

The Commission hereby approves the permit applications submitted by the following firms, subject to the provisions of the Solid Waste Management Act, the Solid Waste Management Code, and the permit terms and conditions.

Mr. Jimmie Pate

Name of facility - Jimmie Pate Sludge Sanitary Landfill

Additional Conditions - This permit is issued for the life of the landfill with an initial probationary operation period ending six months from the date of issuance. At that time, a determination will be made by the Commission based upon observed operational performance whether to continue or discontinue operation of the landfill. Life of the landfill is defined as the time required to fill to design capacity the approximate 16 acre disposal area described in the final engineering plans submitted by the applicant. Proper preparation of the site shall be supervised and reported in writing to the Department by a Registered Professional Engineer prior to placement of any waste in the landfill. A one foot depth of the bottom of the trenches shall be scarified and recompactd prior to placing of sludge in the trench. The sludge shall be stabilized utilizing sawdust or wood shavings and hydrated lime to a solid content of 25%. This landfill is limited to disposal of sludge from the Fort Smith "P" Street and Massard sewage plants only.

This permit may be revised, revoked or modified at any time by the Commission based upon ultimate sludge disposal plans by the City of Fort Smith.

COMMISSIONERS

B 7
JWB
R. B. [unclear]
[unclear]
[unclear] (No)
[unclear] (No)
[unclear]

SUBMITTED BY: John D. Ward

DATE PASSED: 1/23/81

PERMIT APPLICATION SUMMARY

1. Name of Applicant Jimmie Pate Address Rt. 2, Box 477
Ft. Smith, AR 72916
2. Name of Facility Pate Sludge SLF
3. Engineer/Firm D. Gene Daniel, Inc. Address P.O. Box 1391, 226 Towson
Fort Smith, AR 72902
4. Application Date 1-2-81
5. Site Location NW⁴ SW⁴ Section 2, T7N, R32W - Sebastian County, Arkansas
6. Operation Trench type SLF
7. Residences Within $\frac{1}{2}$ Mile Landowner and landowner son's house on site.
Son's house to be moved. One house $\frac{1}{4}$ mile east.
8. Water Supplies Within Vicinity Municipal water supply.
9. Soils/Groundwater None encountered, in excess of 20 feet below ground level.
10. Drainage Sequence 4 miles westerly to Poteau River.
11. Hearing Date 1-20-81 Dept. Represented Yes Remarks "See attached sheet".
12. Recommended Additional Permit Provisions See attached sheet.
13. Summary Comments This landfill will be used to dispose of sludge from the
Fort Smith "P" Street and Massard sewage treatment plants. The untreated
sludge from these plants has previously been stockpiled in the vicinity of
the "P" Street plant, causing odor problems for nearby residents and pollution
of the Arkansas River.
- Approval Recommended XX Engineer Robert R. Dorsey Date 1-20-81

12. ADDITIONAL CONDITIONS

1. This permit is issued for the life of the landfill with an initial probationary operation period ending six months from the date of issuance. At that time, a determination will be made by the Commission based upon observed operational performance whether to continue or discontinue operation of the landfill. Life of the landfill is defined as the time required to fill to design capacity the approximate 16 acre disposal area described in the final engineering plans submitted by the applicant.
2. Proper preparation of the site shall be supervised and reported in writing to the Department by a Registered Professional Engineer prior to placement of any waste in the landfill.
3. A one foot depth of the bottom of the trenches shall be scarified and recompactd prior to placing of sludge in the trench.
4. The sludge shall be stabilized utilizing sawdust or wood shavings and hydrated lime to a solid content of 25%.
5. This landfill is limited to disposal of sludge from the Fort Smith "P" Street and Massard sewage treatment plants only.

RECEIVED

WORK COPY

11/15/11

1/6/81

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY
 8001 National Drive
 Little Rock, Arkansas 72209
 Solid Waste Control Division 371-2130

APPLICATION
 SOLID WASTE DISPOSAL PERMIT
 (Sanitary Landfill)

The undersigned is a registered professional engineer with the state of Arkansas. A permit will be issued following submission and approval of engineering plans and specifications in accordance with the Arkansas Solid Waste Disposal Code.

1. Applicant's name Jimmie Pate Phone No. 646-4193
 Address Route 2, Box 477, Fort Smith, Arkansas 72916
2. Engineer's name D. Gene Daniel, Inc. Phone No. 782-0995
 Address P. O. Box 1391, 226 Towson, Fort Smith, Arkansas 72902
3. Legal description and acreage Part of the NW 1/4, SW 1/4 of Section 2,
T-7-N, R-32-W, Sebastian County, Arkansas acres 20 ±
4. Total area of site to be used as a sanitary landfill 16 ± acres.
5. Land is to be leased , rented , owned X. (If land is to be rented or leased, a copy of rental or lease agreement will be provided in narrative portion of plans.)
6. Present land use surrounding site Open and industrial (Refer to
vicinity map included with plans)
7. Distance from nearest public road and nature of access road
present or planned Property adjacent to State Highway
8. Distance to nearest residence Two residences on site; no other residences
within 1/4 mile.
9. Distance to nearest water well Greater than 1/4 mile (well on site will not
be used for domestic purposes).
10. Distance to nearest lake or stream 3.0 mi. Name Massard Creek
A tributary of Massard Creek extends to site.
11. Soil profile description, including depth of soil, wetness, permeability, and soil texture. Include a statement about any evident limitations or hazards such as flooding, character of bedrock, if known, permeable substrate or other factor. This information should be obtained from the Soil Conservation Service or other reliable source (attach copy of report).
12. Depth of minimum water table 10 feet. Determined by Refer to Comments
in report. (responsible authority).

\$ _____

13. Type of operation: Trench fill X Area fill _____ or Combination _____.

14. Types, quantities, and sources of materials to be disposed of:

<u>Type</u>	<u>Quantity</u>	<u>Source</u>
Residential/ Commercial	_____	_____
Industrial	_____	_____
Other	Sewage Sludge 100 Ton/Day	Fort Smith Municipal Wastewater Treatment Plants

NOTE: No hazardous wastes, sewage solids or liquids, septic tank pumpings, or other liquids are allowed to be disposed of at a sanitary landfill without written approval from the Department. Any landfill intended for these wastes may required a special permit.

15. Procedures for prevention of unauthorized use of the site Access
controlled by fences with gated entrance.

16. The proposed use of the site upon termination of the disposal operation
Property is currently unzoned; ultimate development to be compatible
with surrounding land use and the use of the property as a landfill.

17. Type collection service provided or planned Transportation of sludge
from treatment plants by landfill operator under contract with the
City of Fort Smith.

18. What city/county ordinance control solid waste collection/disposal in the
area served by the proposed landfill? No applicable ordinances.

REMARKS: Refer to plans and report attached to this application for
additional information.

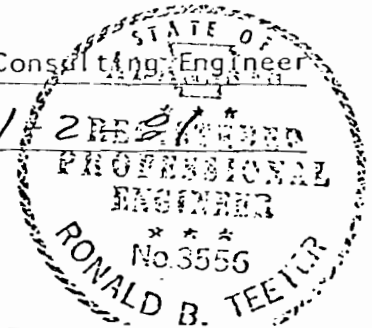
NAME OF ENGINEER D. Gene Daniel, Inc.

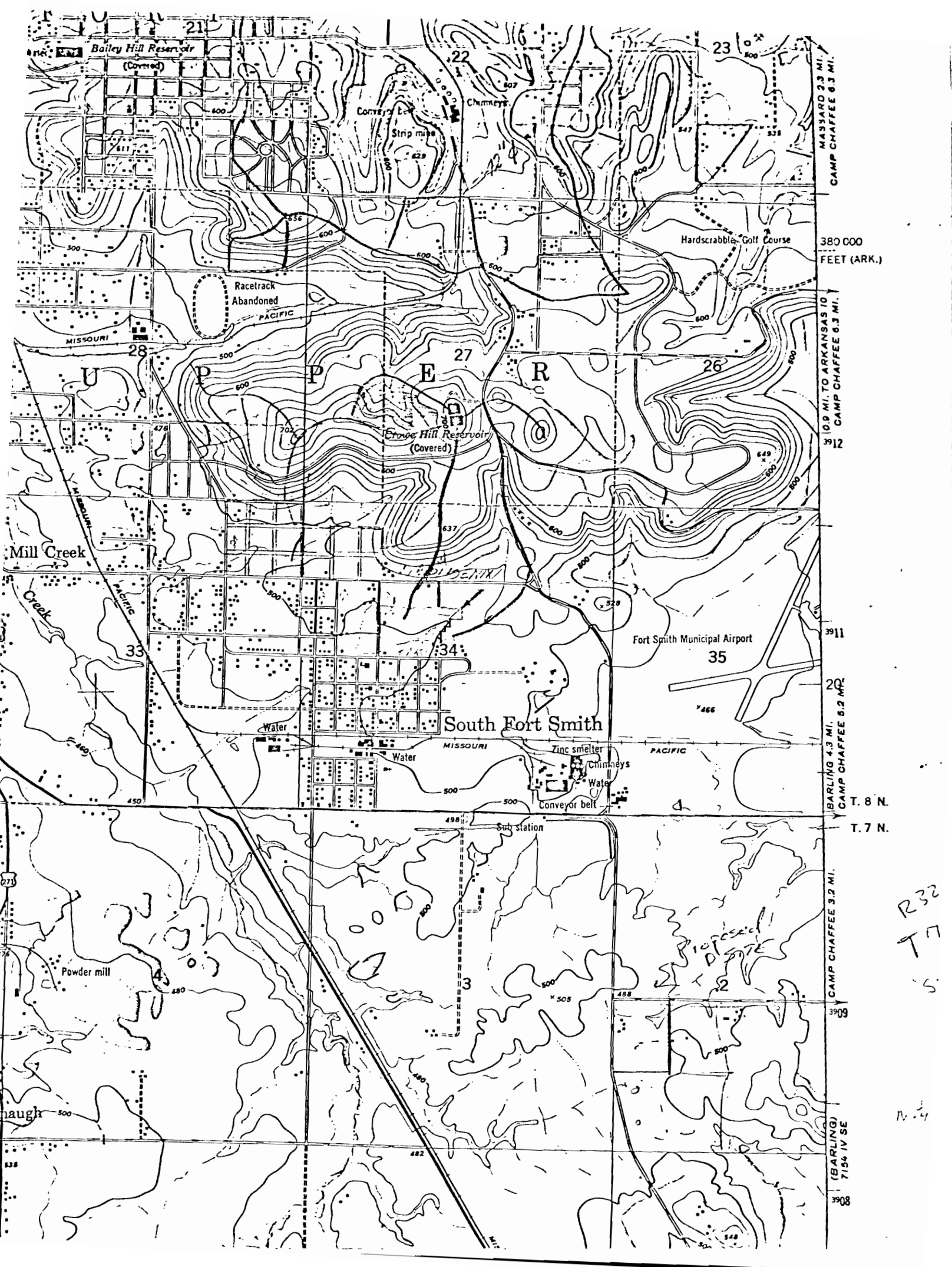
TITLE Consulting Engineer

SIGNATURE Ronald B. Teeter

DATE 12/28/77

SEAL





R32
T7
S

N. 14

PUBLIC NOTICE

The Arkansas Commission on Pollution Control and Ecology will hold a public hearing at the Fort Smith Municipal Auditorium, Gold Room, on Tuesday, January 20, 1981, at 6:30 p.m. The Auditorium is located at 55 South Seventh Street in Fort Smith.

The subject of the hearing is the application by Jimmie Pate of Route 2, Fort Smith, to operate a sanitary landfill on a 20-acre site adjacent to State Highway 45 and a half-mile south of O Street in Fort Smith, all within Sebastian County, Arkansas. The property, which is owned by Pate, is described as follows: Part of the NW 1/4, SW 1/4 of Section 2, T-7-N, R-32-W, Sebastian County, Arkansas.

The proposed landfill would accept approximately 100 tons of sewage sludge from the Fort Smith municipal wastewater treatment plants per day.

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

The Commission, after review of the application and all comments, is expected to consider the application at the regular meeting scheduled for January 23, 1981, at Little Rock.

Dated this 8th day of January 1981

Jarrell E. Southall, Director

Arkansas Department of Pollution Control and Ecology



STATE OF ARKANSAS
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY
8001 NATIONAL DRIVE
LITTLE ROCK, ARKANSAS 72209

501-371-1701 GEN OFFICE
501-371-1701 AIR DIVISION
501-371-1701 SOLID WASTE DIV
501-371-1701 WATER DIV
501-371-2130 BUS OFFICE

MEMORANDUM

TO: Solid Waste Files
FROM: John Ward
DATE: January 22, 1981
SUBJECT: Jimmie Pate Sludge Landfill Public Hearing

The hearing was convened at 6:30 p.m., January 20, 1981 in the Fort Smith Municipal Auditorium. Personnel listed on the attached rosters were in attendance. A summary of comments made by those in attendance are contained in the attached article from the Fort Smith Southwest Times Record. The meeting was terminated at 7:45 p.m.

JDW/mlw

statement after the public safety employees left their own meeting to decide what step they will take next in their drive for 5 percent raises in addition to the 10 percent included in the 1981 city budget adopted by directors.

"Wait and see" was

fund the two departments — salaries and operating expenses as well as capital improvements.

"We were under the impression that the sales tax would be discussed tonight," said one police officer. However, he added that uniformed employees are seeking the

Landfill pros, cons voiced

By HAROLD MILLER
SWTR Staff Writer

Four members of a Department of Pollution Control and Ecology heard sometimes heated arguments Tuesday night for and against burying sewer sludge in south Fort Smith.

The commission will act Friday on Jimmie Pate's application to bury each day 100 tons of sewer sludge on his land about one mile south of South Zero Street, near an industrial park.

The sludge now is composted at the P Street sewage treatment plant. The odor from the operation prompted some residents from that area to argue Tuesday night in favor of moving the sludge to the proposed landfill.

Jim Brooks, commission chairman, told city administrator Steve Lease that "it would be helpful" if the Fort Smith Board of Directors would indicate whether it would approve a contract with Pate if the permit were granted.

The board was to meet immediately following the commission hearing.

Kent Blochberger, who said he worked with firms looking for places to locate warehouses and plants and described himself as a landowner in the south industrial park, said the "effect on the Fort Smith industrial park could never be repaired."

"When we are in competition with other cities (to attract industry) we need every advantage we can get. A sludge landfill in this location would be a disaster for Fort Smith."

Mrs. Billy Coleman, who said she lives on Birnie Avenue near the P Street sewage treatment plant, favored burying the sludge south of South Zero Street.

"I know what it feels to have that stuff go down your throat until you can't breathe. I'm pleading, I'm crying. I've even

prayed to God to deliver me from it," she said.

More opposition to the proposed landfill came from Alan Wooten, an attorney representing Hiram Walker and a family who owns 270 acres near the site.

He told the commission that a landfill located at the proposed site might "threaten the existence of Hiram Walker in Arkansas."

Hiram Walker & Sons Inc. is three-fourths finished with a \$50 million plant being constructed in the industrial park near Pate's land. Wooten said the landfill would not be compatible with the plant, which will begin blending and bottling liquor in June.

Another resident of the area near the P Street sewage treatment plant, Robert Henry Sr., said in support of the proposed landfill, "What you've heard so far is a bunch of mumbo-jumbo."

"We've got an addition three blocks away" from the sewage plant, he said.

"It seems like we've got more emphasis on industry than on people."

In response to criticism of a report done by Arkansas Laboratories Inc., Ronald Teeter, who is associated with the firm, said there are "no residences within one quarter of a mile of the site except the Pate residence." Residences to the east are over one mile away, he added.

Fears that drainage from the property would present problems were unfounded, he said.

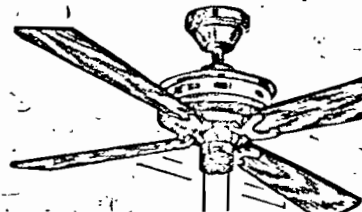
Teeter indicated that consideration would have to be made as to the type of facilities located near the site in the future, but said the industrial park would not be greatly hampered.

Municipal airport manager Jim Groves said locating the landfill at the site, which is near the airport, could be hazardous to airplanes.

hearing of a permit application. Directors split 3-3 (Carolyn McGowan was absent) when PCE commission chairman Jim Brooks asked them to indicate their support of the permit, sought by Jimmie Pate. Leonard Bogoslavsky, wor

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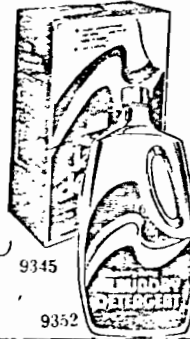
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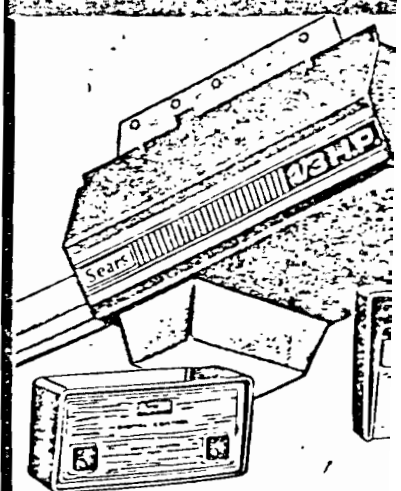
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