ADEQ

ARKANSAS
Department of Environmental Quality

August 11, 2008

Independent Environmental Services, Inc. (IESI)
Attn: Mr. Rodney R. Smith
300 Landfill Road
Cherokee Village, AR 72529

RE: Issuance of Permit Decision
For an Individual Permit for the Midway Transfer Station
Pending Permit # 0010-STSW; AFIN# 03-00112
Document Identification # 53406; Reference Identifier: 32525

Dear Mr. Smith:

Enclosed is a permit authorizing for the construction, operation, and maintenance of Midway Transfer Station facility as described in your revised application submitted on February 28, 2006. The permit number for the facility is 0010-STSW. The decision to issue the permit is based upon 1) the information contained in the permit application; 2) other materials submitted by the applicant, 3) written comments received during the designated 30-day public comment period (no comment has received).

The permit is granted subject to the terms and conditions specified in the permit. The initial amount of financial assurance required is $12,639 for the facility. Acceptable mechanisms for financial assurance include a surety bond, collateral bond (supported by a letter of credit, securities or cash), or other mechanisms as set forth in Chapter Fourteen of Regulation Number 22. The instruments used must be in the exact form set forth in Regulation Number 22 and must be filed with the Department before the permit can become effective. The purpose of the financial assurance is to ensure an environmentally sound closure of the site upon conclusion of disposal operations and acceptable post closure care. Please review all terms and conditions of the permit to ensure compliance with all applicable requirements.

Any person with legal standing in this matter may appeal the Department's decision to the Arkansas Pollution Control and Ecology Commission. Appeals must be in writing, must be filed within thirty (30) days of the Department's decision, and must conform to all applicable laws and regulations. General information on appeal procedures may be obtained by contacting the Legal Division of the Department, at 501-682-0892.

Thank you for your cooperation on this matter. If you have any questions, or if we may be of service, please feel free to contact the Solid Waste Management Division at (501) 682-0602.

Sincerely,

Mike Robinson, Chief
Solid Waste Management Division

Enclosures: Permit
Permit Summary and Rationale

cc: Gary Meador, Inspector
Edwards Engineering, P.A, 9802 Maumelle Blvd., NLR, AR 72113

PERMIT
FOR THE CONSTRUCTION AND OPERATION OF A

SOLID WASTE TRANSFER STATION

ISSUED BY

STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT DIVISION

Type TS – Transfer Station

Permit Number	**0010-STSW**
AFIN	**03-00112**
Effective Date	August 11, 2008
Expiration Date	August 11, 2018
Permit Owner & Address	Independent Environmental Services, Inc. 300 Landfill Road Cherokee Village, AR 72529
Facility Site Name & Address	Midway Transfer Station 10 County Road 510 Midway, Arkansas 72651
Location	Baxter County
Financial Assurance	$12,639
Latitude/Longitude	36°22'55"/92º28'13"
Design Engineer/Consultant	Edwards Engineering, PA

This permit authorizes the construction and operation of the solid waste transfer station as set forth in the permit application submitted by Independent Environmental Services, Inc., hereinafter called "owner" or "permittee," and received by the Department of Environmental Quality on February 28, 2006. The application was completed through a series of documents furnished by the applicant beginning on April 3, 2006 and DOC ID # 46363 and a follow-up document received on November 17, 2007 and DOC ID# 50975. This permit is issued pursuant to the provisions of the Arkansas Solid Waste Management Act (Arkansas Code Annotated 8-6-201 et seq.) as amended, hereinafter called the "Act"; Regulation Number 22, Arkansas Solid Waste Management Code, as adopted by the Pollution Control and Ecology Commission, hereinafter called Regulation 22; and all other applicable rules and regulations of the Department of Environmental Quality, hereinafter called "Department", and the following terms and conditions:

GENERAL CONDITIONS FOR TYPE TS – SOLID WASTE TRANSFER STATION

1. The solid waste transfer station shall be maintained and operated in accordance with the conditions of this permit and in compliance with all applicable provisions of the Arkansas Code Annotated §§ 8-6-201 - 8-6-1504 (Code), as amended, APC&EC Regulation 22, and all other applicable rules and regulations.

2. This permit may be modified, revoked and reissued, or terminated for cause in accordance with the requirements of Arkansas Department Pollution Control and Ecology Regulations No. 8 and No. 22. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes, does not stay any permit condition.

3. The permit holder shall pay an annual permit fee as provided in Regulation 9.

4. Any change in ownership or control of the operation of the facility will require submittal of a disclosure statement in accordance with Arkansas Code of 1987 Annotated §§ 8-1-106 and Regulation Number 8 of the Arkansas Pollution Control and Ecology Commission. Transfer of this permit will require submittal of request for permit transfer in accordance with Regulation 22.307. Failure to notify the Department of a change in ownership or control, or a change in responsibility for the operation of the processing facility will be cause for termination of coverage under this permit.

5. The Department has no responsibility for the adequacy or proper operation of the transfer station. Nothing herein contained shall be construed as releasing the permittee from any liability for damage to persons or property by reason of the installation, maintenance, or operation of the transfer station. The transfer station shall be operated by qualified personnel and maintained in good condition at all times.

6. Whenever it shall be necessary for the purpose of implementing or monitoring the enforcement of any permit condition, law or regulation duly adopted by the Arkansas Pollution Control and Ecology Commission, any authorized employee or agent of the Department may enter the facility property for the purpose of obtaining information, conducting investigations or inspections, taking of samples, or examining and copying records pertaining to the operation of the facility. Investigations or inspections by authorized employees or agents shall be conducted without interference or delay from the permittee or the property owner, and will be conducted during daylight, during regular business hours; or, under emergency or extraordinary circumstances, at a time necessary to observe the suspected violation or unauthorized conduct.

7. The Facility shall be operated in accordance with the provisions of the site specific Operations Plan as approved by the Department and the requirements of Reg.22.904. All changes to the site specific Operations Plans must be approved in writing by the Department.

8. The Facility shall be constructed in accordance with the Design Narrative and Permit Plans and Specifications as approved by the Department. Any changes to the approved design for the facility must be approved in writing by the Department prior to implementation.

9. Coverage under this permit shall automatically terminate unless construction of the disposal facility has been commenced within 180 days and completed within 365 days from coverage under the permit. Coverage under this permit shall be considered terminated if the facility fails to operate for sixty consecutive calendar days. If the facility does not operate for sixty consecutive calendar days the facility implement the procedures under Part I, Section E of this permit.

10. Recordkeeping Requirements –

    a. Required Records - The owner or operator must record and retain at the facility in an operating record or in an alternative location approved by the Director the following information as it becomes available.

        (i) The Current Approved APC&EC Regulation 22.

        (ii) This General Permit.

        (iii) The Notice if Intent for the Facility and associated documents.

        (iv) The Certificate of Need for the Facility.

        (v) Any required location restriction demonstrations of the permitted facility.

        (vi) Approved Operations plan.

        (vii) Waste Receipt and Disposal records.

        (viii) Approved Design Narrative.

        (ix) Records of any periodic inspections required by this Regulation or by permit conditions.

    b. Access to Records - All information contained in the operating record must be furnished upon request to the Department or be made available at all reasonable times for inspection by the Department.

    c. Waste Receipt Records - All owner or operators shall provide an adequate means of recording the amount of waste that is received by the facility.

    d. Retention Period - The records required under this section shall be maintained by the owner or operator until coverage under this General Permit is terminated.

11. Construction And Demolition Debris - If the facility handles only construction and demolition debris, each load must be inspected before receipt to insure that the waste meets

that definition. If the facility handles solid waste in addition to construction and demolition debris, separate areas must be provided for the storing of the construction and demolition debris and no mixing with other wastes shall be allowed to occur.

12. Storage of Solid Waste - All solid waste passing through the facility must ultimately be recycled or disposed of at a solid waste management facility properly licensed or permitted by the Department. Solid Waste shall not be stored at the facility for more than 3 days and the amount of solid waste stored on site not excluding source separated recyclables shall not exceed 150 tons at any time.

13. Annual Reporting - The facility owner or operator shall prepare and file with the Department annual reports by March 31 covering the period from the previous January through December. Contents of the reports shall at a minimum include the:

    a. Source, volume or weight, and class of solid waste received at the facility;

    b. The volume or weight and type of recyclables recovered, if any; and

    c. The volume or weight of solid waste removed from the facility and the disposal location.

14. Owners or operators shall notify the Director if the facility ceases operation and/or if coverage under the permitted is no longer necessary. The Department shall be notified in writing sixty (60) days prior to the proposed termination date of the permit.

15. Within ten (10) days of ceasing operations, all wastes shall be removed from the site and disposed at a properly permitted disposal facility, and the facility and equipment shall be brought to a sanitary condition. The operator shall then arrange for a final cleaning of any containers, equipment, machines, floors, and facility surfaces having come in contact with solid waste. All closure activities shall be completed not later than 45 days after the termination date of facility operations unless otherwise approved by ADEQ.

SITE SPECIFIC CONDITIONS

1. The approved application document is filed under the SWMD Document Identification Number 32525.
2. The Owner/Operator shall provide to the Department financial assurance for this facility in the amount of $12,639. The amount may be reviewed by the Director or Owner/Operator for adequacy and may be adjusted in accordance with the provisions of Regulation 22.906. An acceptable financial assurance mechanism in accordance with Chapter Fourteen of Regulation 22 will be maintained by the Owner/Operator at all times for the full amount.
    a. The instruments used must be in one of the forms set forth in Regulation 22 or as otherwise approved by the Department.
    b. Operations allowed under this permit shall not commence until all financial assurance is satisfactorily filed with the Department.

c. A portion or all of the financial assurance may be held by the Department beyond the time of cessation of disposal operations at the site to ensure satisfactory closure and post closure care in accordance with Regulation 22.

3. This site is limited to 26,000 tons of total waste transferred annually.

APPROVED BY: **Arkansas Department of Environmental Quality**
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

Teresa Marks

8/11/08

Date

CERTIFICATE OF SERVICE

I, _____ hereby certify that a copy of this permit has been mailed by first-class mail to Mr. Rodney R. Smith, 300 Landfill Road, Cherokee Village, AR 72529, on or before this 11th day of August,2008.

Permit Application Summary and Rationale
Midway TS
Permit No. 0010-STSW; AFIN No. 03-00112
Permit Application Summary

This summary form consists of information submitted during the permitting process. It represents basic information from the administrative record utilized in forming recommendations from the Solid Waste Management Division. The entire file for the solid waste permit application specified below should be reviewed for complete details on the proposed facility.

Permit Application Summary	
Name and mailing address of Applicant:	Independent Environmental Services, Inc. 300 Landfill Road Cherokee Village, AR 72529
Type of Facility:	Transfer Station
Engineering Firm:	Edwards Engineering, PA
Application Date:	February 28, 2006
Site Location	General: The site is located ¼ mile S. on county road 10, Midway Quad, Arkansas Specific: S23 T16N R30W
RSWMD	Northwest Region
CON? If not, why not?	N, Operations previous to 1999
Site meets 22.902 siting requirements?	Y
Site meets 22.903 application requirements?	Y
Operating plan meets 22.905? Engineering notes on plans?	Y
Closure Plan on file?	Y
Initial financial assurance amount	$ 12,639

Rationale For 0010-STSW General Permit Conditions	
Condition No.	**General Conditions**
1	Lists applicable APC&EC Regulations. The list is not all inclusive.
2	Permit may be modified or revoked. [§22.308(f), §22.309(e)]
3	Annual fee required. [§9.604]
4	Details transfer provisions. [§22.307]

Rationale For 0010-STSW General Permit Conditions	
5	Department is not responsible for adequacy, operation, or proper functionality. Licensed operators required. [A.C.A. 8-6-201 et seq., Regulation 8, §22.904(h)]
6	Department reps have right to entry. [§22.1501]
7	Site must comply with the approved operating plan. [§22.904(p)]
8	Site must be constructed according to approved plans and designs. [§22.901]
9	Timeframes are applicable to this permit. [§22.309(d)]
10	SWRF records are required. [§22.907]
11	Construction and demolition waste procedures are required. [§22.1001]
12	Storage requirements are in effect. [§22.904(f)]
13	Annual reports are required. [§22.904(n)]
14 and 15	Timeframes are applicable to this permit. [§22.906(d)]

Rationale For Site Specific Conditions for 0010-STSW	
Condition No.	**Conditions**
1	Site must operate in accordance with approved application materials. [§22.901]
2	Site must maintain $ 12, 639 in financial assurance. [§22.1007, §22.1401]
3	Waste receipt is limited. Increases in capacity may require site design changes that would necessarily require review. Increases may be performed through the minor modification process at the sole discretion of the Director. Yardage is based on operating plan – plan lists 100 yards per day 5 days per week 52 weeks per year = 26,000 tons/year [§22.901]

This document was prepared by Ali Dorobati, Engineer.

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