



February 27, 2019

Mr. Ronnie Black, General Manager
Cherokee Sanitary Landfill Company
300 Landfill Road
Cherokee Village, AR 72529

RE: Owner Name Change from IESI AR Landfill Corporation to Cherokee Sanitary Landfill Company, Cherokee Village Landfill, Class 4
Permit Number: 0083-S4 **AFIN: 25-00028**
Document Number: 75648 **Cross Reference Identifier: 75558**

Dear Mr. Ronnie Black:

The Arkansas Department of Environmental Quality Office of Land Resources (ADEQ) Regulated Waste Operations has reviewed your request for name change for the owner of Solid Waste Permit 0299-S1-R1 from IESI AR Landfill Corporation to Cherokee Sanitary Landfill Company. ADEQ has determined that the request for name change meets the APC&EC Regulation 8 and Regulation 22 requirements.

Based on the submittals received requesting this change, ADEQ hereby approves the owner name change for Permit Number 0083-S4 to Cherokee Sanitary Landfill Company. In addition, ADEQ has made minor administrative updates to the permit. Please find enclosed the updated permit.

If you have any questions, please contact Eric Gillette of my staff at (501) 682-0643 or gillette@adeq.state.ar.us.

Sincerely,

A handwritten signature in blue ink, which appears to read "Kevin White", is written over a white rectangular background.

Kevin White
Regulated Waste Operations Associate Director
Office of Land Resources

cc: ADEQ – White, Rich, Cusher, Norton, Gillette
Joseph A. Vieceli, Kendrick Ketchum, Matt Crockett – Waste Connection



**PERMIT
FOR THE CONSTRUCTION AND OPERATION OF A
SOLID WASTE DISPOSAL FACILITY**

**ISSUED BY
STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF LAND RESOURCES**

Class 4 Landfill

Permit Number	0083-S4
AFIN	25-00028
Effective Date	February 27, 2019
Original Issue Date	May 18, 1998
Permit Owner & Address	Cherokee Sanitary Landfill Company 300 Landfill Road Cherokee Village, Arkansas 72529
Facility Site Name & Address	Cherokee Village Landfill (Type 4) 300 Landfill Road Cherokee Village, Arkansas 72529
Location	Approximately 0.6 mile west of Highway 289 and 1.25 miles north of Highway 62 in SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 23, Township 16 North, Range 6 West, Fulton County, Arkansas
Permitted Waste Disposal Area	12 Acreage
Property Area	20 Acreage

This permit is your authority to construct and/or operate the Solid Waste Disposal Facility set forth in your application dated December 25, 1997 (Revised February 1998). 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, 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 (formerly Arkansas Department of Pollution Control and Ecology), hereinafter called "Department", and the following terms and conditions:

SEE ATTACHED PAGES FOR ADDITIONAL PERMIT CONDITIONS

CERTIFICATE OF SERVICE

I, Karen Blue, hereby certify that a copy of this permit has been mailed by first-class mail to Mr. Ronnie Black, General Manager, 300 Landfill Road, Cherokee Village, AR 72529 on or before this 5th day of March, 2019.

ADEQ

ARKANSAS
Department of Environmental Quality

Solid Waste Division

May 2, 2008

IESI-AR Landfill Corporation
Attn: Mr. Mike Friesen, Region Engineer
2301 Eagle Parkway, Suite 200
Fort Worth, Texas 76177

**RE: Administrative Permit Modification – Removal of Expiration Date
IESI Cherokee Village Class 4 Landfill**
Permit Number: 0083-S4 AFIN: 25-00028
Document Number: 52512 Cross Reference Number: 52027

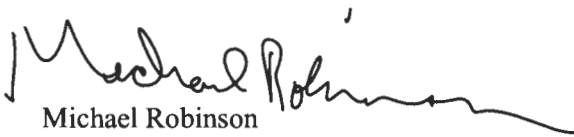
Dear Mr. Friesen:

The Arkansas Department of Environmental Quality-Solid Waste Management Division (ADEQ-SWMD) has received your request to extend the duration of the above referenced permit for the IESI Cherokee Village Class 4 Landfill. Under current regulations the landfill permit is effective as long as the waste remains within the permitted boundaries and does not exceed the permitted capacity, fill volume or elevations.

The ADEQ-SWMD hereby provides this administratively modified permit with expiration date removed. Attached is the new permit cover page for the IESI Cherokee Village Class 4 Landfill. Please replace the existing cover page of your permit with the new cover page.

If you have any questions regarding this correspondence, please contact me at (501) 682-0510.

Sincerely,



Michael Robinson
Chief, SWMD

Enclosure

cc: Harry Elliott, Enforcement Branch Manager SWMD
Gary Meador, District Field Inspector SWMD
Quinn Baber, Terracon Consulting Engineers & Scientists



**PERMIT
FOR THE CONSTRUCTION AND OPERATION OF A
CLASS 4 SOLID WASTE DISPOSAL FACILITY**

ISSUED BY

STATE OF ARKANSAS

**DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT DIVISION**



PERMIT CLASS: Class 4 Landfill

CSN IDENTIFICATION: 25-00028

PERMIT NUMBER: 0083-S4

EFFECTIVE DATE: May 18, 1998

REISSUED PERMIT COVER PAGE: May 2, 2008 [Administrative Amendment - Permit Expiration Date Removed]

PERMIT OWNER AND ADDRESS:

IESI-AR Landfill Corporation [formerly Cherokee Sanitary Landfill, Inc.]
300 Landfill Road
Cherokee Village, AR 72529

LOCATION: Approximately 0.6 mile west of Highway 289 and 1.25 miles north of Highway 62 in SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 23, Township 16 North, Range 6 West, Fulton County, Arkansas

DESIGN ENGINEER: Terracon Consulting Engineers & Scientists, Bryant, Arkansas [formerly Genesis Environmental Consulting, Inc. Little Rock, Arkansas]

DESCRIPTION OF THIS PERMIT ACTION: Administrative Amendment - Permit Expiration Date Removed

PERMIT CONDITIONS: This permit is your authority to construct and/or operate the Solid Waste Disposal Facility set forth in your application dated December 25, 1997 (Revised February 1998). 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, 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 (formerly Arkansas Department of Pollution Control and Ecology), hereinafter called "Department", and the following terms and conditions:

1 The disposal 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 22, and all other applicable rules and regulations.

2 This permit shall automatically terminate unless construction of the disposal facility has been commenced within 180 days of the original effective date of the permit and is completed with all reasonable diligence or; when the authorized fill elevations have been attained. The Department shall be notified in writing when the initial construction has been completed and upon facility closure 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. Changes to or deviations from the construction/layout of the facility, as indicated on the approved set of plans dated 2/98 that were submitted as a part of the permit application are not authorized unless approved by the Department.

SEE ATTACHED PAGES FOR ADDITIONAL PERMIT CONDITIONS

Facility: IESI Cherokee Village Class 4 Landfill
AFIN: 25-00028
Permit Number: 0083-S4

CERTIFICATE OF SERVICE

I, Mona Putman, hereby certify that a copy of this permit has been mailed by first-class mail to Mike Friesen, 2301 Eagle Parkway, Suite 200, Fort Worth, TX 76177, on or before this 2nd day of May, 2008.



PERMIT
FOR THE CONSTRUCTION AND OPERATION OF A
SOLID WASTE DISPOSAL FACILITY
ISSUED BY
STATE OF ARKANSAS
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY



PERMIT CLASS: Class 4 Landfill

CSN IDENTIFICATION: 25-0028

PERMIT NUMBER: 0083-S4

EFFECTIVE DATE: May 18, 1998

EXPIRATION DATE: May 18, 2008

PERMIT OWNER AND ADDRESS: Cherokee Sanitary Landfill, Inc.
300 Landfill Road
Cherokee Village, AR 72529

LOCATION: Approximately 0.6 mile west of Highway 289 and 1.25 miles north of Highway 62 in the SW 1/4, SE 1/4, Section 23, Township 16 North, Range 6 West, Fulton County, Arkansas.

DESIGN ENGINEER: Genesis Environmental Consulting, Inc., Little Rock, Arkansas.

DESCRIPTION OF THIS PERMIT ACTION: New Class 4 facility

PERMIT CONDITIONS: This permit is your authority to construct and/or operate the Solid Waste Disposal Facility set forth in your application dated December 25, 1997 (Revised February 1998). 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, as adopted by the Pollution Control and Ecology Commission, hereinafter called "Regulation 22"; and all other applicable rules and regulations of the Department of Pollution Control and Ecology, hereinafter called "Department", and the following terms and conditions:

1. The disposal 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 22, and all other applicable rules and regulations.
2. This permit shall automatically terminate unless construction of the disposal facility has been commenced within 180 days of the original effective date of the permit and is completed with all reasonable diligence or; when the authorized fill elevations have been attained. The Department shall be notified in writing when the initial construction has been completed and upon facility closure 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. Changes to or deviations from the construction/layout of the facility, as indicated on the approved set of plans dated 2/98 that were submitted as a part of the permit application, are not authorized unless approved by the Department.

SEE ATTACHED PAGES FOR ADDITIONAL PERMIT CONDITIONS

3. At all times the disposal 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, Certification of Sanitary Landfill Operators. Copies of the approved operating narrative, plans, specifications, operator licenses, and this disposal permit shall be maintained at the site for reference.
4. This permit may be revoked or modified whenever, in the opinion of the Department, the facilities are no longer in compliance with the Act, Regulation 22, and applicable rules and regulations. This permit shall not relieve the permittee, its agents or employees, from compliance with all provisions of the Act and Regulation 22.
5. This permit is issued in reliance upon the statements and representations made in the application, operating narrative, the plans, specifications and related documents and the Department has no responsibility for the adequacy or proper functioning of the disposal facility. 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 disposal facility.
6. This permit is for a 20-acre site with disposal to be on approximately 12 acres in areas as indicated on the plans. The permit will expire when the disposal area described in the final engineering plans has been filled to design capacity and is closed out in accordance with the provisions of Regulation 22. The final grades and elevations shown on the plans shall not be exceeded in anticipation of settlement and consolidation of the waste mass. Changes to or deviations from the construction/layout of the facility, as indicated on the approved set of plans dated 2/98 that were submitted as a part of the permit application, are not authorized unless approved by the Department.
7. The initial amount of financial assurance required is \$39,117.00. This amount is subject to annual adjustment and may be increased at the discretion of the Department, depending upon the estimated cost for a third party to close the largest area of all permitted facilities ever requiring final cover during the active life and the cost for a third party to perform post closure care. The instruments used must be in the exact form set forth in Regulation 22 and must be filed with the Department before the permit can become effective. 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.
8. Preparation of the site shall be supervised and reported in writing to the Department by a Registered Professional Engineer prior to the placement of wastes. See Conditions No. 14. and 16. for Construction Quality Assurance [CQA] requirements applicable to initial and subsequent construction.
9. An initial permit fee has been received by the Department. Annual permit fees due thereafter shall be assessed in accordance with Regulation Number 9, Fee System for Environmental Permits. Failure to pay annual fees when due may result in revocation of this permit.
10. This facility is for the disposal of bulky inert, non-putrescible Class 4 waste as defined by Regulation 22. This waste includes non-compostable wood waste such as tree trunks and stumps, demolition and construction debris, shredded or processed tires as defined by Regulation Number 14, Regulations and Administrative Procedures for the Waste Tire Program, furniture and appliances provided polychlorinated biphenyls (PCB's) and chlorofluorocarbons (CFC's) are removed from the appliance prior to disposal in accordance with applicable state and federal regulations, and other inert wastes that the Department may approve for disposal. Hazardous and/or toxic waste materials, liquid or semi-liquid waste, household wastes of any kind, putrescible waste, paper waste including cardboard and "Special Materials" as these terms may be defined by Regulation 22 are not authorized for acceptance and disposal at the facility.

11. A weekly cover of six (6) inches of compacted soil shall be applied to all exposed waste on a regular schedule acceptable to the Department.

12. Measures to control and prevent stormwater from running through or into the active fill area shall be constructed and maintained at the site and no waste shall be deposited in standing water or within five (5) feet of the seasonal high groundwater table.

13. Best management practices shall be implemented to control erosion at the site and to prevent off-site deposition of sediment and waste. In addition to other measures that may be necessary to control erosion, seeding of suitable perennial grasses and soil stabilization shall be conducted in the spring and fall on all exposed surfaces that are not to receive additional waste placement during the next growing season.

The fore-slope and back-slope of the levee of the sedimentation pond shall be seeded with suitable perennial grasses to maintain the integrity of the levee and control erosion. The top of the levee shall be stabilized by road base material. The levee shall be properly mowed as needed during the growing season to control undesirable annual weed and woody vegetation growth.

Borrow sites shall be reclaimed through seeding with suitable perennial grasses to control erosion and final grading to promote proper drainage, or reclaimed through other means acceptable to the Department.

14. The final cover shall, at a minimum, consist of eighteen (18) inches of clay material constructed to a permeability of 1×10^{-5} cm/sec or less and overlain with six (6) inches of topsoil. After final elevations are attained, the final cover system shall be constructed and a vegetation cover of suitable perennial grasses shall be established and maintained. Testing and certification of construction of the final cover system shall be in accordance with the Construction Quality Assurance Plan submitted as part of the operating narrative and Section 22.428 (b) Soil Liner Material Criteria of Regulation No. 22, except that the permeability of the cover system must be 1×10^{-5} cm/sec or less in accordance with Section 22.621. Closure and construction of the final cover system shall also be in accordance with Chapter 13 of Regulation No. 22.

15. Interim and final cover vegetation shall be properly mowed as necessary to control undesirable annual weed and woody vegetation growth and to facilitate proper inspection of the cover.

16. The liner bottom shall be eighteen (18) inches or more of compacted clay material exhibiting a permeability equal to or less than 1×10^{-5} cm/sec. Cells sited in favorable, uniform geologic settings exhibiting in-place permeability equal to or less than 1×10^{-5} cm/sec may be constructed without compacted clay liners provided the standards of Section 22.621(c)(2) of Regulation No. 22 are met.

Chert float, when encountered in significant quantities during excavation of the liner, shall be removed and replaced with clay material. In the event bedrock is encountered during the excavation, the bedrock shall be removed to a depth of at least 24" below the bottom of the liner and a proper subgrade prepared for construction of the liner, or alternately the bottom of the liner shall be raised a minimum of 24" above the bedrock.

Testing and certification of construction of the bottom liner system shall be in accordance with the Construction Quality Assurance Plan submitted as part of the operating narrative and Section 22.428 (b) Soil Liner Material Criteria of Regulation No. 22, except that the permeability of the liner system must be 1×10^{-5} cm/sec or less in accordance with Section 22.621.

17. 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 disclosure.

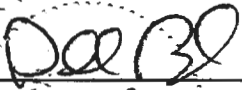
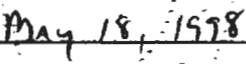
18. A landfill sign shall be erected along the Class 4 landfill operations road at the east boundary of the Class 4 site. The sign shall be clearly visible from the operations road and shall include the facility name and permit number. The sign shall note that only non-putrescible waste is authorized for disposal in the Class 4 facility and that regular household garbage and putrescible wastes (including cardboard and paper) are to be disposed in the Class 1 facility. The sign shall be erected prior to commencement of disposal operations at the Class 4 facility.

19. Any statements in the operational narrative, specifications, and/or engineering plans that conflict with Regulation 22, permit conditions herein, or other applicable laws and regulations shall not be considered authorized by the Department.

20. 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 22 for purposes of, including but not limited to, taking of samples, inspection, and any other enforcement or engineering action, without interference or delay from the permittee.

21. The Department'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: Department of Pollution Control & Ecology
8017 I-30, Post Office Box 8913
Little Rock, Arkansas 72219-8913


for Director

Date

CERTIFICATE OF SERVICE

I, Glora Weather, hereby certify that a copy of this permit has been mailed by first-class mail to Mr. Marvin Gibbons, President; Cherokee Sanitary Landfill, Inc.; 300 Landfill Road; Cherokee Village, AR 72529, on or before this 19th day of May, 1998.

ADEQ

ARKANSAS
Department of Environmental Quality

REGULATED WASTE OPERATIONS, OFFICE OF LAND RESOURCES ROUTING SLIP

February 27, 2019

Subject: Cherokee Village Landfill, Class 4 – Permit # 0083-S4

From: Eric Gillette

<u>Route in turn to:</u>	<u>Action Needed</u>	<u>Date Received</u>	<u>Date Reviewed</u>	<u>Initials</u>
A. Cusher	<input checked="" type="checkbox"/> Concurrence <input checked="" type="checkbox"/> Review	<u>2/07</u>	<u>2/27</u>	<u>AC</u>
J. Rich	<input checked="" type="checkbox"/> Concurrence <input checked="" type="checkbox"/> Review	<u>2-27</u>	<u>2-28-19</u>	<u>JR</u>
K. White	<input checked="" type="checkbox"/> Concurrence <input checked="" type="checkbox"/> Review	<u>3/4/19</u>	<u>3/4/19</u>	<u>KW</u>

***Note: Marking the Concurrence box indicates the individual agrees with the applicable text as it relates to their individual discipline and Work Section (e.g., Engineer; Risk Assessor; Geology; Compliance; Policy/Management), as applicable. Marking the Review box indicates the individual has read the document.**

Return to Eric Gillette for distribution

COMMENTS:

Copy to:

Regional Solid Waste Management District, White River

Jan Smith
Van Thomas, Exe. Director
PO Box 2396
Batesville, AR 72503

He retired about
a year ago
KW



Solid Waste Division

May 2, 2008

IESI-AR Landfill Corporation
Attn: Mr. Mike Friesen, Region Engineer
2301 Eagle Parkway, Suite 200
Fort Worth, Texas 76177

**RE: Administrative Permit Modification – Removal of Expiration Date
IESI Cherokee Village Class 4 Landfill
Permit Number: 0083-S4 AFIN: 25-00028
Document Number: 52512 Cross Reference Number: 52027**


Dear Mr. Friesen:

The Arkansas Department of Environmental Quality-Solid Waste Management Division (ADEQ-SWMD) has received your request to extend the duration of the above referenced permit for the IESI Cherokee Village Class 4 Landfill. Under current regulations the landfill permit is effective as long as the waste remains within the permitted boundaries and does not exceed the permitted capacity, fill volume or elevations.

The ADEQ-SWMD hereby provides this administratively modified permit with expiration date removed. Attached is the new permit cover page for the IESI Cherokee Village Class 4 Landfill. Please replace the existing cover page of your permit with the new cover page.

If you have any questions regarding this correspondence, please contact me at (501) 682-0510.

Sincerely,



Michael Robinson
Chief, SWMD

Enclosure

cc: Harry Elliott, Enforcement Branch Manager SWMD
Gary Meador, District Field Inspector SWMD
Quinn Baber, Terracon Consulting Engineers & Scientists



**PERMIT
FOR THE CONSTRUCTION AND OPERATION OF A
CLASS 4 SOLID WASTE DISPOSAL FACILITY**

ISSUED BY

STATE OF ARKANSAS

**DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT DIVISION**



PERMIT CLASS: Class 4 Landfill

CSN IDENTIFICATION: 25-00028

PERMIT NUMBER: 0083-S4

EFFECTIVE DATE: May 18, 1998

REISSUED PERMIT COVER PAGE: May 2, 2008 [Administrative Amendment - Permit Expiration Date Removed]

PERMIT OWNER AND ADDRESS:

IESI-AR Landfill Corporation [formerly Cherokee Sanitary Landfill, Inc.]
300 Landfill Road
Cherokee Village, AR 72529

LOCATION: Approximately 0.6 mile west of Highway 289 and 1.25 miles north of Highway 62 in SW ¼, SE ¼, Section 23, Township 16 North, Range 6 West, Fulton County, Arkansas

DESIGN ENGINEER: Terracon Consulting Engineers & Scientists, Bryant, Arkansas [formerly Genesis Environmental Consulting, Inc. Little Rock, Arkansas

DESCRIPTION OF THIS PERMIT ACTION: Administrative Amendment - Permit Expiration Date Removed

PERMIT CONDITIONS: This permit is your authority to construct and/or operate the Solid Waste Disposal Facility set forth in your application dated December 25, 1997 (Revised February 1998). 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, 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 (formerly Arkansas Department of Pollution Control and Ecology), hereinafter called "Department", and the following terms and conditions:

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2. This permit shall automatically terminate unless construction of the disposal facility has been commenced within 180 days of the original effective date of the permit and is completed with all reasonable diligence or; when the authorized fill elevations have been attained. The Department shall be notified in writing when the initial construction has been completed and upon facility closure 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. Changes to or deviations from the construction/layout of the facility, as indicated on the approved set of plans dated 2/98 that were submitted as a part of the permit application are not authorized unless approved by the Department.

SEE ATTACHED PAGES FOR ADDITIONAL PERMIT CONDITIONS

Facility: IESI Cherokee Village Class 4 Landfill
AFIN: 25-00028
Permit Number: 0083-S4

CERTIFICATE OF SERVICE

I, Mona Putman, hereby certify that a copy of this permit has been mailed by first-class mail to Mike Friesen, 2301 Eagle Parkway, Suite 200, Fort Worth, TX 76177, on or before this 2nd day of May, 2008.



PERMIT
FOR THE CONSTRUCTION AND OPERATION OF A
SOLID WASTE DISPOSAL FACILITY
ISSUED BY
STATE OF ARKANSAS
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY



PERMIT CLASS: Class 4 Landfill

CSN IDENTIFICATION: 25-0028
PERMIT NUMBER: 0083-S4

EFFECTIVE DATE: May 18, 1998

EXPIRATION DATE: May 18, 2008

PERMIT OWNER AND ADDRESS: Cherokee Sanitary Landfill, Inc.
300 Landfill Road
Cherokee Village, AR 72529

LOCATION: Approximately 0.6 mile west of Highway 289 and 1.25 miles north of Highway 62 in the SW 1/4, SE 1/4, Section 23, Township 16 North, Range 6 West, Fulton County, Arkansas.

DESIGN ENGINEER: Genesis Environmental Consulting, Inc., Little Rock, Arkansas.

DESCRIPTION OF THIS PERMIT ACTION: New Class 4 facility

PERMIT CONDITIONS: This permit is your authority to construct and/or operate the Solid Waste Disposal Facility set forth in your application dated December 25, 1997 (Revised February 1998). 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, as adopted by the Pollution Control and Ecology Commission, hereinafter called "Regulation 22"; and all other applicable rules and regulations of the Department of Pollution Control and Ecology, hereinafter called "Department", and the following terms and conditions:

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4. This permit may be revoked or modified whenever, in the opinion of the Department, the facilities are no longer in compliance with the Act, Regulation 22, and applicable rules and regulations. This permit shall not relieve the permittee, its agents or employees, from compliance with all provisions of the Act and Regulation 22.
5. This permit is issued in reliance upon the statements and representations made in the application, operating narrative, the plans, specifications and related documents and the Department has no responsibility for the adequacy or proper functioning of the disposal facility. 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 disposal facility.
6. This permit is for a 20-acre site with disposal to be on approximately 12 acres in areas as indicated on the plans. The permit will expire when the disposal area described in the final engineering plans has been filled to design capacity and is closed out in accordance with the provisions of Regulation 22. The final grades and elevations shown on the plans shall not be exceeded in anticipation of settlement and consolidation of the waste mass. Changes to or deviations from the construction/layout of the facility, as indicated on the approved set of plans dated 2/98 that were submitted as a part of the permit application, are not authorized unless approved by the Department.
7. The initial amount of financial assurance required is \$39,117.00. This amount is subject to annual adjustment and may be increased at the discretion of the Department, depending upon the estimated cost for a third party to close the largest area of all permitted facilities ever requiring final cover during the active life and the cost for a third party to perform post closure care. The instruments used must be in the exact form set forth in Regulation 22 and must be filed with the Department before the permit can become effective. 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.
8. Preparation of the site shall be supervised and reported in writing to the Department by a Registered Professional Engineer prior to the placement of wastes. See Conditions No. 14. and 16. for Construction Quality Assurance [CQA] requirements applicable to initial and subsequent construction.
9. An initial permit fee has been received by the Department. Annual permit fees due thereafter shall be assessed in accordance with Regulation Number 9, Fee System for Environmental Permits. Failure to pay annual fees when due may result in revocation of this permit.
10. This facility is for the disposal of bulky inert, non-putrescible Class 4 waste as defined by Regulation 22. This waste includes non-compostable wood waste such as tree trunks and stumps, demolition and construction debris, shredded or processed tires as defined by Regulation Number 14, Regulations and Administrative Procedures for the Waste Tire Program, furniture and appliances provided polychlorinated biphenyls (PCB's) and chlorofluorocarbons (CFC's) are removed from the appliance prior to disposal in accordance with applicable state and federal regulations, and other inert wastes that the Department may approve for disposal. Hazardous and/or toxic waste materials, liquid or semi-liquid waste, household wastes of any kind, putrescible waste, paper waste including cardboard and "Special Materials" as these terms may be defined by Regulation 22 are not authorized for acceptance and disposal at the facility.

11. A weekly cover of six (6) inches of compacted soil shall be applied to all exposed waste on a regular schedule acceptable to the Department.

12. Measures to control and prevent stormwater from running through or into the active fill area shall be constructed and maintained at the site and no waste shall be deposited in standing water or within five (5) feet of the seasonal high groundwater table.

13. Best management practices shall be implemented to control erosion at the site and to prevent off-site deposition of sediment and waste. In addition to other measures that may be necessary to control erosion, seeding of suitable perennial grasses and soil stabilization shall be conducted in the spring and fall on all exposed surfaces that are not to receive additional waste placement during the next growing season.

The fore-slope and back-slope of the levee of the sedimentation pond shall be seeded with suitable perennial grasses to maintain the integrity of the levee and control erosion. The top of the levee shall be stabilized by road base material. The levee shall be properly mowed as needed during the growing season to control undesirable annual weed and woody vegetation growth.

Borrow sites shall be reclaimed through seeding with suitable perennial grasses to control erosion and final grading to promote proper drainage, or reclaimed through other means acceptable to the Department.

14. The final cover shall, at a minimum, consist of eighteen (18) inches of clay material constructed to a permeability of 1×10^{-5} cm/sec or less and overlain with six (6) inches of topsoil. After final elevations are attained, the final cover system shall be constructed and a vegetation cover of suitable perennial grasses shall be established and maintained. Testing and certification of construction of the final cover system shall be in accordance with the Construction Quality Assurance Plan submitted as part of the operating narrative and Section 22.428 (b) Soil Liner Material Criteria of Regulation No. 22, except that the permeability of the cover system must be 1×10^{-5} cm/sec or less in accordance with Section 22.621. Closure and construction of the final cover system shall also be in accordance with Chapter 13 of Regulation No. 22.

15. Interim and final cover vegetation shall be properly mowed as necessary to control undesirable annual weed and woody vegetation growth and to facilitate proper inspection of the cover.

16. The liner bottom shall be eighteen (18) inches or more of compacted clay material exhibiting a permeability equal to or less than 1×10^{-5} cm/sec. Cells sited in favorable, uniform geologic settings exhibiting in-place permeability equal to or less than 1×10^{-5} cm/sec may be constructed without compacted clay liners provided the standards of Section 22.621(c)(2) of Regulation No. 22 are met.

Chert float, when encountered in significant quantities during excavation of the liner, shall be removed and replaced with clay material. In the event bedrock is encountered during the excavation, the bedrock shall be removed to a depth of at least 24" below the bottom of the liner and a proper subgrade prepared for construction of the liner, or alternately the bottom of the liner shall be raised a minimum of 24" above the bedrock.

Testing and certification of construction of the bottom liner system shall be in accordance with the Construction Quality Assurance Plan submitted as part of the operating narrative and Section 22.428 (b) Soil Liner Material Criteria of Regulation No. 22, except that the permeability of the liner system must be 1×10^{-5} cm/sec or less in accordance with Section 22.621.

17. 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 disclosure.

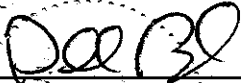
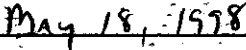
18. A landfill sign shall be erected along the Class 4 landfill operations road at the east boundary of the Class 4 site. The sign shall be clearly visible from the operations road and shall include the facility name and permit number. The sign shall note that only non-putrescible waste is authorized for disposal in the Class 4 facility and that regular household garbage and putrescible wastes (including cardboard and paper) are to be disposed in the Class 1 facility. The sign shall be erected prior to commencement of disposal operations at the Class 4 facility.

19. Any statements in the operational narrative, specifications, and/or engineering plans that conflict with Regulation 22, permit conditions herein, or other applicable laws and regulations shall not be considered authorized by the Department.

20. 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 22 for purposes of, including but not limited to, taking of samples, inspection, and any other enforcement or engineering action, without interference or delay from the permittee.

21. The Department'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: Department of Pollution Control & Ecology
8017 I-30, Post Office Box 8913
Little Rock, Arkansas 72219-8913


for Director

Date

CERTIFICATE OF SERVICE

I, Glenn Weather, hereby certify that a copy of this permit has been mailed by first-class mail to Mr. Marvin Gibbons, President; Cherokee Sanitary Landfill, Inc.; 300 Landfill Road; Cherokee Village, AR 72529, on or before this 19th day of May, 1998.