



**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**

**Class 3N Landfill**

Permit Number	<b>0109-S3N-R1</b>
AFIN	<b>32-0036</b>
Effective Date	<b>March 25, 1977 (Reissued for Permit Transfer January 1, 1994 and October 21, 2005)</b>
Permit Owner & Address	Eastman SE Inc. 2800 Gap Road Batesville, AR 72501
Facility Site Name & \\ 911 Address	Eastman SE Inc. 2800 Gap Road Batesville, AR 72501
Location	Portions of Section 33, T-13-N, R-5-W, Independence Co., AR.
Property Area	
Permitted Waste Disposal Area	8 acres

**PERMIT CONDITIONS:** This permit is your authority to construct and/or operate the Solid Waste Disposal Facility set forth in your application dated January 14, 1977 and your application for a permit transfer dated December 1, 1993. This permit is issued pursuant to the provisions of the Arkansas Solid Waste Management Act (Act 237 of 1971; Sec. 82-2701 et seq., Ark States) hereinafter called the "Act"; the Arkansas Solid Waste Management Code, hereinafter called "Code"; 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 and specifications as approved by the Department and in compliance with all applicable provisions of the Act, the Code, 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 landfill closure in order that it might be inspected.

3. This permit may be revoked or modified whenever, in the opinion of the Department, the facilities are no longer in compliance with the Act, the Code, 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 the Code.
4. The disposal facility shall be operated by licensed, qualified personnel and maintained in good operating condition at all times.
5. 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 issued in reliance upon the statements and representations made in the application and the plans and specifications and the Department has no responsibility for the adequacy or proper functioning of the disposal facility.
7. This permit will expire when the 8 acre disposal area described in the final engineering plans has been filled to design capacity and is closed out in accordance with the provisions of the Arkansas Solid Waste Management Code, as amended. Post closure maintenance and monitoring will be a minimum of 2 years after closure and may be extended should conditions at the site warrant corrective action under the Solid Waste Management Code as amended.
8. Annual permit fees 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.
9. The initial amount of financial assurance required is \$12,000.00. The instruments used must be in the exact form set forth in Appendix "B" of the Code 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 completion of the landfilling operation to ensure satisfactory closure and post closure care in accordance with the Code and Act 531 of 1989.
10. This permit is for the landfilling of clothing, floor sweepings, material packaging, miscellaneous housekeeping items, and scrap building materials. No chemicals shall be deposited in the facility except those contained in the clothing, mops, brooms, sweepings, rags, or other materials used in minor spillage cleanups resulting from the normal operations of the plant.
11. At the end of each operating day, and exposed solid waste will be covered with at least 6 inches of soil.
12. The permittee shall maintain an Operating Record on-site, or at an alternative location approved in writing by the Arkansas Department of Pollution Control and Ecology (hereinafter referred to as the Department) of all documentation, monitoring or test results, records, and certifications required by, the Solid Waste Management Code, the facility Operation and Maintenance Manual, and/or permit conditions herein. The permittee shall forward a copy of information from the Operating Record to the Department when requested.

13. Seeding and soil stabilization shall be conducted in the spring and fall on all exposed surfaces that have received final cover. Furthermore, re-vegetation shall be accomplished immediately after final elevations are completed. Cover vegetation shall be properly mowed to facilitate inspection by Department personnel.
14. Sediment control fences shall be constructed and maintained in the drainage channels of the active areas of the site. Sediment shall be removed to keep channels open and the soil replaced at the source as required. Additional stormwater control measures may be imposed under the National Pollutant Discharge Elimination System (NPDES) permit program for the construction and operation of this landfill.
15. Erosion and sediment control measures shall be implemented at all soil borrow areas both within and outside of the 8 acre permit area that are used in conjunction with landfill operation or closure. The permittee shall maintain a map in the Operating Record showing the locations of all off-site borrow areas so that the Department can periodically evaluate the effectiveness of the erosion/sediment control measures at each site. In addition the location map, the permittee shall also maintain map(s) of each borrow site indicating site boundaries and area (acres) and the name, address, and phone number of the contractor or operator of each borrow site.

If the borrow area adjoins another land owner's property line or a right-of-way, the operator must maintain an un-mined buffer area of not less than one and one-half (1 ½) times the depth of the excavation plus 10 feet.

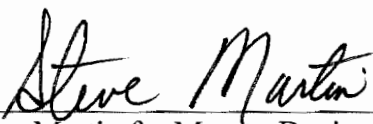
A reclamation plan must be submitted to and approved by the Department before any material is excavated from the borrow areas. Consult "The Arkansas Open-Cut Mining and Land Reclamation Code, "Regulation 15 for specific instructions on preparing a reclamation plan.

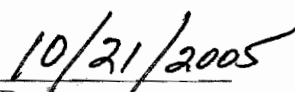
Borrow sites may also be subject to stormwater permitting requirements under the NPDES Permit system. Stormwater permitting requirements vary from site to site; the contractor or operator of each borrow site is required to contact the NPDES Branch of the Department (phone number: 570-2160) before work and is begun at a borrow site.

16. The final grades/elevations as shown on the approved engineering plans shall not be adjusted in anticipation of settling and consolidation of the waste mass. Actual final grades/elevations at the time of closure and capping of the landfill shall not exceed the grades/elevations shown on the approved engineering plans.
17. Litter control fences shall be maintained in the active fill areas for the control of blowing litter as site conditions dictate.
18. Operation at that the facility shall be under the supervision of an on-site sanitary landfill operator with the appropriate license as required by Regulation No. 27 of the Department at all times that waste is received.
19. Any statements in the Engineering Report or the Operation and Maintenance Manual that conflict with the Solid Waste Management Code or other applicable laws shall not be considered authorized by the Department.

20. The Department, its employees, agents, or any other authorized person shall have the right to enter the property at any time for any reason as set out in the Arkansas Solid Waste Code for the purpose 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 final cover will consist of an infiltration layer of at least 18 inches of clay with a permeability of  $1 \times 10^{-7}$  cm/sec or less and an erosion layer of a minimum of 6 inches of earthen material that is capable of sustaining plant growth.
22. A Registered Professional Engineer shall inspect the landfill site annually and prepare a report addressing operation compliance with all permit conditions, plans and specifications, and the operating narrative. The reports shall be submitted to the Department and shall include at a minimum the following information:
  - A. Landfill areas have been constructed and are being operated in accordance with the approved plans and specifications.
  - B. The amount of waste received during the six month period and progression of the fill. Identify any new areas opened or old areas closed.
  - C. A report on operator certification and staffing during working hours.
  - D. Operation and maintenance of stormwater controls and status of stormwater permits.
  - E. Status of the capping, closure, establishment of vegetation, and the maintenance of closed areas.
23. The terms and conditions described herein supersede the terms and conditions of the original permit S-0109.
24. The Department's decision to issue this permit is final for purposes of appeal as of January 6, 1994.

Approved By: Arkansas Department of Environmental Quality  
8001 National Drive  
Post Office Box 8913  
Little Rock, AR 72219-8913

  
Steve Martin for Marcus Devine

  
Date