



ARKANSAS  
Department of Environmental Quality

Document ID # 007480-comp

August 15, 2008

Doug Potts, Owner  
Oakland Marina  
9924 Oakland Road  
Oakland, AR. 72661

Dear Mr. Potts

On August 15, 2008, I performed an investigation of your property located at 9194 Oakland Road, Oakland, in Marion County, AR. This investigation was in response to a complaint for the open dumping and burning of solid waste. Be advised that you are in violation of the Arkansas Air Pollution Control Code A.C.A. §8-4-310, and the Arkansas Solid Waste Management Act, A.C.A. §8-6-205. Specifically, the following violations were noted:

1. Operation of an unpermitted solid waste dump site or disposal facility, which is in violation of §8-6-205 (a)(3), (4) and (5). "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."
2. Open burning of this waste which is in violation of the Arkansas Air Pollution Control Code, A.C.A. § 8-4-310(a)(1)(2), and (3).

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 activities described and undertake measures to correct the above solid waste violation. You must notify me, in writing, at PO Box 442, Mtn. Home, AR. 72654, or call 870-424-3322, within 15 days of the date of this letter, **when all the waste has been cleaned up and disposed of properly at a permitted landfill or disposal facility. Copies of your waste disposal receipt will be required.**

Please be advised, that failure to correct this violation and contact with me in regard to this notification will warrant formal enforcement action. Your cooperation is appreciated.

Sincerely,

Gary Meador, Inspector  
Solid Waste Division



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



|   |         |   |        |   |               |             |           |
|---|---------|---|--------|---|---------------|-------------|-----------|
| County  | Marion  | PDS ID  | 007480 | AFIN  | 45-00000      | Page 1 of 2 |           |
| Date Received   | 7-31-08 |   |        | Received By   | Steve Cochran |             |           |
| Complainant Name / Address / Phone  |         |   |        |   |               | X           | Anonymous |
| Complaint Lodged Against / Address / Phone  |         |   |        |   |               |             |           |
| Doug Potts, Owner<br>Oakland Marina<br>9924 Oakland Road<br>Oakland, AR. 72661                          |         |   |        |   |               |             |           |
| Location Description  |         |   |        | Complaint Description of Waste                                    |               |             |           |
| Open burning at 9194 Oakland Road, Oakland, AR.   |         |   |        | Dumping & burning trash, C&D waste, etc. from the Oakland Marina. |               |             |           |
| Investigation Section   |         |   |        |   |               |             |           |
| Date Investigated   |         | 8-15-08   |        | Time Investigated   |               |             |           |
| SECTION 1   |         |   |        |   |               |             |           |
|   |         | Size of Waste Mass  |        | Violation Ranking   |               | Points      |           |
| Length  |         | >640 yd <sup>3</sup>                                      |        | 5   |               |             |           |
| Width   |         | 320 yd <sup>3</sup> to 640 yd <sup>3</sup> = 16 roll offs |        | 5   |               |             |           |
| Height  |         | 160 yd <sup>3</sup> to 320 yd <sup>3</sup> = 8 roll offs  |        | 4   |               |             |           |
| Total   |         | 80 yd <sup>3</sup> to 160 yd <sup>3</sup> = 4 roll offs   |        | 3   |               |             |           |
| ~yd <sup>3</sup>  |         | 40 yd <sup>3</sup> to 80 yd <sup>3</sup> = 2 roll offs    |        | 2   |               | 2           |           |
|   |         | 40 yd <sup>3</sup> or < = 1 roll off                      |        | 1   |               |             |           |
| Size of Waste Mass Score  |         |   |        |   |               | 2           |           |
| 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   |               | 3           |           |
| Approximate Number of Tires: Approx. 50   |         |   |        | 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  |         |   |        |   |               | 3           |           |

## Points

| SECTION 4 | Violations |
|-----------|------------|
|-----------|------------|

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

| Investigation Comments |  |
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I investigated the site on this date and observed the burned remains of waste near the back of the parking / drive area.

## Final Disposition

|  |                               |   |                         |  |
|--|-------------------------------|---|-------------------------|--|
|  | INVALID COMPLAINT             | X | VALID COMPLAINT         |  |
|  | No evidence found             | X | Letter Sent             |  |
|  | No illegal disposal occurring |   | Follow-up Investigation |  |
|  | Salvageable materials         |   | Response Received       |  |
|  | 8-6-205(a)(3) exemption       |   | No further action       |  |
|  | No further action             |   | Complaint Forwarded To  |  |

*Ken Meador*



