



October 31, 2007

Bill Lord, Program Director
Northwest Arkansas Regional Solid Waste Management District
NWAEDD Plaza
P. O. Box 190
Harrison, AR 72601

**RE: Issuance of Final Permit for Waste Tire Baling and Processing Facility to Northwest Arkansas Regional Solid Waste Management District
Permit Number 0022-SWTP; AFIN: 03-00208
Document Identifier Number 50361; Document Cross Reference Number 27825 and 40513**

Dear Mr. Lord:

Enclosed is a permit authorizing for the construction, operation, and maintenance of the Waste Tire Baling and Processing Facility as described in your revised application submitted on December 1, 2006. The permit number for the facility is 0022-SWTP. 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 comments were received).

The permit is granted subject to the terms and conditions specified in the permit. The initial amount of financial assurance required is \$57,000 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 final 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 final 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,

A handwritten signature in blue ink that reads "Steve Martin". The signature is written in a cursive, flowing style.

Steve Martin, Chief
Solid Waste Management Division

Enclosures: Final Permit
Permit Summary and Rationale

cc: Elizabeth Hoover; Program Support Manager, Waste Tire Program, SWMD
Susan Speake, Programs Branch Manager, SWMD
Harry Elliott, Enforcement Branch Manager, SWMD
Laverne Nelson, P. E., Nelson Engineering, Inc., 1601 Innsbrook Circle, Harrison, AR 72601
Gary Meador, Inspector, SWMD



PERMIT

FOR THE CONSTRUCTION AND OPERATION OF A SOLID WASTE DISPOSAL FACILITY

ISSUED BY

STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT DIVISION



Waste Tire Processing Facility

Permit Number	0022-SWTP
AFIN	03-00208
Effective Date	October 31, 2007
Expiration Date	October 31, 2017
Permit Owner & Address	Northwest Arkansas Regional Solid Waste Management District NWAEDD Plaza P. O. Box 190 Harrison, AR 72601
Facility Site Name & Address	DAMCO, Inc. 831 CR 784 Mountain Home, AR 72623
Location	Section 33, Township 21 North Range 13 West, Baxter County, Arkansas
Latitude/Longitude	92° / 36°
Design Engineer/Consultant	Nelson Engineering, Inc. 1601 Innsbrook Circle Harrison, AR 72601

This permit authorizes the operation of the solid waste tire processing facility as set forth in the permit application prepared and submitted by Northwest Arkansas Regional Solid Waste Management District, hereinafter called "owner" or "permittee," and received by the Department of Environmental Quality on April 2, 2005 with additional documentation submitted on the following dates: December 1, 2006. This permit is issued pursuant to the provisions of the Arkansas Recycling Act, hereinafter "Act;" Act 749 of 1991; Arkansas Code Annotated § 8-9-403 as amended; Arkansas Pollution Control and Ecology Commission Regulation Number 14, hereinafter "Regulation Number 14;" and all other applicable rules and Regulations of the Arkansas Department of Environmental Quality, hereinafter "Department;" and the following terms and conditions:

DESCRIPTION OF THIS PERMIT ACTION

This permit is for a Waste Tire Processing Facility that meets the design and operation standards as provided under Regulation Number 14.

SITE SPECIFIC PERMIT CONDITIONS

1. Financial assurance shall be provided and maintained based on Regulation Number 14. The amount of financial assurance is \$57,000 and shall be established and approved by the Department prior to the processing of the waste tires. This amount is subject to annual adjustment and may be increased at the discretion of the Department based on the cost for a third party to close the facility in accordance with an approved closure plan and with the guidelines set forth in Regulation Number 14. Financial assurance amounts must be maintained at all times in order to cover the provisions of the Act and Regulation Number 14.
2. The facility is required to comply with Section 14, Waste Tire Processing Facility Requirements, and Chapter 14, Storage Requirements, of Regulation Number 14 at all times. Failure to comply with the aforementioned requirements may result in the revocation of the permit.
3. The facility shall be limited to the least of the following conditions:
 - a. The inflow of waste tires from all sources shall immediately cease in the event the volume of whole tires at the facility exceeds 30 (thirty) times the average daily throughput of the processing facility.
 - b. The number of tires at the site shall not exceed 28,000 automobile and truck tires at any time.
 - c. The facility shall not store more than 1680 tons of processed tires at the site.
4. The facility must designate to the Department within 30 days of the effective date of this permit a collection center or another processing facility for the shipment of excess waste tires. The storage of whole tires and tire shreds shall be in accordance with NFPA standards.
5. The facility operating plan and emergency preparedness manual must be posted near the storage area.
6. The recovery of the waste tires for re-sale or re-use shall be conducted in a manner consistent with the approved facility operating plan and as approved by ADEQ.
7. Baled waste tire materials shall be recycled or used in accordance with a Department approved District Waste Tire Management Plan.
8. Any loss or reduction in market outlets (greater than 25 percent of the previous year's average volume or value) for the processed rubber must be reported to the Department.
9. The approved plans are found in ADEQ Document Identifier No. 27825 (Nelson Engineering, Inc., received on April 2, 2005) and NOD responses on December 1, 2006, Document Identifier 40513.

GENERAL PERMIT CONDITIONS FOR A WASTE TIRE BALING FACILITY

1. This permit is issued in reliance upon the statements and representations made in the application, operating narrative, the plans and related documents. The Department bears no responsibility for the adequacy or proper functioning of the processing facility. Nothing contained herein 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 processing facility.
2. The processing facility shall be constructed, maintained, and operated in accordance with the final plans, specifications and operation narrative as approved by the Department and in compliance with all applicable provisions of the Act, Regulation Number 14, and other applicable rules and Regulations.
3. At all times the processing facility shall be maintained in good condition and operations shall be conducted by licensed, qualified on-site operators holding the appropriate license as required by Regulation Number 27, Licensing of Operators for Solid Waste Management Facilities and Illegal Dumps Control Officers.
4. This permit shall automatically terminate unless construction of the processing facility has been commenced within 180 days of the original effective date of the permit and is completed with all reasonable diligence as determined by the Department. The Department shall be notified in writing when the initial construction has been completed in order that it may be inspected. The permittee shall provide a ten (10) day minimum written notice to the Department prior to the anticipated start-up date for the facility.
5. This permit must be posted at the public entrance to the facility along with a sign prohibiting smoking at the site.
6. Annual permit fees shall be assessed in accordance with Regulation Number 14 and the Act. Other fees shall be assessed in accordance with Regulation Number 11 entitled *Solid Waste Disposal Fees, Landfill Post-Closure Trust Fees, and Recycling Grants Program*.
7. Tires shall not be stored in a manner to cause a nuisance, health threat or a fire threat.
8. Outdoor piles of waste or processed tires shall follow proper storage practices outlined in Regulation Number 14.1402.
9. All processed tires and residuals must be removed from the site for recycling or further processing within 90 days after completion of cutting, shredding or grading operation.
10. The tires shall be stored in a manner that does not result in the harborage of vectors. The facility shall take immediate and effective action should vectors inhabit the waste tires.
11. No operations involving the use of open flames shall be conducted within 25 feet of waste tire shreds or containers.
12. Communication equipment must be maintained at the waste tire site to assure that the site operator can contact local fire protection authorities.

13. Annual reports shall be submitted by March 1 of each year on forms provided by the Department detailing the number of scrap tires received and/or shipped from the facility. The report may include the following information:
 - i.) Name of transporter delivering tires
 - ii.) Trailer number
 - iii.) Origination of tires
 - iv.) Date loaded
 - v.) Quantity of tires received
 - vi.) Quantity of tires processed
 - vii.) Quantity of tires shipped per destination
 - viii.) Quantity of tires and tire equivalents remaining on-site
14. Waste tire storage pads for the outdoor storage and the waste tire site at which the equipment is operating shall be constructed in an approved manner to protect surface water as well as ground water. Adequate protection measures such as berms shall be utilized to protect from contaminating surrounding water bodies from the potential liquid run-off resulting from efforts to extinguish a tire fire.
15. The permittee shall obtain all necessary construction permit(s) and/or storm water discharge permit(s) from the ADEQ, Water Division prior to initiation of disposal operations. Copies of any required Notices of Intent, construction permits, storm water discharge permits, and/or Storm water Pollution Prevention Plans that may be required by the Water Division shall be maintained in the facility operating record. Storm water prevention plans shall be prepared in accordance with good engineering practices. The plan shall identify potential sources of pollution that may be reasonably expected to adversely affect the quality of storm water discharges from the facility.
16. Any change in the ownership of the facilities or control of the operation may be considered a permit modification and shall be fully disclosed to the Department. For purposes of this permit, ownership or control shall be determined by a change in the debt or equity of the permittee of five percent (5%) or more. Notwithstanding the above, the permittee is not required to disclose a change in ownership or control of the facility if the change is among the persons and/or entities previously disclosed to the Department in Section E of the Disclosure Statement or similar public disclosure.
17. Unless otherwise addressed by issuance of a condition of this permit, any statements in the operational narrative and/or engineering plans that conflict with Regulation Number 14, permit conditions herein, or other applicable laws and Regulations shall not be considered authorized by the Department.
18. This permit may be modified or alternatively revoked and reissued to comply with any applicable provision of Regulation Number 14. This permit shall not relieve the permittee, its agents or employees, from compliance with all provisions of the Act and Regulation Number 14.
19. The Department, its employees, agents, or any authorized person shall have the right to enter the property at any time for any reason as set out in Regulation Number 14 for purposes of, including but not limited to, taking of samples, inspection, and any other enforcement, engineering or grant related action, without interference or delay from the permittee.

20. If any provision of these conditions or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these conditions that can be given effect without the invalid provision of application, and to this end provisions of these conditions are declared to be severable.
21. The Director's decision to issue this permit is final for purposes of appeal as of the date indicated in the Certificate of Service below.

APPROVED BY: Arkansas Department of Environmental Quality
8017 I-30, Post Office Box 8913
Little Rock, Arkansas 72219-8913



For Teresa Marks, Director

10/31/2007

Date

CERTIFICATE OF SERVICE

I,  certify that a copy of this permit has been mailed by first-class mail to Bill Lord of NWARSWMD, P.O. Box 190, Harrison, AR 72601, on or before this 31 day of Oct., 2007.

**Permit Application Summary and Rationale
Waste Tire Baling Facility for
Northwest Arkansas Regional Solid Waste Management District
Draft Permit Number 0022-SWTP; AFIN 03-00208**

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.

Baxter County filed an application for issuance of a new permit on the date specified on this Permit Summary and Rationale. Baxter County has requested to construct and operate a waste tire processing facility. The process description is listed below.

Name of Applicant	Northwest Arkansas Regional Solid Waste Management District
Type of Facility	Waste Tire Baling Facility
Engineering Firm:	Nelson Engineering, Inc. 1601 Innsbrook Circle Harrison, AR 72601
Application Date	Received on April 2, 2005. The application was later completed through a series of documents furnished by Northwest Arkansas Solid Waste Management District on November 15, 2006.
Site Location	General: DAMCO, Inc. 831 CR 784 Mountain Home, AR 72623 Specific: Section 33, Township 21 North Range 13 West, Baxter County, Arkansas
Type of Operation	Waste Tires are brought into the facility in enclosed truck trailers and stored in the enclosed lockable trailers until the balers are operating. The balers compress 100 car tires into a bale (20 truck tires), and bind them securely and the skid loader hauls the baled tires to one of the two 50'X100' Damco Storage site at the south end of the site.
Projected maximum quantities of waste tires and processed tires.	28,000 Automobile and Truck tires 1,680 Tons of Processed Automobile and Truck tires.

Permit Summary and Rationale

The following information was considered during the preparation of a draft permit for the proposed facility:

- Permit Application received on April 2, 2005.
- Correspondence.
- Arkansas Regulation Number 14.

Site Specific Permit Conditions	
Condition No. 1	Concerns the posting of financial assurance by the operator based on Appendix B of Regulation Number 14.
Condition No. 2	Discusses the permittee's responsibility regarding storage and processing requirements outlined in Regulation Number 14.
Condition No. 3	The facility is required to keep the volume of stored tires below the determined amount of throughput of the processing facility.
Condition No. 4	The facility is to provide a contingency collection center or processing facility for the shipment of excess tires.
Condition No. 5	Requires the facility to post the emergency preparedness manual at a visible location.
Condition No. 6	Discusses that re-sale or re-use of the waste tires must be in a manner specified in the facility operating plan and approved by ADEQ.
Condition No. 7	Permittee is required to report any loss or reduction in the market outlet greater than 25%.
Condition No. 8	Specifies that processed tires must be recycled or disposed of in accordance with an approved waste tire management plan.
Condition No. 9	Document numbers are identified.

General Permit Conditions for Waste Tire Baling and Processing Facilities	
Condition No. 1	Concerns Department's reliance upon the permit application and accompanying documents and disclaims any Department responsibility for the operation of the facility. It also concerns the permit holder's liabilities to other parties as a result of facility operation.
Condition No. 2	Requires that the facility must be constructed, maintained, and operated in accordance with the final plans, specifications, operation narrative and Regulation Number 14.
Condition No. 3	Concerns the requirement that personnel who are appropriately licensed by the Department operate the site. This is a requirement of Arkansas Department of Pollution Control and Ecology, Regulation Numbers 22 and 27.
Condition No. 4	Discusses the time frame required for commencing construction and the notification requirements upon completion of the facility. The commencement requirement assures that the facility's construction begins within a reasonable period of time and requires ample notice be given to the Department prior to the anticipated start-up date for the facility.
Condition No. 5	Refers to posting of the permit at the entrance to the facility. This condition also prevents any smoking at the site.
Condition No. 6	Refers to the permittee's responsibility to pay permit fees.
Condition No. 7	Concerns proper and safe storage of waste tires.
Condition No. 8	Cites Regulation Number 14.1402 for the proper storage of tires outdoor.
Condition No. 9	The facility is required to remove the processed tires from the site within 90 days after the completion of the specific processing operation.
Condition No. 10	Requires operator to reduce the potential for harborage of vectors and control on site population of disease vectors.
Condition No. 11	Restricts open flames within 25 feet of waste tires.
Condition No. 12	Requires the facility to have communication equipment at the site for emergency purposes.
Condition No. 13	Annual Reports are to be submitted to the ADEQ on forms provided by the Department and submitted by March 1 of each year.
Condition No. 14	Concerns the measures that are to be taken by the facility to protect the surrounding water from contamination particularly preventing against liquid run-off of a potential tire fire.
Condition No. 15	Requires the permittee to properly control storm water, implement best management practices to control erosion and minimize off-site losses of sediment, and to comply with applicable requirements of the Water Division of the Department. The facility may be subject to construction and/or storm water discharge permit(s) under the Clean Water Act as administered.

General Permit Conditions for Waste Tire Baling and Processing Facilities	
Condition No. 16	Requires the facility to notify the Department in the event there is a change in the ownership of the facility or control of the operation involving persons or entities not previously disclosed to the Department in disclosure statements.
Condition No. 17	Notes that requirements of the permit or Regulation Number 14 prevail in the event there is a conflict between them and the documents submitted with the permit application.
Condition No. 18	Re-opener clause to allow changing of permit parameters as deemed necessary.
Condition No. 19	Concerns the Department's right of entry onto facility property and its authority to make whatever inspections, visits and studies necessary to monitor compliance.
Condition No. 20	Concerns severability.
Condition No. 21	Concerns commencement of the time interval in which the permit can be appealed. This is in accordance with Regulation Number 8 of the Arkansas Department of Pollution Control and Ecology.

This document was prepared by: SWMD Permit Engineer, Ali Dorobati
