



February 25, 2009

**Northwest Family Medicine
Kevin Earl, MD
2717 SE 'I' Street
Bentonville, AR 72712**

Re: Hazardous Waste Notification Requirement under the National Pretreatment Program

Manager or proprietor;

The Arkansas Department of Environmental Quality (ADEQ) is requiring all wastewater utilities in the state of Arkansas, including The City of Bentonville, to notify certain sewer customers of Federal Regulations relating to hazardous wastes. At this time, the ADEQ is specifically requiring notification of businesses who dispose of the following into the City's sewage system: hazardous waste pharmaceuticals, mercury from amalgam, and/or silver from spent film processing wastes. If your business is not involved in the disposal of any of these materials listed, please notify Nancy Busen by completing and returning the enclosed Certification Statement to the City of Bentonville Wastewater Treatment Facility (address listed below) within thirty (30) days of the date of this letter.

If you are involved in the disposal of hazardous waste pharmaceuticals, mercury from amalgam, and/or silver from spent film processing wastes into the City's sewage system and do not have an amalgam separator, silver recovery unit, or system of properly disposing of hazardous waste pharmaceuticals, you may be discharging hazardous waste into the City's sewage collections system and must follow the pretreatment regulations and requirements listed below:

Under the specific pretreatment requirement in 40 CFR 403.12(p)(1), "The Industrial User [non-domestic user] shall notify the POTW [appropriate City wastewater official], the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into the POTW [City sewage system] of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261."

Under 40 CFR 403.12(p)(4), "In the case of any notification made under paragraph (p) of this section, the Industrial User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical." The full requirement with exemptions can be found at the following website address: <http://edocket.access.gpo.gov/cfr/2003/julqtr/40cfr403.12.htm>

If your facility does dispose of hazardous waste pharmaceuticals, mercury from amalgam, and/or silver from spent film processing wastes into the City's sewage system, please submit the required notifications to the following:

- Troy Hill, US EPA REGION 6, 1445 Ross Avenue, Suite 1200, Code:6PD, Dallas, TX 75202-2733

- Ryan Benefield, ADEQ Hazardous Waste Chief, 5301 Northshore Drive, North Little Rock, AR 72118-5317
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- Nancy Busen, Bentonville Wastewater, 1901 N.E. "A" Street, Bentonville, AR 72712

IF YOU **DO NOT** GENERATE HAZARDOUS WASTE, **DO NOT** NOTIFY THE **ADEQ OR EPA** OF THAT FACT;

IN EITHER CASE, YOU MUST NOTIFY YOUR LOCAL WASTEWATER TREATMENT AUTHORITY BY COMPLETING THE ENCLOSED CERTIFICATION STATEMENT.

If **no response** is received within the thirty (30) day period, your facility may be subject to a site ~~specific inspection~~. If you require any additional information or explanation, please call me at: **479-271-3160.**

Respectfully,

Nancy Busen
1901 N.E. "A" Street
Bentonville, AR 72712

cc: Allen Gilliam
ADEQ State Pretreatment Coordinator
5301 Northshore Dr.
NLR, AR 72118

Hazardous Waste Certification Statement

Business Name:

EARL MD FAMILY MEDICINE & EARL MD AESTHETICS

Physical Address:

277 SE 5th Street Suite #7 Bentonville AR

AND WELLNESS, INC.

Owner of Business:

Kevin Earl.

72712

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|--|-------------------------------------|-----------|
| | <u>YES</u> | <u>NO</u> |
| 1) Certify you <u>do not</u> generate hazardous waste as identified under 40 CFR 261, | ___ | ___ |
| 2) Certify you <u>do</u> generate hazardous waste as identified under 40 CFR 261 but either: | | |
| • DO <u>NOT</u> discharge this waste to the City's sewage system, or | <input checked="" type="checkbox"/> | ___ |
| • DO discharge this hazardous waste to the City's sewage system. | ___ | ___ |

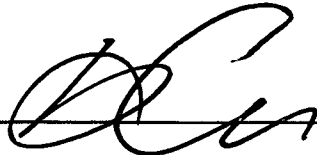
This certification statement must be signed by a duly authorized representative of your business:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print name and title

Kevin Earl, MD, owner

Signature and date

 3/29/09

Northwest Family Medicine
Kevin Earl, MD
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Bentonville, AR 72712
479-273-1426

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