



A R K A N S A S
Department of Environmental Quality

Via Email To: gary.weeks@lawgrounwa.com
Gary V. Weeks, Attorney for BTS Equipment, LLC

August 29, 2018

Cletus and Karena Wilkins, co-owners
BTS Equipment, LLC
P.O. Box 3114
Bentonville, Arkansas 72811

Dear Mr. and Mrs. Wilkins:

The Arkansas Department of Environmental Quality (ADEQ) was notified on August 1, 2018, of an uncontrolled fire at an unpermitted dump site on Trafalgar Road in Bella Vista, Arkansas. The northern parcel of the site shows current ownership as BTS Equipment, LLC, with the southern parcel showing ownership as Blue Mountain Storage, LLC. Both of these parcels were previously owned by Blue Mountain Storage, LLC, and operated by the Bella Vista Property Owner's Association.

The above site is not permitted for the proper disposal of solid waste, nor has it ever been permitted in the past. APC&EC Regulation 22.102 and A.C.A. § 8-6-203 defines a disposal site, in part, as "any place at which solid waste is dumped, abandoned, or accepted or disposed of for final disposition by incineration, landfilling or any other method." In addition, A.C.A. § 8-6-503(4) defines "Illegal Dump" to mean "any place at which solid waste is placed, deposited, abandoned, dumped, or otherwise disposed in a manner that is prohibited by this subchapter or other statutes, rules, or regulations, and which constitutes (A) an attractive nuisance, (B) a fire, health, or safety hazard, (C) a potential source of surface or groundwater contamination, or (D) other contamination that is hazardous to the public health or endangers the environment."

Based on determinations that this site is in fact an illegal dump site, ADEQ advises that you discontinue all dump and disposal operations at this site and take steps to prevent public access to the site due to safety concerns. Additionally, ADEQ offers assistance in your preparation of a work plan if necessary to bring this area back into regulatory compliance.

Following this letter you will receive an inspection report of the site. If you have any questions regarding this process, then please contact Tracy Rothermel, General Counsel at (501) 682-0743 or email Rothermel@adeq.state.ar.us.

Sincerely,

Kevin White
Associate Director
Office of Land Resources
Arkansas Department of Environmental Quality

cc: Charles M. Johnson, Senior Manager, Regulated Waste Operations, Office of Land Resources
Tracy Rothermel, General Counsel
Scott McDonald, Enforcement Branch Manager, Office of Land Resources