not litter the highway the way he does and get away with it.

If he's going to operate and make a profit, let's make him come under the law and operate within the law like any other business would have to.

I don't think there has been enough follow-through on the complaints of the people. That's why you don't see any more people here tonight. Because most of them think that you all won't do anything about it.

I really think the county and the state are afraid to get on him too hard because then he will simply refuse to pick up the trash, and then what will the people do with their garbage?

Jack Post

Wheeler, Arkansas

Most of my comments will be similar to those of Mr. Pozza. I guess I have complaints, but what I am trying to do is ask for help. I was almost run off the road by one of Mr. Carpenter's trucks. I followed him to Mr. Pozza's store where he was purchasing a six pack of beer. I asked him if he wasn't speeding back there when he passed me and he replied that I should see him when he was really in a hurry. I have observed City of Fayetteville trucks spewing garbage along the highway on the way to the landfill. I have called the Sheriff's Department and the Washington County Judge's office with no result. Last Monday so much garbage was dropped in the road that traffic had to be diverted around it. This was particularly embarrassing to me as I was entertaining guests from out of state whom I had invited to see beautiful northwest Arkansas.

What we need is some help. I sat in on a meeting with the Quorum Court in which Carl Carpenter said he had 15 acres that he was going to use for a landfill. He said it would take about a year to a year and a half to fill it up and when it was filled up that was all of it. Now he's back here again asking for more land for a landfill. I know you have to dump it somewhere. But who do we go to when we feel the situation isn't being handled properly?

The Sheriff won't help us. The county judge will clean it up, but how do we stop the problems before they get started?

John Blass

I am opposed to the expansion of the Sunray Sanitation Landfill for several reasons:

- trash on the roadsides coming off the trucks
- damage to roads by heavy truck traffic
- because the Winslow dump was closed, I feel that the people of that area will soon be dumping their trash here.

I feel that something more should be done than simply digging a hole, putting the garbage in and covering it up. Who can assure us that live in this area and have deep wells, that the water supplies in the area are not being polluted? Can we have a guarantee that there is not going to be ground water pollution?

If Mr. Carpenter is allowed to continue his operation, this will remove the incentive for Fayetteville and Springdale and the other cities to continue to try and solve the garbage problem because they will have an easy way out. But, if he doesn't get the extension, then this will serve as extra pressure to make sure they continue their work.

I think that if you all required the cities of Fayetteville and Springdale to dump their garbage in their city limits they would move more quickly to solve their solid waste problems.

Francis Hull

You people are asking for comments on this proposed landfill. You can sit here and listen to complaints all night, but you haven't presented a thing to us to make comments on. Is the landfill going to have compacted clay, be hung in the air, or what? You all need to get up and tell us what you are going to do, and then we can make statements on it.

Besides operating after hours and on weekends, I have observed cattle on the site which is by your own regulations prohibited. Well, there are many things I think the Pollution Control Commission has turned their backs to which need correcting.

Jack Post (additional)

We come into this room and we find you all "glad-handing" with Carl Carpenter. It's pretty hard for us to even imagine or believe that you are going to do anything to correct him. We're all old friends. I came here and appealed to you for help to give us some solution to the litter on the road and you ask us if we have a city police out here to work.

A. L. Sparks

(ADPC & E) explained that the clay liner was in place and was not designed to cover the entire fill area, but only where the fill came into contact with bedrock.

Several citizens then used this opportunity to address questions to representatives from the Department. The question and answer session lasted approximately ten minutes and is not recorded here.

Charlie Blass

Introduced pictures taken of litter and garbage on the roads taken about three weeks ago.

Questioned if the clay liner for the landfill was in place and constructed as it should be.

Joe Tarvin

McGoodwin, Williams and Yates Engineering

I would like to say a few words to perhaps give you folks some confidence in our firm. We've been an engineering firm for over 30 years working in Fayetteville and we have done engineering work for most of you folks that are here. We're worked as consulting engineers for the City of Tontitown, for Washington County, the City of Springdale, the City of Fayetteville, and most of the towns around here. You have to realize when we accept a project we accept it with the idea of seeing that it is engineered properly. We have a reputation that we have worked hard to build and we're not interested in doing anything that would offend that reputation in any way for any amount of dollars. This is the fourth landfill that we have done for Sunray. We have done landfills in other parts of the state. I engineered the present site. The engineering that is behind that landfill is also behind this new one. We retained McClelland Consulting Engineers in Little Rock who are geo-technical consultants. They are sub-soil specialists to come up and they were also brought in on the last landfill site. They drilled eleven holes on the site. These holes varied in depth from 25 to 40 or 50 feet. In addition to that, eleven test pits were excavated on the site to gain additional information which we felt was necessary to have in order to see that the landfill was properly engineered. The Soil Conservation Service came out tested. After all these tests were run, reports were prepared and submitted to our office. Based on the information in those reports we have designed the landfill. The site is going to have to have liner construction on a good part of the area. In parts of it we are proposing a two-foot thick liner, and parts, a three-foot thick liner. These people from the state would not be sitting here tonight if they did not feel that the site should be permitted and the purpose of this hearing is to see if any additional information is available to the contrary.

Mr. Tarvin then accepted questions concerning the engineering and construction of the site.

Questions were also addressed to representatives from the Department of Pollution Control and Ecology and to Commissioner Jim Brooks. Discussions resulted which concern subjects previously recorded here.

Mr. Carl Carpenter, owner and operator of the landfill in question, then asked to make a statement. Excerpts from his remarks follow:

I agree that problems exist and probably more could be done about them than is presently being done. And we are not going to try to eliminate our share of the blame. We have a big job to do and we have to get it done. This economy which you enjoy here has to do with the trash that goes through your city. (Mr. Pozza even makes money off of my beer drinkers).

The only way I know to control the litter from trucks using my site is to close my landfill to everyone except my trucks and the City of Fayetteville's trucks.

I have instructed my men to pick up along the roads, but only to pick up paper and plastic bags--material I feel is coming from the trash trucks. My men can't begin to pick up all the beer cans and coke bottles out there, and these are coming from your neighbors, not from my trucks.

We've gotten tickets for scattering trash from trucks, and I expect to. I've never tried to keep from getting one or put any pressure on anybody not to issue one.

Everyone uses my landfill, and if I tell them they can't dump at my site, they are going to go and dump it on your property. We are trying to help the area by taking this trash and disposing of it in a manner that we know best.

I feel that private individuals are the chief source of the litter problem and if I refused to let them come to my dump that might stop some of the litter problem, but where will they take their trash?

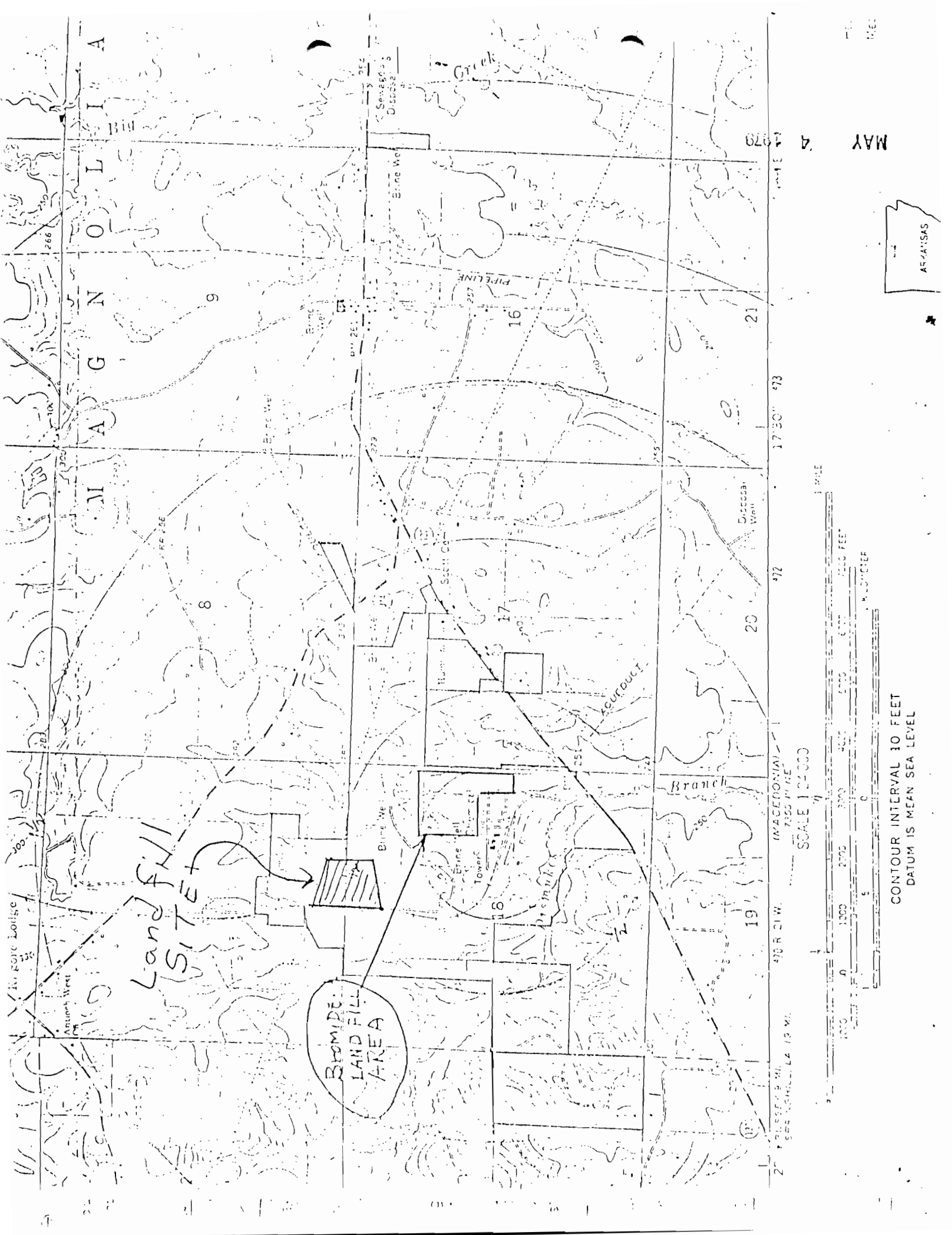
Mr. Carpenter then took questions from several citizens present concerning specific incidents of littering from trucks, and other problems.

Discussion continued with comments from the public and representatives from the Department of Pollution Control and Ecology.

The hearing was declared closed at 8:37 p.m.

PERMIT APPLICATION SUMMARY

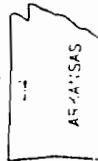
1. Name of Applicant Dow Chemical Address P. O. Box 520
Magnolia, Arkansas 71753
2. Name of Facility Dow Chemical SLF
3. Engineer/Firm Mehlburger Engineers, Inc. Address 201 S. IZARD
Little Rock, Arkansas 72201
4. Application Date 6/12/79
5. Site Location Portion SW & SE 1/4 Sec 7 and N 1/2 NW 1/4 Sec 18, T17S, R21W
Columbia County, Arkansas
6. Operation Trench Fill SLF
7. Residences Within $\frac{1}{2}$ Mile Nearest home 1200 feet on private well 6 residences
between 1/4 and 1/2 mile from landfill site.
8. Water Supplies Within Vicinity Private well.
9. Soils/Groundwater 10 feet depth to permanent water table.
10. Drainage Sequence 600 feet southwesterly to Dismukes Branch
11. Hearing Date 11/13/79 Dept. Represented _____ Remarks _____
Brief to be delivered later
12. Recommended Additional Permit Provisions a Registered Professional Engineer shall
report the proper preparation of the site to the Department before the site is
approved for operation. Final cover shall be placed over the entire surface of all
portions of the fill within (6) months following the final placement of refuse, in
each area. The refuse placed in the landfill is limited to domestic type refuse only.
No hazardous material will be accepted for disposal or storage.
- Approval Recommended _____ Engineer Robert H. [Signature] Date _____



MAY 4 1979

SCALE 1:24,000

CONTOUR INTERVAL 10 FEET
DATUM IS MEAN SEA LEVEL



Land Fill
SITE

BRIMIDE
LAND FILL
AREA

PUBLIC HEARING

Dow Chemical Company Proposed Sanitary Landfill

November 13, 1979

6:00 p.m.

Columbia County Courthouse

Magnolia, Arkansas

Eleven persons attending

Doice Hughes

(ADPC & E)

opening statement and introduction
of Department staff

Hughes

read public notice

Hughes

called for comments or statements

Hughes

called for questions

Hearing declared closed

8:06 p.m.

PUBLIC NOTICE

The Arkansas Commission on Pollution Control and Ecology will hold a public hearing November 13, 1979, to receive comments on the application by Dow Chemical Company to operate a sanitary landfill in Columbia County. The hearing will begin at 6:00 p.m. in the Columbia County Courthouse at Magnolia.

Dow has applied to construct and operate a sanitary landfill on property owned by the company between State Highways 132 and 344 about five miles west of Magnolia on land described as follows: Part of SW $\frac{1}{2}$, SE $\frac{1}{2}$, Sec. 7 and N $\frac{1}{2}$, NW $\frac{1}{2}$, Sec. 18, T-17-S, R-21-W, all in Columbia County, Arkansas.

The proposed facility is for the disposal of domestic solid waste from the plant lunch room and offices. No hazardous wastes are to be disposed of in the proposed landfill.

Oral statements will be heard, but for the accuracy of the record, all comments on the proposed application should be submitted in writing at the hearing.

The Commission, after review of the application and comments received at the public hearing, is scheduled to consider Dow's application for a permit during the regular Commission meeting scheduled for November 16, 1979, at Little Rock.

Dated this 29th day of October, 1979,

Jarrell E. Southall, Director
Arkansas Department of Pollution Control
and Ecology

Rixey Landfill

To the Editor of the Gazette:

The state Department of Pollution Control and Ecology conducted a public hearing November 5 to receive public comment on Arkansas Waste Disposal's proposed application for expansion of its landfill two miles southwest of Jacksonville between U.S. Highway 67-167 and the Missouri Pacific Lines tracks in the Rixey community. The hearing was conducted in an out-of-the-way place in Jacksonville and not well publicized, so I did not manage to attend, but I would like to offer my comments.

The present Arkansas Waste site has been permitted since 1974, and has since rarely operated within the guidelines set by the Arkansas Solid Waste Management Code. Continual violations include poor surface drainage (water can be found standing in low spots), lack of daily cover (garbage should be covered daily to reduce pollution problems), and many other violations too

technical and numerous to mention. The end result is that many persons' garbage is being disposed of in an unsafe and unsanitary manner. If you live in Sherwood, Jacksonville or north Pulaski County, or put your trash in an Arkansas Waste dumpster, chances are your garbage is going to the Rixey site.

The state agency responsible for solid waste regulations, the Department of Pollution Control and Ecology, has never closed Arkansas Waste, although it admits the site has been out of compliance for much of its existence.

DPC and E is in the position of considering a permit for expansion of a site whose past performance is poor. Granted, the site has improved in the last several months, but this improvement is not unlike a child's good behavior just before Christmas. This recent improvement does not bely the fact that the Arkansas Waste site continually appears on lists of Arkansas's worst polluters. Remember the article (*Arkansas Gazette*, June 28) "Agency Quietly Makes List of Worst Pollution Sites"? Arkansas Waste was there, and only last week it showed up again on a national list put out by a United States House of Representatives subcommittee as being one of 35 sites in Arkansas accepting hazardous waste.

The people living at Rixey and the area surrounding the landfill do not have the means to wage a sophisticated campaign. Therefore, this is an open plea to the Commission on Pollution Control and Ecology, which will consider the proposed application November 16. It will be much easier to simply say yes and grant the expansion, but, this time, for everyone's sake, please say no!

Name Withheld.

Little Rock.