



May 4, 2017

Ms. Melinda Caldwell  
Ozark Mountain Solid Waste District  
Permitted as Northwest Arkansas Solid Waste Management District  
927 West Rush Street  
Harrison, AR 72601

RE: Quarterly Inspection conducted on May 3, 2017  
AFIN 03-00208  
Permit Number 0022-SWTP

Dear Mrs. Caldwell:

The Arkansas Department of Environmental Quality – Office of Land Resources (ADEQ) conducted a routine inspection of your facility pursuant to the Arkansas Solid Waste Management Act (Arkansas Code, Annotated, § 8-6-201 *et seq.*), of 1971, as amended, the Arkansas Pollution Control & Ecology Commission Regulation 22 (Solid Waste Management), the Arkansas Waste Tire Act (Arkansas Code, Annotated § 8-9-401, *et seq.*) of 1991, as amended, and the Arkansas Pollution Control & Ecology Commission Regulation 14 (Waste Tire Program), and the above-referenced permit. The inspection identified conditions at your facility which the ADEQ alleges constitute violations of APC&EC Regulation No. 14. A copy of the inspection report is attached.

Please refer to the attached inspection report to note the specific allegations. A written response for the noted allegations, describing the corrective action taken or to be taken must be submitted within thirty (30) calendar days from the date of this letter to the attention of Darrell Norton. Failure to submit the written response shall be construed as an admission of any allegations. Any items noted that are neglected or persistent may warrant formal enforcement action.

If you have any questions regarding the alleged violations, please do not hesitate to contact me at (501) 837-6909 or [norton@adeq.state.ar.us](mailto:norton@adeq.state.ar.us).

Sincerely,

A handwritten signature in black ink that reads "Darrell Norton". The signature is written in a cursive style and is enclosed in a thin black rectangular border.

Darrell Norton  
Solid Waste Inspector  
Office of Land Resources

Attachment

cc: Tammie Hynum, Acting Sr. Operations Manager, Office of Land Resources



**Arkansas Department of Environmental Quality  
Office of Land Resources-Solid Waste Management  
Waste Tire Processing Facility Inspection**



<b>Site Name</b>	NWARSWMD	<b>County</b>	Baxter	<b>AFIN</b>	03-00208
<b>Facility Address</b>	Baxter CR 831	<b>Phone Number</b>	870-741-7026	<b>Permit Number</b>	0022-SWTP
<b>Permittee Address</b>	927 Rush Street, Harrison, AR 72601	<b>E-Mail Address</b>		<b>PDS #</b>	096876
<b>Date</b>	5/3/2017	<b>Entry Time</b>	9:05 AM	<b>Exit Time</b>	9:58 AM

**Regulation 14 – Operational Standards**

**Category 1**

	<b>Regulation</b>	<b>Item Description</b>	<b>Comments</b>
	1402(F)	Sign posted with required information	
	1402(B)	Waste tires stored separately from used tires	
X	1207	Records maintained and available	See comments page
X	1402(N)	Emergency preparedness manual on site and updated	See comments page
X	1210; 1402(L)	Communication equipment maintained on site	See Comments page
	1402(O)	Department notified of emergency	

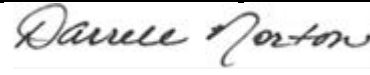
**Category 2**

	<b>Regulation</b>	<b>Item Description</b>	<b>Comments</b>
X	1201	Operations in accordance with permit documents	See comments page
X	1402(M)	Site kept free of vegetation	See comments page
	901	Residuals disposed or recycled	
X	1209; 1402(E)	Mosquito and rodent control	See comments page
	1402(H)	Passable access roads at all times	
X	1402(J)	Site bermed for runoff control	See comments page
	1402(I)	Access to site controlled	

**Category 3**

	<b>Regulation</b>	<b>Item Description</b>	<b>Comments</b>
	1402(R)	Separation distances maintained	
X	1402(C)	Waste tire pile within maximum dimensions	See comments page
X	1204	Processed tires meet storage criteria	See comments page
	1402(K)	Fire protection services assured	
	1402(G)	Operations involving use of open flames prohibited	
X	1402(D)	Fifty foot wide fire lanes and unobstructed	See comments page

## Regulation 14 - Records

1402(N)	Date of last revision/update to emergency preparedness manual	March 2004			
1402(Q)	Quantity of waste tires/processed tires received	n/a			
1402(Q)	Quantity of waste tires stored on site	4000 x 100 tires per bale =@400,000			
1402(Q)	Quantity of waste tires shipped from site		Site Conditions	Wet	
1215	Date of last annual report	3-1-10	Weather Conditions	Overcast	
Operator Name & Number		n/a	Signature of Inspector		
					
Exit Interview Conducted with	n/a	Method	n/a	Date	n/a
				Time	n/a



<b>Site Name</b>	NWA RSWMD	<b>AFIN</b>	03-00208	<b>Permit Number</b>	0022-SWTP
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**Category 1 Comments**

**Records maintained and available 14.1207**

The owner or operator of a waste tire processing facility shall record and maintain information regarding their activities. The records shall be available for inspection by Department personnel during normal business hours.

**Comments:**

No records on site for review- Facility has not operated since 2010.

**Emergency preparedness manual on site and updated 14.1402(N)**

The operator of the site shall prepare and keep at the site an emergency preparedness manual. The manual shall be updated at least once a year, upon changes in operations at the site.

**Comments:**

No emergency preparedness manual available for review on site.

**Communication equipment maintained on site 14.1210, 14.1402(L)**

The owner or operator shall submit, for review and approval, an emergency preparedness plan that adequately mitigates all fire hazards, and provides for the safety and health of all persons who may be potentially affected by a fire event at the facility.

Communication equipment shall be maintained at all facilities to ensure that the site operator can contact local fire protection authorities in the event of a fire.

Adequate equipment to aid in the control of fires must be provided and maintained at the facility at all times.

**Comments:**

No communication equipment or fire control equipment noted on site at the time of this inspection.

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<b>Site Name</b>	NWA RSWMD	<b>AFIN</b>	03-00208	<b>Permit Number</b>	0022-SWTP
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**Category 2 Comments**

**Facility operates in accordance with permit documents 14.1201**

Waste tire processing facilities shall obtain a permit and shall meet the requirements contained in this regulation for waste tire processing facilities (Waste Tire Processing Facility Requirements) or shall meet the general permit requirements contained in this regulation.

**Reg.14.1215 Annual Reporting**

Owners and operators of waste tire processing facilities shall submit to the Department an annual report by March 1 that summarizes information on facility activities. The report shall be submitted to the Department on FormTP5 (Waste Tire Processing Facility Annual Report).

**Comments:**

There has been no Annual Report submitted since 2009

**Site kept free of vegetation 14.1402(M)**

The waste tire site shall be kept free of grass, underbrush, and other potentially flammable vegetation at all times.

**Comments:**

Excessive vegetation noted growing around and between tire piles. (see photos 1, 2, 5, and 6)

**Mosquito and rodent control 14.1209 Vector Control; 14.1402(E) Outdoor Above -Ground Tire Storage**

Vector Control: An approved vector control program must be operational at all times for tires stored outdoors.

The owner or operator shall develop and implement a program to control mosquitoes and rodents or request such control measures from the local mosquito and vector control office, so as to protect the public health and welfare. Mosquito control measures may include covering containers and trailers used for the collection and storage of waste tires with a tarp or placing them under some type of constructed cover during inclement weather and/or when the business is closed.

**Comments:**

Permittee has taken no action to control vectors.

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Site Name	NWA RSWMD	AFIN	03-00208	Permit Number	0022-SWTP
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**Category 2 Comments**

**Site bermed for runoff control 14.1402(J)**

Effective surface water controls run-on/run-off controls, such as berms and ditches, shall be established for all waste tire storage and processing areas to prevent surface water from entering the storage and/or processing area and to prevent liquid runoff from a potential tire fire from leaving the site or entering surrounding water bodies.

**Comments:**

No run-on berms noted preventing surface water from entering the processing and storage area. No berms or surface water ditches noted preventing run-off from entering the DAMCO Project lake. Currently all run-off surface water is being collected in the lake (see photos 3 and 4).

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<b>Site Name</b>	NWA RSWMD	<b>AFIN</b>	03-00208	<b>Permit Number</b>	0022-SWTP
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**Category 3 Comments**

**Waste tire pile within maximum dimensions 14.1402(C)**

An outdoor waste tire pile or processed tire pile shall have no greater than the following maximum dimensions.

- (1) Width: fifty (50) feet
- (2) Length: one-hundred (100) feet; and
- (3) Height: fifteen (15) feet

**Comments:**

Waste tire piles, including baled waste tires are well in excess of the 50 ft x 100 ft maximum dimensions (see photo5)

**Processed tires meet storage criteria 14.1204**

The storage limit for processing facilities is thirty (30) times the daily capacity of the processing equipment used.

**Comments:**

Based on the daily capacity of the processing equipment, at the time the facility was in operation, the maximum storage capacity for the facility would be 60,000 tires or 600 bales at 100 tires per bale. However, Site Specific Permit Conditions number 3(b) states that the number of tires at the site shall not exceed 28,000 passenger and truck tires at any time. The Facility has an estimated 4000 bales X 100 tires per bale = 400,000 tires on site, exceeding their storage limit for the permitted area. (see photo5)

**Outdoor Above-Ground Tire Storage 14.1402 (D)**

A fifty foot wide fire lane shall be placed around the perimeter of each waste tire pile. Access to the fire lane for emergency vehicles must be unobstructed at all times.

**Comments:**

Fire lanes are obstructed by vegetative growth and are not fifty feet wide. (see photo 6)

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**Arkansas Department of Environmental Quality (ADEQ)  
Official Photograph Sheet**

<b>Location</b>	NWARSWMD Damco			<b>Permit</b>	0022-SWTP	<b>AFIN</b>	03-00208
<b>Photographer</b>	Darrell Norton		<i>DN</i>	<b>Witness</b>	none		
<b>Photo #</b>	1	<b>Of</b>	6	<b>Date</b>	5/3/2017	<b>Time</b>	9:46 AM
<b>Description</b>	View of bundled tires with vegetation uncontrolled						



<b>Location</b>	NWARSWMD Damco			<b>Permit</b>	0022-SWTP	<b>AFIN</b>	03-00208
<b>Photographer</b>	Darrell Norton		<i>DN</i>	<b>Witness</b>	none		
<b>Photo #</b>	2	<b>Of</b>	6	<b>Date</b>	5/3/2017	<b>Time</b>	9:53 AM
<b>Description</b>	View of waste tire pile with vegetation						





**Arkansas Department of Environmental Quality (ADEQ)  
Official Photograph Sheet**

<b>Location</b>	NWARSWMD Damco			<b>Permit</b>	0022-SWTP	<b>AFIN</b>	03-00208
<b>Photographer</b>	Darrell Norton		<i>DN</i>	<b>Witness</b>	none		
<b>Photo #</b>	3	<b>Of</b>	6	<b>Date</b>	5/3/2017	<b>Time</b>	9:50 AM
<b>Description</b>	View of waste tire pile without run-on or run-off control. Tire pile currently in pond						



<b>Location</b>	NWARSWMD Damco			<b>Permit</b>	0022-SWTP	<b>AFIN</b>	03-00208
<b>Photographer</b>	Darrell Norton		<i>DN</i>	<b>Witness</b>	none		
<b>Photo #</b>	4	<b>Of</b>	6	<b>Date</b>	5/3/2017	<b>Time</b>	9:49 AM
<b>Description</b>	View of processing area and tire pile without run-on control present.						



## Arkansas Department of Environmental Quality (ADEQ) Official Photograph Sheet

<b>Location</b>	NWARSWMD Damco			<b>Permit</b>	0022-SWTP	<b>AFIN</b>	03-00208
<b>Photographer</b>	Darrell Norton		<i>DN</i>	<b>Witness</b>	none		
<b>Photo #</b>	5	<b>Of</b>	6	<b>Date</b>	5/3/2017	<b>Time</b>	9:51 AM
<b>Description</b>	View of waste tire storage area without run-on/run-off control, exceeding storage limits, and lack of fire lanes.						



<b>Location</b>	NWARSWMD Damco			<b>Permit</b>	0022-SWTP	<b>AFIN</b>	03-00208
<b>Photographer</b>	Darrell Norton		<i>DN</i>	<b>Witness</b>	none		
<b>Photo #</b>	5	<b>Of</b>	6	<b>Date</b>	5/3/2017	<b>Time</b>	9:51 AM
<b>Description</b>	View of storage pile with vegetation and without 50 foot fire lanes.						

