ARKANSAS ENERGY & ENVIRONMENT | ENVIRONMENTAL QUALITY

October 2, 2019

The Honorable Jeff Phillips
Jackson County Judge
208 Main Street
Newport, AR 72112

RE: Quarterly Inspection conducted on September 26, 2019
AFIN 34-00082
Permit Number 0223-S1-R3

Dear Judge Phillips:

The Arkansas Division of Environmental Quality Office of Land Resources (DEQ) 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), and the above-referenced permit. The inspection identified conditions at your facility which the DEQ alleges constitutes violations. A copy of the inspection report is attached.

You should immediately initiate actions to correct the alleged violations cited. A written response of the corrective actions taken, or to be taken, must be submitted within thirty (30) calendar days from the date on this letter to the attention of Darrell Norton. The response may include, but is not limited to, photographs, copies of disposal receipts, records, or analytical results, as applicable. 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.

Sincerely,

Darrell Norton
Solid Waste Inspector
Office of Land Resources

Enclosure

cc: David Witherow P.E., Senior Manager, Office of Land Resources

ARKANSAS ENERGY & ENVIRONMENT | ENVIRONMENTAL QUALITY

Arkansas Division of Environmental Quality
Office of Land Resources - Solid Waste Management
Class 1 Landfill Inspection

Site Name	Jackson County Class 1 Landfill	**County**	Jackson	**AFIN**	34-00082
Facility Address	2069 Jackson CR 265, Amagon, AR 72005	**Phone Number**	870-252-3522 870-523-7400	**Permit Number**	0223-S1-R3
Permittee Address	2069 Jackson CR 265, Amagon, AR 72005	**E-Mail Address**	n/a	**PDS #**	109547
Date	**9/26/2019**	**Entry Time**	**835**	**Exit Time**	**1020**

Regulation 22 – Operational Standards

Category 1

	Regulation	Item Description	Comments
	411(l)	**Adequate employee facilities**	
	421(a)(b)	**Record keeping meets requirements specified by regulations**	
	417	**Access requirements**	
	411(j)	**Adequate provisions for backup equipment**	
	421(d)	**Waste receipt records, ticket system maintained**	
	411(k)	**Telephone system & written emergency response plan on site**	
	423(b)	**Annual compliance inspection by registered professional engineer**	AEIR submitted 3/29/2019. 2nd NOD letter for AEIR mailed 7/15/2019. (Refer to Document #76683).
	422	**Facility implements operating plan and narrative**	
	421(f)	**Leachate disposal/recirculation records**	6000 gallons hauled 9/25/2019.
	421(g),701	**Special waste disposal and procedures records**	

Category 2

	Regulation	Item Description	Comments
	411(a)	**Operations in accordance with permit documents**	
	417(c)	**Adequate all weather operational roads**	
	411(c)	**Smallest practical area, unloading supervised, single working face**	
	411(e)	**Salvage operations meet approved conditions**	
	411(f)(1)	**Scavenging of waste prohibited**	
	411(p)	**Proper wet weather repairs**	
	411(b)	**Operations by licensed on-site personnel at all times**	
	411(d)	**Waste spread and compacted as unloaded**	
	411(g)	**Litter control provisions maintained**	
	414(a)	**Disease vectors controlled**	

Category 2 (continued)

	Regulation	Item Description	Comments
	427	Surface Water Controls	
	411(h)(1)	Contouring prevents surface water flowing into or through waste	
	418(a)(b)	Run-on/off control system present and adequate	
	411(h)(2)	Surface water control prevents off-site sediment accumulation	
	411(i);427(f)	Adequate maintenance of intermediate/final cover vegetation	Mowing completed on areas with intermediate cover. (Refer to Photos #3 & #4.)
	415	Gas monitoring program	GMP-4, GMP-5, and GMP-6-R were reported above 100 %LEL. Document #76702 addresses the gas control remediation plan.
	411(o)	Leachate leaks or evidence of leachate seepage	
	426	Survey controls	
	429	Leachate collection system	
	420	Liquid Restrictions	

Category 3

	Regulation	Item Description	Comments
	412	Implementation of hazardous/unauthorized waste exclusion plan	
	413(a)(b)	Satisfactory daily/alternative cover	
	413(c)	Satisfactory intermediate cover	
	416(b),411(f)(4)	Open burning prohibited	
	419	Cause discharge/leachate discharge leaving landfill	
	411(f)(3),419(a)(4)	Depositing waste in standing water prohibited	
	411(o)	Erosion or other cover defects resulting in exposed refuse	
X	309(c)	Overfill/Off lined area	Document #76683 requests updated AEIR and OMP. Overfill observed on the AEIR submitted 3/29/2019.

Regulation 22 - Records

421(a)(8), 1203(k)	Date of last groundwater monitoring report		6/3/2019	Site Conditions		Damp			
423(b)	Date of last engineering report		3/29/2019	Weather Conditions		Rain			
428	Liner construction in progress	Yes/No: No		Notice of liner construction	Yes/No: n/a		Third party CQA on-site during construction	Yes/No	n/a
412(a)	Date of last random inspection for unauthorized waste		9/23/2019	Total # for month	13 for September				
415, 421(e)	Date of last quarterly methane monitoring		9/5/2019	Detection level	>100%	415(a)	Explosive gas records current?	Yes/No	Yes
421(g),412(a)(2),701	Date of last special waste received		None	Disposal location	n/a				
421(d)	Previous quarter waste received		4575.26	Tons	Q2 2019				
427(c)	Surface water DMR records current?	Yes/No: Yes							

Fayetteville Shale Related	Yes/No: n/a	Out of Compliance with Fayetteville Shale	Yes/No: n/a

Operator Name & Number	Teresa Carlton 003576 Tim Evridge 004060 Jessie Sutterfield 001572	Signature of Inspector	Darrell Norton

Exit Interview Conducted with	Tim Evridge and Teresa Carlton	Method	On-site	Date	9/26/2019	Time	1000

Arkansas Division of Environmental Quality
Official Photograph Sheet

Location	Jackson County Class 1			**Permit**	0223-S1-R3	**AFIN**	34-00082
Photographer	Darrell Norton, DEQ Solid Waste Inspector			**Witness**	n/a		
Photo #	1	**Of**	6	**Date**	9/26/2019	**Time**	0857
Description	Intermediate cover observed in place over Pit D-2.						



Location	Jackson County Class 1			**Permit**	0223-S1-R3	**AFIN**	34-00082
Photographer	Darrell Norton, DEQ Solid Waste Inspector			**Witness**	n/a		
Photo #	2	**Of**	6	**Date**	9/26/2019	**Time**	0902
Description	Working face observed with daily cover stockpile visible.						



Arkansas Division of Environmental Quality
Official Photograph Sheet

Location	Jackson County Class 1			**Permit**	0223-S1-R3	**AFIN**	34-00082
Photographer	Darrell Norton, DEQ Solid Waste Inspector			**Witness**	n/a		
Photo #	3	**Of**	6	**Date**	9/26/2019	**Time**	0905
Description	Mowing complete observed on cells with intermediate cover.						



Location	Jackson County Class 1			**Permit**	0223-S1-R3	**AFIN**	34-00082
Photographer	Darrell Norton, DEQ Solid Waste Inspector			**Witness**	n/a		
Photo #	4	**Of**	6	**Date**	9/26/2019	**Time**	0911
Description	Gas trench observed on the east side of the landfill.						



Arkansas Division of Environmental Quality
Official Photograph Sheet

Location	Jackson County Class 1			**Permit**	0223-S1-R3	**AFIN**	34-00082
Photographer	Darrell Norton, DEQ Solid Waste Inspector			**Witness**	n/a		
Photo #	5	**Of**	6	**Date**	9/26/2019	**Time**	0912
Description	Additional interim cover observed applied south of the south expansion area.						



Location	Jackson County Class 1			**Permit**	0223-S1-R3	**AFIN**	34-00082
Photographer	Darrell Norton, DEQ Solid Waste Inspector			**Witness**	n/a		
Photo #	6	**Of**	6	**Date**	9/26/2019	**Time**	0916
Description	Leachate control panel observed north of Pit D-2.						



ADEQ
ARKANSAS
Department of Environmental Quality

July 15, 2019

Certified Mail: 9489 0090 0027 6022 1778 32

The Honorable Jeff Phillips
Jackson County Courthouse
208 Main Street
Newport, AR 72112

Re: Second Notice of Deficiency of 2018 Annual Engineering Inspection Report
Jackson County Landfill – Class 1
Permit No: 0223-S1-R3; AFIN: 34-00082
Document ID: 76683; Reference Document ID: 75950, 76420, and 76517

Dear Judge Phillips:

The Arkansas Department of Environmental Quality Office of Land Resources (ADEQ) Regulated Waste Operations staff has received the facility's responses to the Notice of Deficiency (NOD) letter for the 2018 Annual Engineering Inspection Report (AEIR) for the Jackson County Landfill – Class 1, dated June 11, 2019 and June 24, 2019. After the review of the facility's responses, ADEQ noted the following deficiencies:

1. Since the landfill has overfills, Item No. 5 of the AEIR must be updated to reflect the overfill conditions on site. Please correct and update this Item.

2. Please update Item No. 10 of the AEIR to reflect the updated Closure and Post-Closure Cost Estimates.

3. The submitted Overfill Management Plan (OMP) must include the location and quantification of each existing overfill area. Please update the OMP by including this missing information.

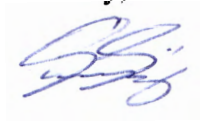
4. The OMP states that a survey will be done at the overfill areas after the relocation of the solid waste in order to verify no overfill conditions present on these areas. Please be aware, that the entire landfill must be resurveyed, not only the overfill areas. Please make the proper change in the OMP to address this deficiency.

Please address the noted deficiencies and submit the changes to ADEQ within seven (7) calendar days from the receipt of this letter.

As a reminder, the overfill issue must be resolved before ADEQ can acknowledges the 2018 AEIR.

If you have any questions regarding this correspondence, please contact me at (501) 682-0603 or coker@adeq.state.ar.us.

Sincerely,



Cristina Coker
Engineer
Office of Land Resources

cc: ADEQ – Witherow, Rich, Cusher, Speake, Sykes, Norton, and Coker
Mr. Keith Page, Miller-Newell Engineers, Inc.
Mr. Wayne Menley. P.E., Miller-Newell Engineers, Inc.