



**DIVISION OF
ENVIRONMENTAL
QUALITY**

Sarah Huckabee Sanders
GOVERNOR

Shane E. Khoury
SECRETARY

03/22/2024

Mr. Charles Gillian, Director of Landfill Operations
Eco-Vista, LLC
2210 Waste Management Drive
Springdale, AR 72762

Email: cgillian@wm.com

NOTICE OF NON-COMPLIANCE

**RE: Notice of Non-Compliance and Order to Cease Off-Site Tracking of Sediment
NPDES Permit No.: ARR000231, AFIN 72-00144**

Dear Mr. Gillian:

The Division of Environmental Quality (DEQ) requests your response to the violation of the Arkansas Water and Air Pollution Control Act, Ark. Code Ann. §§ 8-4-201 et seq., set forth below and requires immediate implementation of corrective action to address the violation.

Findings of Non-Compliance

On February 21, 2024, the DEQ Office of Water Quality conducted an inspection of the above-referenced facility in response to two complaints and documented the following non-compliance:

1. DEQ observed off-site sediment tracking from the facility has resulted in sediment accumulation on the sides of Arbor Acres Avenue. Sweeper activities conducted by the facility to clear the road of sediment tracked off-site from the facility has caused the accumulation of sediment.

Statutory, Regulatory, and Permit Authority

1. Arkansas Code Annotated § 8-4-201
2. Arkansas Code Annotated § 8-4-217(a)(2) and (3)
3. Part 3.1 of Permit ARR000231

Corrective Actions to Address Non-Compliance

1. Immediately cease all off-site tracking from the facility onto Arbor Acres Avenue or other adjacent roadways.

2. Immediately remove all accumulated sediment from the sides of Arbor Acres Avenue that has resulted from off-site tracking from the facility.
3. Within five (5) calendar days of receipt of this letter, submit documentation, including photographs, detailing the corrective actions implemented to resolve the non-compliance set forth above. All documentation of corrective actions shall be submitted via email to the Office of Water Quality Enforcement Branch at water-enforcement-report@adeq.state.ar.us.

Continued violations or a failure to respond timely may result in formal enforcement by the Director of DEQ. This inspection has been referred to the Office of Water Quality Enforcement Branch for further review. Should you have any questions concerning this matter, or if the above listed requests should require further discussion, please do not hesitate to contact Richard Healey, Enforcement Branch Manager, at Richard.Healey@adeq.state.ar.us or at (501) 682-0640.

Sincerely,



Jason Bolenbaugh
Compliance Branch Manager, Office of Water Quality

CC: Jodi A. Taylor, Cognizant Official, Eco-Vista, LLC, jtaylo28@wm.com
Stacie Wassell, Associate Director, Office of Water Quality
Bailey Taylor, Deputy Associate Director, Office of Water Quality
Bryan Leamons, Sr. Operations Manager, Office of Water Quality
Richard Healey, Enforcement Branch Manager, Office of Water Quality



**ENVIRONMENTAL
QUALITY**

OFFICE OF WATER QUALITY INSPECTION REPORT

AFIN: 72-00144	PERMIT #: ARR000231	DATE: 2/21/2024
COUNTY: 72 Washington	PDS #: 129320	MEDIA: WN
GPS LAT: 36.143851 LONG: -94.260460 LOCATION: Entrance		

FACILITY INFORMATION	INSPECTION INFORMATION
<small>NAME:</small> Eco-Vista, LLC <small>LOCATION:</small> 2210 Waste Management Drive <small>CITY:</small> Springdale	<small>FACILITY TYPE:</small> 2 - Industrial <small>INSPECTOR ID#:</small> 142257 S - State <small>FACILITY EVALUATION RATING:</small> *** <small>INSPECTION TYPE:</small> Reconnaissance <small>DATE(S):</small> <small>ENTRY TIME:</small> <small>EXIT TIME:</small> <small>PERMIT EFFECTIVE DATE:</small> 2/21/2024 11:08 12:53 8/25/2021 <small>PERMIT EXPIRATION DATE:</small> 6/30/2024
RESPONSIBLE OFFICIAL	INSPECTION PARTICIPANTS
<small>NAME / TITLE</small> Charles Gillian / Director of Landfill Operations <small>COMPANY:</small> Eco-Vista, LLC <small>MAILING ADDRESS:</small> 2210 Waste Management Drive <small>CITY, STATE, ZIP:</small> Springdale AR 72762 <small>PHONE & EXT: / FAX:</small> 501-993-8966 / <small>EMAIL:</small> jreyno10@wm.com <small>CONTACTED DURING INSPECTION:</small> No	<small>NAME/TITLE/PHONE/FAX/EMAIL/ETC.:</small> John Roark, Eco-Vista, LLC Amy Honeycutt, Inspector Supervisor, (501) 837-2082, amy.honeycutt@adeq.state.ar.us Austin Hawes, Area 1 Inspector, (501) 837-6910, austin.hawes@adeq.state.ar.us William Cody, Area 1 Inspector, (501) 944-2569, william.cody@adeq.state.ar.us

SUMMARY OF FINDINGS
<p>The following items were noted during the inspection and require a response:</p> <ol style="list-style-type: none"> 1. There is evidence of sediment tracking onto Arbor Acres Avenue as well as sediment accumulation along the side of the road from sweeper activity. This accumulation of loose sediment off-site is in violation of Part 3.1 of the permit and the Arkansas Code Annotated § 8-4-217(a)(2). 2. It is required that the facility include all existing measures and controls in the Stormwater Pollution Prevention Plan (SWPPP) during the Industrial Stormwater General Permit renewal process in accordance with Part 4.2.5 of the permit. It was identified that the wheel wash station is not included in the current SWPPP.

GENERAL COMMENTS



On February 21, 2024, Inspector Supervisor Amy Honeycutt, Inspector Austin Hawes and myself conducted a Reconnaissance Inspection at the above-referenced facility in response to two complaints. Mr. John Roark with Eco-Vista, LLC/Waste Management accompanied us during the inspection.

Complaint (PDS# 032236) expressed concerns of hydrogen sulfide odors (rotten egg smell) coming from a manhole/lift station on the facility's property. During the inspection, it was identified that the location in question is not an actual lift station but is a manhole where wastewater/leachate gravity feed into the City of Springdale/NACA pipeline. No odors of hydrogen sulfide were present during the inspection. Furthermore, the two 250,000-gallon leachate tanks were visually inspected at the back of the facility and no leaks or other issues were noted. No other items are noted for this complaint.

Complaint (PDS# 032209) expressed concerns of off-site tracking of sediment onto Arbor Acres Avenue and other nearby roadways. During the inspection, the roads appeared to have been recently swept and in good condition; however, a significant amount of loose sediment could be seen accumulating alongside the roads. It was further explained that the facility's sweeper machine kicks the sediment out to the side of the road rather than capturing the sediment in vacuum-like fashion. Inspector Supervisor Amy Honeycutt reiterated the requirement that this sediment cannot be left along the side of the road, as this still is in violation of allowing sediment to be placed off-site and placing sediment in a location where it has potential to discharge off-site and into a waters of the state. Facility personnel informed us that they are awaiting approval for expansion through a Class I permit, and if granted, the facility will be widening Arbor Acres Avenue and installing curbs and storm drain inlets to help minimize the sediment accumulation off-site. It was mentioned that a sweeper operates daily within the facility, and a sweeper operates on the main road usually around rain events. It was expressed that the heavy traffic during typical operating days makes it unsafe for employees to operate the sweeper on the main road.

The facility has an adequate wheel washing station located inside the facility where all outbound vehicles must use the wheel wash. The wash station is used intermittently based on necessity, and when in operation, the facility personnel mentioned they block off any exits around the wheel wash so that all vehicles are required to go through the process. The wash water and any solids are collected in a basin and are either hauled or pumped back into the landfill.

After a general review of the facility's SWPPP for this permit, it was encouraged that the facility includes all existing Best Management Practices (BMPs) in the SWPPP during the renewal process. Currently, the SWPPP does not describe any details about a wheel wash station.

INSPECTOR'S SIGNATURE:  William Cody	DATE: 3/5/2024
SUPERVISOR'S SIGNATURE:  Jason Bolenbaugh	DATE: 3/20/2024

Office of Water Quality Photographic Evidence Sheet

Location:	Eco-Vista, LLC		
Photographer:	Austin Hawes	Date:	2/21/2024
Witness:	John Roark, Amy Honeycutt, William Cody	Time:	11:34
		Photo #:	1
Description:	Manhole location with gravity feed from the facility into sewer system. No odors.		



Photographer:	Austin Hawes	Date:	2/21/2024
Witness:	John Roark, Amy Honeycutt, William Cody	Time:	11:49
		Photo #:	2
Description:	Two leachate tanks with secondary containment, 250,000 gallon tanks.		



Office of Water Quality Photographic Evidence Sheet

Location:	Eco-Vista, LLC				
Photographer:	Austin Hawes	Date:	2/21/2024	Time:	11:59
Witness:	John Roark, Amy Honeycutt, William Cody			Photo #:	3
Description:	General view of the wheel wash station.				



Photographer:	Austin Hawes	Date:	2/21/2024	Time:	11:59
Witness:	John Roark, Amy Honeycutt, William Cody			Photo #:	4
Description:	Mats that aid in initial knocking off of sediment from wheels/tires.				



Office of Water Quality Photographic Evidence Sheet

Location:	Eco-Vista, LLC		
Photographer:	Austin Hawes	Date:	2/21/2024
Witness:	John Roark, Amy Honeycutt, William Cody	Time:	12:00
Description:	General view of basin where solids and any wash water is collected.		



Photographer:	Austin Hawes	Date:	2/21/2024
Witness:	Amy Honeycutt, William Cody	Time:	11:08
Description:	Sediment accumulation along the side of Arbor Acres Ave.		



Office of Water Quality Photographic Evidence Sheet

Location:	Eco-Vista, LLC				
Photographer:	Austin Hawes	Date:	2/21/2024	Time:	11:09
Witness:	Amy Honeycutt, William Cody		Photo #:	7	
Description:	Arbor Acres Ave. in front of the facility entrance appears to be swept.				





Attachment 1. Google Earth satellite imagery with locations of the wheel wash station, entrances, approximate location of loose sediment accumulation, and the manhole/gravity feed line where odors were expressed to have been located.

From: Jason Bolenbaugh (adpce.ad)
Sent: Wednesday, March 27, 2024 7:59 AM
To: Uniqika Marshall (adpce.ad)
Cc: William Cody (adpce.ad); Amy Huneycutt (adpce.ad)
Subject: PDS# 129320
Attachments: Response to Notice of Compliance

Uniqika,

At your earliest convenience will you attach the above email and attachment to PDS# 129320. Also, on the letter the permittee wrote the ARG16 permit number but this will be filed under Permit ARR000231 when it goes in Zylab.

Thanks,

Jason Bolenbaugh | Manager

Division of Environmental Quality | **Office of Water Quality**
Compliance Branch

5301 Northshore Drive | North Little Rock, AR 72118

t: 501.682.0659 | c: [501.766.8153](tel:501.766.8153) | e: Jason.Bolenbaugh@adeq.state.ar.us



ARKANSAS
ENERGY & ENVIRONMENT



Eco-Vista, LLC
2210 Waste Management Drive
Springdale, Arkansas 72762
(479) 361-2069

March 26, 2024

Arkansas Department of Energy and Environment
Attention: Mr. Jason Bolenbaugh, Office of Water Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

Re: Eco-Vista Landfill – NPDES Inspection
AFIN 72-00144; Permit Number ARG160045
Response to Notice of Non-Compliance 3.22.24

Dear Mr. Bolenbaugh:

Eco-Vista Landfill is in receipt of a “Notice of Non-Compliance” dated March 22, 2024 in regards to sediment accumulation on the south side of Arbor Acres Avenue. As requested, WM is submitted this response to provide documentation and detail corrective actions implemented to remove accumulated sediment. Please note that WM has committed to 0.33 miles of street improvements along this portion of Arbor Acres Road as part of the Large Scale Development Plan submitted to the City of Tontitown in 2021, which includes widening the road, curb and gutter and sidewalks. These improvements will be completed once the landfill expansion permit is approved; until then, the following temporary measures are being deployed.

To prevent drivers from leaving the pavement and back dragging sediment onto tires and the road when exiting the facility, Eco-Vista has placed barriers alongside the roadway. The facility has also removed the sediment buildup from Arbor Acres Road and spread straw to stabilize the exposed soil. Eco-Vista personnel is keeping the area maintained weekly or more often as needed. Photographic documentation is provided as an attachment.

We greatly appreciate your time and attention in this matter. Should you have questions or require further information, please do not hesitate to contact me at 479-699-1475.

Sincerely,
Eco-Vista, LLC

A handwritten signature in black ink that reads "Jodi Reynolds". The signature is written in a cursive, flowing style.

Jodi Reynolds
Environmental Protection Manager – Arkansas

Photograph Log



Barriers placed on shoulder at landfill entrance after cleaning



**Arbor Acres looking west after sediment cleaning and straw application
to cover exposed soils**



Mar 22, 2024 9:57:43 AM
1089 Arbor Acres Avenue
Springdale
Washington County
Arkansas

Close up of landfill entrance sediment cleaning



Mar 22, 2024 9:51:35 AM
1041 Arbor Acres Avenue
Springdale
Washington County
Arkansas

Arbor Acres looking east, showing grading away from road and stabilization



Mar 22, 2024 9:50:48 AM
1041 Arbor Acres Avenue
Springdale
Washington County
Arkansas

Arbor Acres looking west, showing grading away from road and stabilization

From: Reynolds, Jodi <jreyno10@wm.com>
Sent: Tuesday, March 26, 2024 2:07 PM
To: Jason Bolenbaugh (adpce.ad)
Subject: Response to Notice of Compliance
Attachments: EVLF - ARR Feb 2024 Inspection Response.pdf

Good afternoon! Attached please find our response to the Notice of Non-Compliance dated March 22, 2024. Please do not hesitate to contact me with questions or for more information. Thank you!

Jodi

Jodi Reynolds

she/her

Environmental Protection Manager, Arkansas

Mid-South Market Area

jreyno10@wm.com

WM

602 South 52nd Street

Rogers, AR 72758

479.699.1475 cell