February 13, 2025

The Honorable Woody Wheeless, County Judge (judgewheeless@crittco.com)
Crittenden County Courthouse
100 Court Street, Marion, AR 72364

RE: NOTICE OF FINAL PERMITTING DECISION
Solid Waste Permit Number: 0245-S1-R2
AFIN: 18-00094

The Director has made a final permitting decision for the above referenced solid waste permit. The Director's decision was made upon consideration of the completed application, public comments on record, if any, and any other materials provided by law or regulation applicable to the application. The Arkansas Department of Energy and Environment, Division of Environmental Quality (DEQ) has issued a final permit authorizing Crittenden County for the construction, operation, and maintenance of the Crittenden County Class 1 Landfill located at 1299 Kuhn Road, West Memphis, AR 72301 pursuant to the Arkansas Pollution Control and Ecology Commission (APC&EC) Rule 22.

The final permit, Statement of Basis for the decision, and Response to Comments, if any, are available on DEQ's website at the following web address:
https://www.adeq.state.ar.us/home/pdssql/p_permit_details_sw.aspx?AFINDash=18-00094&AFIN=1800094&PmtNbr=0245-S1-R2

This notice of final permitting decision is being mailed to Crittenden County and those persons who submitted public comments on the record as required by the APC&EC Rule 8. This notice of final permitting decision including the certificate of service is part of the permitting record and is available through the website above. Crittenden County and any person who submitted public comments on the record may request an adjudicatory hearing and Commission review of the final permitting decision as provided under Chapter Six of the APC&EC Rule 8.

CERTIFICATE OF SERVICE

I, Haley Griffith, hereby certify that a copy of this notice of permitting decision has been mailed to the Honorable Woody Wheeless at Crittenden County Courthouse, 100 Court Street, Marion, AR 72364 on this 13th day of February, 2025.

Haley Griffith
Signature of person mailing this notice

February 12, 2025

The Honorable Woody Wheeless, County Judge (judgewheeless@crittco.com)
Crittenden County Courthouse
100 Court Street, Marion, AR 72364

RE: Issuance of Final Permit for a Class 1 Landfill
Crittenden County Class 1 Landfill
Solid Waste Permit Number: 0245-S1-R2; AFIN: 18-00094
Cross Reference Document Identifier (Doc ID)
0245-S1-R2_Revised Table 41-2 for CQA_20250211.pdf
0245-S1-R2_Response to Request for Additional Information_20250117.pdf
0245-S1-R2_Permit Minor Modification-Brad Fureigh to ePortal_20250114.pdf

Dear Judge Wheeless:

The Division of Environmental Quality Office of Land Resources (DEQ) has reviewed the request for a minor modification for the Crittenden County Class 1 Landfill, received January 14, 2025, and revised on January 17, 2025. The minor permit modification replaced the previously approved Construction Quality Assurance (CQA) Plan with an updated plan that included updated geotextile testing methods and revised drawings for an improvement in leachate collection system pipe thickness. The DEQ approves this permit modification request. The decision to issue the permit is based upon the information contained in the permit application and other materials submitted by the applicant.

The permit is granted subject to the terms and conditions specified in the permit. The initial amount of financial assurance required is $11,298,341 for the facility. The purpose of the financial assurance is to ensure an environmentally sound closure of the site upon conclusion of operations of the facility. Please review all terms and conditions of the permit to ensure compliance with all applicable requirements.

This authorization is given in reliance upon the statements and representations made to the DEQ, and the DEQ has no responsibility for the ultimate proper functioning of the disposal facility. DEQ also reserves the right to request additional information if deemed necessary. This approval shall not remove any liability nor hold the Crittenden County Class 1 Landfill permittee harmless in the event of any adverse environmental or public health conditions resulting from this authorization. The Crittenden County Class 1 Landfill permittee shall be solely and fully responsible for implementing any corrective action necessary to remediate any adverse condition at the site based on this authorization.

If you have any questions regarding this correspondence, please contact Richard Bennett at (501) 682-0861 or Richard Bennett@Arkansas.gov.

Sincerely,



Bryan Leamons, P.E.
Associate Director, Office of Land Resources

Enclosures: Permit
Permit Modification Application Summary and Rationale

cc: DEQ – Leamons, Jones, Hurt, and Banic,
Brad N. Fureigh, P.E., Promus Engineering, LLC (bfureigh@promusengineering.com)

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

ISSUED BY
STATE OF ARKANSAS
DIVISION OF ENVIRONMENTAL QUALITY
OFFICE OF LAND RESOURCES
Class 1 Landfill

Permit Number	**0245-S1-R2**
AFIN	**18-00094**
Effective Date	February 12, 2025
Original Issue Date	January 6, 1988
Modifications	October 28, 1999 (Major Modification) July 29, 2009 (Administrative Corrections) September 22, 2009 (Administrative Corrections) July 22, 2010 (Minor Modification) January 14, 2019 (Major Modification)
Permit Owner & Address	Crittenden County 100 Court Street Marion, AR 72364
Facility Site Name & Address	Crittenden County Class 1 Landfill 1299 Kuhn Road, West Memphis, AR 72301
Location	Section 17, Township 6 North, Range 8 East, Crittenden County
Permitted Waste Disposal Area Property Area	63.3 ± Acreage 107.7 ± Acreage
Permitted Waste Disposal Volume	5,403,777 Cubic Yards
Financial Assurance	$11,298,341
Latitude/Longitude	35°08’09.49907”/90°15'21.82777”

By this permit Crittenden County, hereinafter called “owner” or “permittee,” is authorized for the construction and operation of the solid waste disposal facility as set forth in the permit modification application to the Division of Environmental Quality (DEQ) received on January 14, 2025 (Document ID 0245-S1-R2_Permit Minor Modification-Brad Fureigh to ePortal_20250114.pdf), revised on January 17, 2025 (0245-S1-R2_Response to Request for Additional Information_20250117.pdf), and February 11, 2025 (0245-S1-R2_Revised Table 41-

2 for CQA_20250211.pdf). 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"; Rule No. 22, Arkansas Solid Waste Management Code, as adopted by the Arkansas Pollution Control and Ecology Commission (APC&EC), hereinafter called APC&EC Rule No. 22; and all other applicable rules and regulations of the Division of Environmental Quality, hereinafter called "Division" or "DEQ", and the following terms and conditions:

DESCRIPTION OF THIS PERMIT ACTION

This permit modification replaced the previously approved CQA Plan to include updated geotextile testing methods and provide a revised drawing for an improvement in the leachate collection system pipe thickness. On the effective date, this permit modification supersedes all prior permits and permit modifications issued by the Division for this Class 1 landfill.

PERMIT CONDITIONS

1. This permit is for construction, operation, and maintenance, including closure and post-closure care periods, for approximately 107.7 acres site with a permitted waste disposal area of approximately 63.3 acres, as indicated on the approved plans and drawings and in accordance with permit application and supplemental application materials. The boundaries of the facility or landfill, and the final grades, or elevations of the landfill shall not be exceeded at any time whether inadvertent or intentional. This permit may be placed in void status when the fill elevations are reached within compliance with approved plans, and when the facility is closed according to approved plans, and when the facility has completed post-closure care period in accordance with the provisions of approved plans and APC&EC Rule No. 22, and when the facility has completed any necessary corrective action which may become necessary during the life of this permit.

    a. The Division shall be notified in writing upon construction of each disposal unit and upon facility closure in order that it may be inspected.

    b. Changes to or deviations from the construction/layout and operation of the facility, as indicated on the approved facility plans indicated below, and on the approved permit application documentation, are not authorized unless approved in writing by the Division.

    c. The approved application documents are filed under the Document Identification Numbers 73889, 74421, and 74944 except for any deviations found in other specific document approvals which will be listed in this permit.

2. The initial total amount of financial assurance is $11,298,341. Of this amount, $10,132,723 will be required for closure costs and $1,165,618 (20% of $5,828,089) will be required for the post-closure costs. This amount shall be subject to annual adjustments and may be increased at the discretion of the Division based upon the estimated cost for a third party to close the largest area requiring final cover during the active life of the facility and the cost for a third party to perform post-closure care.

a. The instruments used must be in one of the forms set forth in APC&EC Rule No. 22 or as otherwise approved by the Division.

b. Operations allowed under this permit shall not commence until all financial assurance is satisfactorily filed with the Division.

c. A portion or all of the financial assurance may be held by the Division beyond the time of cessation of disposal operations at the site to ensure satisfactory closure and post closure care in accordance with APC&EC Rule No. 22.

3. This permit is for the disposal of all waste eligible for a Class 1 landfill waste including "special materials" as outlined by APC&EC Rule No. 22.702, No. 22.704, No. 22.706, and No. 22.708. Special Materials as identified in APC&EC Rule No. 22 do not require written authorization from the Division provided the materials are identified, managed, and disposed according to provisions of the approved Hazardous and Unauthorized Waste Exclusion Plan and Chapter 7 of APC&EC Rule No. 22.

4. Each landfill waste cell shall be constructed in the sequence indicated in the approved plans and specifications. See Condition No. 19 for approved plans.

5. The seventeen (17) acre area identified by the Department of Army Memphis District Corp of Engineers (CORPS) and the Natural Resource Conservation Service (NRCS) as wetland area cannot be developed for solid waste disposal until obtaining proper authorization from the CORPS and NRCS.

6. The bottom liner system for any newly constructed waste cell must consist of twenty four (24) inches of compacted clay exhibiting a maximum hydraulic conductivity of 1×10^{-7} centimeters per second (cm/s), 60 mil HDPE liner, a geocomposite drainage layer, and twelve (12) inches of protective cover layer exhibiting a minimum hydraulic conductivity of 1×10^{-3} centimeters per second (cm/s). The bottom liner placed on top of Pre-Subtitle D area must consist of a minimum of twelve (12) inches of intermediate soil cover, a Geosynthetic Clay Liner (GCL), 60 mil HDPE flexible membrane liner, and twelve (12) inches of protective cover.

a. Proper construction of the bottom clay liner of each waste cell shall be observed and certified to the Division by a Registered Professional Engineer in a Construction Certification Report in accordance with the approved CQA Plan whenever a cell is prepared for use.

b. The Construction Certification Report shall include CQA/QC test results as indicated in the approved CQA Plan; drawings indicating the location, designation, and extent of area(s) actually constructed for use; and test locations.

c. The Certification Report shall be submitted to the Division at least fourteen (14) days prior to waste placement in that cell.

7. No solid waste must be disposed on Pre-Subtitle D areas unless a bottom liner system is placed on top of the Pre-Subtitle D area as described in Condition No. 6.

8. The permittee shall implement the Hazardous and Unauthorized Waste Exclusion Plan presented in Document ID 73889. In addition to the implementation of the approved plan, the facility shall fully meet all requirements of APC&EC Rule No. 22.412 regarding the exclusion of all unauthorized waste streams.

9. The permittee shall implement the Landfill Gas Monitoring Plan presented in Document ID 74421. In addition to the implementation of the approved Landfill Gas Monitoring Plan, the facility shall fully meet the requirements of APC&EC Rule No. 22.415 regarding the control of explosive gases. The facility shall monitor each of the gas monitoring probes detailed in the approved Landfill Gas Monitoring Plan and within all structures at the facility on a quarterly basis. The results shall be submitted to the Division within 14 days following each monitoring event. The new gas monitoring probes showed in the approved Landfill Gas Monitoring Plan (Document ID 74421) must be installed within sixty (60) calendar days from the effective date of this permit. Any changes to the approved Landfill Gas Monitoring Plan must be notified to the Division.

10. The permittee shall implement the requirements detailed in the Operating Plan and Narrative presented in Document ID 73889. In addition to the implementation of the approved Operating Plan and Narrative, the facility shall fully meet the requirements of APC&EC Rule No. 22.

11. The permittee shall implement the Construction Quality Assurance Plan presented in Document ID 0245-S1-R2_Permit Minor Modification-Brad Fureigh to ePortal_20250114.pdf and 0245-S1-R2_Revised Table 41-2 for CQA_20250211.pdf and 0245-S1-R2_Revised Table 41-2 for CQA_20250211.pdf. In addition to the implementation of the approved Construction Quality Assurance Plan, the facility shall fully meet all requirements of APC&EC Rule No. 22.428. The facility shall be required to submit construction plans and specifications to the Division prior to each construction event at the facility.

12. The permittee shall implement the Closure and Post Closure Plan presented in Document ID 73889 and 74944. In addition to the implementation of the approved Closure and Post Closure Care Plan, the facility shall fully meet all requirements of APC&EC Rules No. 22.1301 and No. 22.1302. The post closure maintenance period for this facility shall be a minimum of 30 (thirty) years starting on the date the Division accepts closure of the facility. The length of the post closure period may be decreased or increased by the Director in accordance with APC&EC Rule No. 22.1302(c)(4). Closure Certification Reports for final cover construction shall be submitted to the Division in accordance with APC&EC Rule No. 22.1301 and in accordance with the approved closure plan.

13. The final cover system shall be designed according to the specifications set forth in Document Identifier 73889. The design of the top of the landfill must consist of twelve (12) inches of intermediate soil cover, a minimum of eighteen inches of compacted clay liner exhibiting a maximum hydraulic conductivity of 1×10^{-7} centimeters per second (cm/s), a 40-mil HDPE liner, a double-sided geocomposite drainage layer, a twelve (12) inches of protective layer, and six (6) inches of topsoil layer. An alternative cover design

for the side slopes of the landfill must consist of at least twelve (12) inches of intermediate soil cover, a minimum of twenty four (24) inches of compacted clay liner exhibiting a maximum hydraulic conductivity of 1×10^{-7} centimeters per second (cm/s) and six (6) inches of topsoil layer with native perennial grasses.

14. At all times the disposal facility shall be maintained in good condition and operations shall be conducted by licensed, qualified on-site operator holding the appropriate license as required by APC&EC Rule No. 27, Certification of Sanitary Landfill Operators. Copies of the approved operating narrative, approved permit plans/specifications, operator licenses, stormwater pollution prevention plan (SWPPP), National Pollutant Discharge Elimination System (NPDES) construction and/or stormwater permit(s) for the facility, and this disposal permit shall be maintained at the site for reference.

15. This permit may be revoked in whole or in part or modified whenever, in the opinion of the Division, the facilities are no longer in compliance with the Act, APC&EC Rule No. 22 and the applicable rules and regulations. This permit shall not relieve the permittee, its agents or employees from compliance with all provisions of the Act and APC&EC Rule No. 22.

16. The Division may issue modifications or amendments to this permit governing the design, operation, maintenance, closure or post-closure of the facility during the term of this permit. If amendment is provided additional to this permit, that amendment shall be attached to this permit and shall be considered an enforceable part of this permit.

17. 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 Division has no responsibility for the adequacy or proper functioning of the disposal facility. Nothing herein contained shall be construed as releasing the permittee form any liability from damage to persons or property by reason of the installation, maintenance operation of the disposal facility.

18. The Division, 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 APC&EC Rule No. 22 for the purposes of, including but not limited to taking samples, reviewing the operating record, inspecting the facility and performing other enforcement or engineering action without interference or delay from the permittee.

19. The approved permit plans for the facility are as follows:

Index Sheet	Sheet 1 of 18, Document ID 73889
Existing Site Conditions	Sheet 2 of 18, Document ID 73889
Survey Control Plan	Sheet 3 of 18, Document ID 73889
Subgrade Grading Plan	Sheet 4 of 18, Document ID 73889
Top of Clay Liner Grading Plan	Sheet 5 of 18, Document ID 73889
Interim Grading Plan	Sheet 6 of 18, Document ID 73889
Final Grading Plan	Sheet 7 of 18, Document ID 73889

Fill Sequence Cell 4 and Cell 5A/5B	Sheet 8 of 18, Document ID 73889
North-South Cross Section	Sheet 9 of 18, Document ID 73889
East-West Cross Section	Sheet 10 of 18, Document ID 73889
Stormwater Control Plan	Sheet 11 of 18, Document ID 73889
Bottom Liner Details	Sheet 12 of 18, Document ID 73889
Leachate Collection System Details 1	Sheet 13 of 18, Document ID 0245-S1-R2_Permit Minor Modification-Brad Fureigh to ePortal_20250114.pdf
Leachate Collection System Details 2	Sheet 14 of 18, Document ID 73889
Leachate Collection System Details 3	Sheet 15 of 18, Document ID 73889
Final Cover System Details	Sheet 16 of 18, Document ID 73889
Stormwater Control Details	Sheet 17 of 18, Document ID 73889
Miscellaneous Details	Sheet 18 of 18, Document ID 73889

20. The facility shall pay the annual fee assessed in accordance with APC&EC Rule No. 9, Fee System for Environmental Permits. The facility shall pay disposal fees required by APC&EC Rule No. 11. Failure to pay fees when due may result in revocation of this permit.

21. Any change in ownership or control of the operation of this landfill may be considered a permit modification and shall be fully disclosed to the Division. 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 Division in Section E of the Disclosure Statement or similar disclosure.

22. Disposal of bulk liquid waste in the landfill is prohibited. “Liquid waste” is waste which contains “free liquids” as defined by Methods 9095 (Paint Filter Test) as described in EPA Publication No. SW-846.

23. Measures to control and prevent storm water run-on from running through or into the active disposal area shall be constructed and maintained. Grading, dikes, diversion ditches, silt fencing, silt, traps, and other best management practices (BMP) for storm water control shall be provided as necessary to control/prevent off-site sediment accumulation from landfill related operations.

24. Appropriate NPDES construction/storm water permit(s) shall be obtained for stormwater discharges from the landfill site and borrow sites. A Storm Water Pollution Prevention Plan (SWPPP), which outlines erosion and sediment control measures, shall be prepared and implemented in accordance with applicable NPDES requirements. A copy of the SWPPP shall be maintained on-site for reference by operating staff.

25. The permittee shall comply with the air criteria requirements of APC&EC Rule No. 22.416. Those requirements include meeting the State Implementation Plan (SIP) pursuant to Section 110 of the Clean Air Act; prohibiting open burning of solid waste, unless authorized by the Division; and establishing fire safety procedures.

26. Litter control fences shall be provided in the active fill area for the control of blowing litter. Other litter control measures shall be implemented, if necessary, to confine litter to the smallest practicable extent and prevent litter from leaving the site.

27. The facility is authorized to utilize synthetic tarps for daily cover if the material selected is of sufficient weight and durability to control disease vectors, fires, odors, blowing litter, and scavenging. The facility must not use Alternate Daily Cover (ADC) for more than five (5) consecutive days. The working face must be covered with a minimum of six (6) inches of soil on a weekly basis. Upon notification from the Division the authorization to utilize ADC may be withdrawn or revoked at any time the Division determines that the ADC is not effective in controlling disease vectors, fires, odors, blowing litter and scavenging. The facility must place soil intermediate cover in compliance with APC&EC Rule No. 22.413(c). When not using ADC, the permittee must cover disposed waste with at least six (6) inches of soil at the end of each operating day, or at more frequent intervals if necessary, to control disease vectors, fires, odors, blowing litter, and scavenging. No portion of the waste is to be left exposed at the end of the operating day.

28. The landfill working face shall be confined to the smallest practicable area.

29. The final grades and elevations shown on the plans shall not be exceeded at any time or in anticipation of settlement and consolidation of the waste mass.

    a. Timely initiation and completion of closure of landfill cells or units shall be made in accordance with APC&EC Rule No. 22.1301.

    b. Proper construction of the final cover system shall be observed and certified in writing to the Division by a Registered Professional Engineer in a Construction Certification Report in accordance with the approved CQA Plan whenever a cell, area or phase of the landfill is closed-out.

    c. The Certification Report shall include CQA/QC test results as indicated in the approved CQA Plan; drawings indicating the location, designation and extent of closed area(s); and test locations.

30. This permit authorizes one (1) active disposal area at the facility per Section 22.411(c) of APC&EC Rule No. 22. Multiple working faces shall not be utilized at the facility unless the permittee can provide adequate justification for more than one working face and specific authorization for such is granted in writing by the Division. It is not anticipated that such authorization will be granted except on a temporary basis for highly unusual or emergency situations. Any previous authorizations which may exist for multiple working faces shall be terminated upon issuance of this permit.

31. The Division's decision to issue this permit is final for purposes of appeal as of the date indicated in the Certificate of Service. If any provision of these conditions or the application of these conditions 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 or application. Therefore, to this end, the provisions of these conditions are declared to be severable.

32. Leachate screening and monitoring shall be in accordance with Section 22.429(l) of APC&EC Rule No. 22. Leachate from the landfill will be sampled at a minimum of the same frequency and for the same parameters as groundwater monitoring.

33. Leachate collection removal and leachate storage systems shall be monitored and operated such that free flowing conditions are maintained in the leachate collection system. Leachate which is disposed in publicly owned treatment works (POTW) must comply with 40 CFR Part 403 (U.S. EPA Pretreatment regulations). The facility is not authorized to use leachate recirculation as treatment method.

34. Any statements in the operational narrative, application documents, specifications, engineering plans, and/or monitoring plans that conflict with and are less stringent than APC&EC Rule No. 22, permit conditions herein, or other applicable laws and regulations shall not be considered authorized by the Division. The permittee shall comply with the most stringent of 1) Permit conditions contained herein; 2) APC&EC Rule No. 22 and other regulations covering solid waste; and 3) State solid waste statutes.

35. The permittee shall furnish the Division annual engineering inspection reports (AEIR) in accordance with APC&EC Rule No. 22.423. The AEIR for Class 1 facilities is due on March 31 of each year and shall cover the preceding period beginning January 1 and ending December 31.

36. At a minimum, the following documents and materials shall be retained in the facility operating record for review by authorized representatives of the Division:

    a. The approved facility operating plan, approved permit plans and specifications, CQA reports, site inspection reports, operator licenses, this disposal permit and written authorizations issued by the Division that provide modifications to the facility or its operations, all environmental monitoring or test results, and other pertinent records, certifications and correspondence as required by APC&EC Rule No. 22 or other permit conditions herein; and

    b. All construction test results, certifications, acceptances, construction reports, photographs, layout drawings, record (as-constructed) drawings, shop drawings, construction drawings, and other documentation required by the specifications, and CQA/QC plans, reports and documents; and

    c. Other documents that pertain to the operation and maintenance closure and/or post-closure of the facility, or as directed by the DEQ.

    d. The permittee shall forward a copy of information from the Operating Record when requested by the Division.

GROUNDWATER MONITORING PERMIT CONDITIONS:

1. A groundwater monitoring system shall be established and maintained that consists of a sufficient number of wells or sampling points and installed at appropriate locations and depths in order to:

    a. Provide groundwater quality passing the relevant point of compliance of the solid waste unit, facility, or practice as defined by APC&EC Rule No. 22.1202. The downgradient monitoring system must ensure detection of groundwater contamination in the uppermost aquifer; and

    b. Provide background that has not been affected by any solid waste unit, facility, or practice as defined by APC&EC Rule No. 22.1202.

2. The groundwater monitoring system for this facility, must at all times, be properly maintained, sampled in accordance with the terms and conditions stipulated in this permit, and comply with the monitoring requirements found in APC&EC Rule No. 22. Once established, groundwater monitoring shall be conducted throughout the active life and post-closure care period.

3. The facility will follow an approved Sampling and Analysis Plan (SAP). This shall be implemented by a qualified groundwater scientist. Groundwater sampling and analysis shall in all cases comply with the requirements of APC&EC Rule No 22.1203. Changes to this approved SAP will be accomplished following the provisions of APC&EC Rule No 22.

4. The groundwater monitoring system shall include, at a minimum, eight (8) monitoring wells: MW-1, MW-2R, MW-3, MW-4, MW-5 MW-6, MW-7, MW-8R. The wells are shown in Appendix L of the permit modification application (Doc ID 73889). Any modification of the groundwater monitoring system shall follow the provisions of APC&EC Rule No. 22.

5. No monitoring well or piezometer shall be installed, decommissioned, replaced, repaired or otherwise altered without prior approval of the Division. Upon completion of a well installation, replacement, decommissioning, repair or alteration, a report shall be submitted to the Division within sixty (60) days of completion and a copy shall be placed in the facility operating record. Within the report, work quality and methods must be certified by the supervising professional.

6. The groundwater monitoring frequency shall be at least semi-annual during the active life of the facility and the post-closure period. For semi-annual monitoring, the monitoring events will be performed approximately six (6) months apart. In addition, one monitoring event will be performed within the first six (6) months of the year (January through June) and one monitoring event within the last six (6) months of the year (July through December).

7. For any new monitoring wells, quarterly sampling is required until enough data has been collected to adequately perform reliable statistical analysis per recommendations of the EPA Unified Guidance [*Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Unified Guidance* by EPA dated March 2009 (EPA-530/R-09-007)]. Quarterly monitoring events will be performed approximately three (3) months apart. In addition, one monitoring event will be performed during each quarter, defined as: January through March, April through June, July through September, and October through December.

8. Groundwater quality background concentrations used in statistical evaluations for the site groundwater monitoring system shall not be based on data affected by any solid waste landfill unit, facility, or practice as defined in APC&EC Rule No. 22.1202 (a)(1).

9. The sample analysis shall be performed by a third-party laboratory that is properly certified by the Division's State Environmental Laboratory Certification Program Act (Ark. Code Ann §8-2-201 et seq.) to perform the types of analyses required by APC&EC Rule No. 22 and this permit. Analytical results shall be submitted directly from the contract or independent third-party laboratory to the Division.

10. The detection monitoring parameters will include at a minimum APC&EC Rule No. 22 Appendix 1 parameters, chloride, total dissolved solids, sulfate, total organic carbon, pH, specific conductance, iron and manganese.

11. All parameter concentrations which are above the Method Detection Limit (MDL) must be reported. Any Practical Quantitation Limit (PQL) or MDL laboratory reported concentration shall be the lowest concentration level that can be reliably achieved within specified limits of precision and accuracy during routine laboratory operating conditions using current laboratory standards. Analytical methods may be modified by the Division based upon analytical results and new laboratory techniques.

12. All groundwater statistical methodologies shall be performed in a manner that complies with APC&EC Rule No. 22 and consistent with the most appropriate recommendations for specific situations per the *Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Unified Guidance* by EPA dated March 2009 (EPA 530-R-09-007) or the most current, relevant EPA statistical guidance. Any statements or methodologies within the groundwater sampling and analysis plan that do not meet these criteria shall not be considered authorized by the Division.

13. In accordance with APC&EC Rule No. 22.1204, if a statistically significant increase over background has been detected for one or more of the detection monitoring constituents, the permitee must:

    a. Within 14 days of this finding, place notice in the Operating Record indicating which constituents have shown statistically significant changes from background levels, and notify the Division;

    b. Establish an assessment monitoring program meeting the requirements of

APC&EC Rule No. 22.1205 within 90 days except as provided for in APC&EC Rule No. 22.1204(c)(3).

c. If, after 90 days, a successful demonstration as described in APC&EC Rule No. 22.1204(c)(3) is not made, the permittee must sample and analyze for Appendix 2 constituents in accordance with APC&EC Rule No. 22.1205.

d. If one or more of the Appendix 2 constituents has been detected at a statistically significant level exceeding the groundwater protection standards defined under APC&EC Rule No. 22.1205 (h) or (i), the permittee must initiate an assessment of corrective measures in accordance with APC&EC Rule No. 22.1206. Based upon the results of the assessment, the permittee must proceed with selection of a remedy in accordance with APC&EC Rule No. 22.1207 and then proceed with implementation of a corrective action program in accordance with APC&EC Rule 22.1208.

14. A Nature and Extent Investigation is required if assessment monitoring constituents are detected at statically significant levels above the groundwater protection standard (GWPS) (APC&EC Rule No. 22.1205(g)). The facility shall submit a work plan (including a schedule) for characterizing the nature and extent of the release to the Division within thirty (30) calendar days of either: a) the statistical finding; or b) upon written notice that the submitted Alternate Source Demonstration (as defined in APC&EC No. 22.1205(g)(2)) was not approved by the Division.

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



Bryan Leamons, P.E.
Associate Director, Office of Land Resources

February 12, 2025

Date

PERMIT MODIFICATION APPLICATION SUMMARY AND RATIONALE
Crittenden County Class 1 Landfill
Permit No: 0245-S1-R2
AFIN: 18-00094

PERMIT MODIFICATION 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 Office of Land Resources. The entire file for the solid waste permit application specified below should be reviewed for complete details on the proposed facility.

PERMIT MODIFICATION APPLICATION SUMMARY	
Name of Applicant	Crittenden County
Name of Facility	Crittenden County Class 1 Landfill
Application Date	January 14, 2025
General Site Location	1299 Kuhn Road, West Memphis, AR 72301
Specific Site Location	Section 17, Township 6 North, Range 8 East, Crittenden County, AR.
Class 1 Permit Area	Property Acres: 107.7± acres Area to be used for waste disposal: 63.3 acres
Type of Landfill Operation	Area Fill Method.
Wetlands:	Approximate 17 acre wooded area on south end of the property was identified as wetlands. Solid waste disposal won't be developed within this wetland area.
Topography	Deltaic flood plain located within Mississippi River bottomland.
Geology	Mississippi River alluvial deposits located inside of the New Madrid Seismic Zone.
Soil	Clay and/or silty clay alluvium underlain by coarse sand and gravel.
Groundwater	Depth to water: 15-20ft Flow direction: Generally to the west, but with slight variations Hydraulic gradient: 0.0015×10^{-3} ft/ft Hydraulic conductivity: 3.65×10^{-3} cm/sec Linear Velocity: 9.60×10^{-6} cm/sec Effective porosity: 38% Property overlies Mississippi River Valley alluvial aquifer.
Surface Drainage Sequence	A small tributary is located along the south-side of the property that drains into the Mississippi River (approximately 5mi to the east).
Wastes Stream:	Class 1 Municipal Solid Waste as defined in APC&EC Rule No. 22.
Total Capacity	5,403,777 Cubic Yards.
Disposal Rate	Approximately 102,100 Cubic Yards per year (may vary).
Projected Site Life	Approximately 13.2 years (may vary with waste received).

Bottom Liner System	Bottom Liner: A minimum of twenty four (24) inches of compacted clay exhibiting a maximum hydraulic conductivity of 1 x 10^{-7} centimeters per second (cm/s); 60 mil HDPE flexible membrane liner; Geocomposite drainage layer; and Twelve (12) inches of protective cover layer exhibiting a minimum hydraulic conductivity of 1 x 10^{-3} centimeters per second (cm/s). Bottom liner on top of Pre-Subtitle D areas: Twelve (12) inches of intermediate soil cover; Geosynthetic Clay Liner (GCL); 60 mil HDPE flexible membrane liner; Geocomposite drainage layer; and Twelve (12) inches of protective cover layer.
Final Cover	Top of landfill: Twelve (12) inches of intermediate soil cover; A minimum of eighteen (18) inches of compacted clay liner exhibiting a maximum hydraulic conductivity of 1 x 10^{-7} centimeters per second (cm/s); Flexible membrane liner consisting of a minimum 40-mil HDPE liner; A double-sided geocomposite drainage layer; Twelve (12) inches of protective layer; and Six (6) inches of topsoil layer with native perennial grasses. Side slopes of Landfill: Twelve (12) inches of intermediate soil cover; A minimum of twenty four (24) inches of compacted clay liner exhibiting a maximum hydraulic conductivity of 1 x 10^{-7} centimeters per second (cm/s); Six (6) inches of topsoil layer with native perennial grasses.
Alternative Daily Cover Material	Synthetic tarps for no more than five (5) consecutive days.
Financial Assurance after this permit modification	$11,298,341

Permit Summary and Rationale

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

S Permit Pre-Application dated January 15, 1987 (Document ID 35449).

S Permit Application dated July 19, 2017. The application was completed through a series of supplemental documents furnished on December 11, 2017, May 31, 2018, August 20, 2018, October 16, 2018, January 14, 2025, and January 17, 2025.

S Correspondence from the Permittee; The Arkansas Solid Waste Management Code, as Amended (APC&EC Rule No. 22); and all other applicable rules and regulations of the Division of Environmental Quality.

Condition No.	Permit Conditions
1	Concerns the expiration of the permit. The permit may be placed in void status when the facility is closed out and has completed post-closure care in accordance with the provisions of approved plans and APC&EC Rule No. 22.309.
2	Specifies the initial amount of financial assurance. (APC&EC Rules No. 22.1402 and No. 22.1403).
3	Concerns the type of disposal material permitted for the Class 1 landfill including special materials outlined in APC&EC Rules No. 22.702, No. 22.704, No. 22.706, and No. 22.708.
4	Concerns the construction sequence of each waste cell as indicated by the approved plans and specifications.
5	Concerns an area identified as a wetland, which this area cannot be developed for solid waste disposal until obtaining proper authorization from the CORPS and NRCS as required by APC&EC Rule No. 22.404.
6	This permit condition establishes the approved bottom liner system configuration of the landfill.
7	This permit condition establishes the approved bottom liner system configuration of the landfill in order for Pre-Subtitle D area meets the Subtitle D standards.
8	This permit condition identifies the approved Hazardous Waste Exclusion Plan for the facility as required by APC&EC Rule No. 22.412.
9	This permit condition details the approved Explosive Gas Monitoring System and Plan as required by APC&EC Rule No. 22.415.
10	This permit condition establishes the approved Operating Plan and Narrative as required by APC&EC Rule No. 22.
11	This condition establishes the approved CQA Plan for the facility and requires review of construction documents prior to all construction events.
12	This permit condition establishes the approved Closure and Post Closure Care Plan for the facility as required by APC&EC Rule No. 22.1301 and No. 22.1302.
13	This permit condition establishes the approved final cover design as required by APC&EC Rule No. 22.1301.

Condition No.	Permit Conditions
14	Concerns requirements to maintain the disposal facility in good operating condition under licensed, qualified, on-site landfill operators in accordance with Section 22.411 of APC&EC Rule No. 22 and with APC&EC Rule No. 27.
15	Concerns the right of the Division to revoke or modify the permit in the event the facility is no longer in compliance with the Arkansas Solid Waste Management Act, APC&EC Rule No. 22, or other applicable regulations in accordance with Section 22.308 of APC&EC Rule No. 22.
16	Concerns issuance of modifications to the permit by the Division is in accordance with Sections No. 22.308 and No. 22.422 of APC&EC Rule No. 22.
17	States the Division has no responsibility for the proper functioning of the disposal facility and the permittee is not exempt from liability to third parties per APC&EC Rule No. 8.
18	Concerns the right of Division employees to enter the permittee's property to inspect the facility at any time without interference or delay as in accordance with Section No. 22.1501 of APC&EC Rule No. 22.
19	This permit condition details the approved landfill plans for the facility. Any changes to the plans listed will require a modification to the facility permit.
20	Concerns the payment of annual fees associated with the permit in accordance with APC&EC Rule No. 9. And disposal fees required by APC&EC Rule No. 11. Failure to pay the annual fee may result in revocation of the permit.
21	Concerns permit transfer and disclosure is in accordance with Act 454 of 1991.
22	This condition restricts the disposal of bulk liquid waste at the facility.
23	Concerns the measures to control and prevent storm water run-on through or into the active disposal area.
24	Specifies the requirements for appropriate NPDES permit(s) and Storm Water Pollution Prevention Plan is in accordance with Sections No. 22.418, No. 22.419 and No. 22.427 of APC&EC Rule No. 22 and the Clean Water Act.
25	Concerns complying with the air criteria requirements of APC&EC Rule No. 22.416 including the requirements of the State Implementation Plan of the Clean Air Act. Also, prohibiting the open burning of solid waste and establishing fire safety procedures.
26	This permit condition requires the use of litter control fences or other litter control measures to be implemented for the control of blowing litter.
27	Specifies the requirement for daily or more frequent cover to prevent vectors, odors, fire, litter and scavenging. Alternative daily cover must comply with Division guidelines and include specific written operating procedures.
28	Outlines requirements for the working area of the smallest practicable extent area in accordance with Section No. 22.411(c) of APC&EC Rule No. 22.
29	Specifies the final grades and elevations shown on the plans shall not be exceeded at any time. Requirements for a timely closure, proper construction of the final cover system and Certification Report in accordance with APC&EC Rule No. 22.1301.
30	This permit condition authorizes one (1) active disposal area. Authorization for a second working face may be granted provided adequate justification.

Condition No.	Permit Conditions
31	Concerns providing notice for the purpose of appeal of the final permit in accordance with Section No. 22.306 of APC&EC Rule No. 22 and in accordance with APC&EC Rule No. 8. Provisions regarding severability are in accordance with Section No. 22.1601 of APC&EC Rule No. 22.
32	Requires leachate from the landfill to be sampled, at a minimum, at the same frequency and for the same parameters as groundwater monitoring except that turbidity is not a required parameter per APC&EC Rule No. 22.429(l).
33	This permit condition establishes the leachate conditions as required by APC&EC Rule No. 22.429.
34	Concerns the requirements for the permittee to comply with APC&EC Rule No. 22 or permit conditions in the event of a conflict between them and representations in the permit application documents.
35	Specifies the requirement for timely submittal of annual engineering inspection reports in accordance with APC&EC Rule No. 22.423.
36	Concerns the requirement for recordkeeping in accordance with APC&EC Rule No. 22.421.

Condition No.	Permit Conditions
	PERMIT RATIONALE FOR GROUNDWATER MONITORING CONDITIONS
1	Requires the permittee to utilize and maintain a groundwater monitoring system to adequately monitor potential impacts on groundwater from facility operations. A general summary of APC&EC Rule No. 22.1202(a).
2	Specifies the duration of maintenance, design, installation, and operation of the groundwater monitoring system at the facility required by APC&EC Rule No. 22.1201(d).
3	Requires the facility to follow an approved groundwater sampling and analysis plan that complies with APC&EC Rule No. 22.1203(j).
4	References the proposed well identification numbers and well locations for this facility to be used as the groundwater monitoring system required by APC&EC Rule No. 22.1202(a). Point of compliance as defined in APC&EC Rule No. 22.424(d).
5	Requires Division approval and supervising professional certification for modifying facility groundwater monitoring wells or piezometers per APC&EC Rule No. 22.1103(f). Gives schedule for submitting reports to the Division.
6	Requires the permittee to sample at least semi-annually per APC&EC Rule No. 22.1204(b). Specifies semi-annual monitoring intervals.
7	Specifies quarterly monitoring intervals. Quarterly sampling during background sampling is required by APC&EC Rule No. 22.1203(e) and quarterly sampling during assessment monitoring is required by APC&EC Rule No. 22.1205(d)(2).
8	Requires background concentrations used in statistical evaluations in the site groundwater monitoring reports to be data which has not been affected by a solid waste landfill unit, facility, or practice as defined by APC&EC Rule No. 22. EPA's March 2009 Unified Guidance (page 5-1) states that: *"High quality background is the single most important key to a successful statistical groundwater monitoring program, especially for detection monitoring. All of the statistical tests listed in the RCRA regulations are predicated on having appropriate and representative background measurements ... The most important quality of background is that it reflects the historical conditions unaffected by the activities it is designed to be compared to.* " Several sections of APC&EC Rule No. 22 address a combination of background and statistical methods either directly or indirectly. These sections include: 1201(a), 1202(a)(1), 1204(c)(3), 1205(g)(2), 523, and 524(c).
9	Requires sample analyses to be completed by an DEQ approved third-party laboratory per the "State Environmental Laboratory Certification Program Act (Ark. Code Ann. § 8-2-201 et Seq.)". Requires direct submittal of all analytical results from the contract or independent third-party laboratory to the Division per APC&EC Rule No. 22.1203(j)(4).
10	States detection monitoring parameters per APC&EC Rules No. 22.1204(a) and (d).

Condition No.	Permit Conditions
11	Requires parameter concentrations above the MDL to be reported to the Division and for the PQL and MDL reported to be the lowest concentration that can be reliably achieved within specified limits of precision and accuracy during routine laboratory operating conditions using current laboratory standards per APC&EC Rule No. 22.1203(h)(5). The sampling procedures and frequency must be protective of human health and the environment per APC&EC Rule No. 22.1203(c).
12	States all groundwater statistical methodologies will comply with APC&EC Rule No. 22. In addition, the methodologies will be consistent with the EPA Unified Guidance or the most current relevant EPA statistical guidance publication per APC&EC Rules No. 22.1203(g)(6) and (7). The statistical methods and techniques used in the statistical evaluation must be clearly explained and referenced as part of the groundwater monitoring report documentation and discussion required by APC&EC Rules No. 22.1203(k).
13	Establishes timeline for the execution of APC&EC Rule No. 22.1205(g) following the finding of Statistically Significant Assessment Levels above the Groundwater Protection Standard
14	If one or more assessment monitoring constituents are detected at statistically significant levels above the GWPS, the owner or operator must characterize the nature and extent of the release by installing the additional monitoring wells as necessary, as defined in APC&EC Rule No.22.1205(g)(1).

ADEQ
ARKANSAS
Department of Environmental Quality

January 14, 2019

The Honorable Woody Wheeless
Crittenden County Courthouse
100 Court Street
Marion, AR 72364

RE: Issuance of Crittenden County Class 1 Landfill Final Permit
Permit No: 0245-S1-R2; **AFIN: 18-00094**
Document Number: 75261 **Reference Document No: 72241, 72899, 73889, 74421, 74944, and 75199**

Dear Judge Wheeless:

Enclosed is a permit authorizing the construction, operation, and maintenance of the Crittenden County Class 1 Landfill, a solid waste landfill facility as described in the application submitted on July 19, 2017, and subsequent documents as referenced in the permit. The permit number for the facility is 0245-S1-R2. The decision to issue the permit is based upon 1) the information contained in the permit application; 2) other materials submitted by the applicant; and 3) written comments received during the designated 30 day public comment period (no comments received). In addition, administrative corrections to the permit were made by the Arkansas Department of Environmental Quality (ADEQ) due to typographical errors found in the draft permit.

The permit modification is granted subject to the terms and conditions specified in the permit. The initial amount of financial assurance required is $4,808,813.48 for the facility. Of this amount, $4,442,495.00 will be required for closure costs and $366,318.48 (20% of $1,831,592.40) will be required for the post-closure costs. The financial assurance has been received. Please review all terms and conditions of the permit to ensure compliance with the permit.

All persons submitting written comments during the thirty (30) day public comment period, and all other persons entitled to do so, may request an adjudicatory hearing and Commission review on whether the decision of the Director should be reversed or modify. Such a request shall be in the form and manner required by Arkansas Pollution Control and Ecology Commission (APC&EC) Regulation No. 8.603, including filling a written Request for Hearing with the Arkansas Pollution Control and Ecology Commission's Secretary at 101 E. Capitol Ave., Suite 205, Little Rock, Arkansas 72201 within thirty (30) calendar days of the date of issuance of this final permit decision as provided in APC&EC Regulation No. 8.211(B)(1). If you have any questions about filling the request, please call the Commission's office at (501)-682-7890.

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 ADEQ - Office of Land Resources at (501) 682-0744.

Sincerely,

Charles M. Johnson
Senior Manager
Office of Land Resources

Enclosures: Permit
Permit Modification Application Summary and Rationale

cc: ADEQ – C. Johnson, Rich, Cusher, Kilburn, Whittle, Carey, Speake, Krou, Hayden, Baker, and Coker
Mr. Ron E. Vail, P.E., Santek Waste Services
Mr. Jason Woody, Santek Waste Services
Mr. Phillip Fields, P.E., P.G. – Fields & Associates, LLC.

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

ISSUED BY
STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF LAND RESORCES
Class 1 Landfill

Permit Number	**0245-S1-R2**
AFIN	**18-00094**
Effective Date	January 14, 2019
Original Issue Date	January 6, 1988
Modifications	October 28, 1999 (Major Modification) July 29, 2009 (Administrative Corrections) September 22, 2009 (Administrative Corrections) July 22, 2010 (Minor Modification)
Permit Owner & Address	Crittenden County 100 Court Street Marion, AR 72364
Facility Site Name & Address	Crittenden County Class 1 Landfill 1299 Kuhn Road, West Memphis, AR 72301
Location	Section 17, Township 6 North, Range 8 East, Crittenden County
Permitted Waste Disposal Area Property Area	63.3 ± Acreage 107.7 ± Acreage
Permitted Waste Disposal Volume	5,403,777 Cubic Yards
Initial Financial Assurance	$4,808,813.48
Latitude/Longitude	35°08'09.49907"/90°15'21.82777"

By this permit Crittenden County, hereinafter called "owner" or "permittee," is authorized for the construction and operation of the solid waste disposal facility as set forth in the permit modification application to the Arkansas Department of Environmental Quality (ADEQ) received on July 19, 2017 (Document ID 72241). The application was completed through a series of supplemental documents furnished by the applicant on December 11, 2017 (Document ID 72899), May 31, 2018 (Document ID 73889), August 20, 2018 (Document ID 74421), and October 16, 2018 (74944). 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 No. 22, Arkansas Solid Waste Management Code, as adopted by the Arkansas Pollution Control and Ecology Commission (APC&EC), hereinafter called APC&EC Regulation No. 22; and all other applicable rules and regulations of the Arkansas Department of Environmental Quality, hereinafter called "Department" or "ADEQ", and the following terms and conditions:

DESCRIPTION OF THIS PERMIT ACTION

This permit modification is for a lateral and vertical expansion of the permittee's Class 1 landfill and to use an Alternative Daily Cover (ADC). This permit modification will allow the use of synthetic tarps as an ADC, the total property area will increase to 107.7 acres, the permitted capacity of the landfill will be increased to a total of 5,403,777 cubic yards, and the site-life of the facility will be increased. On the effective date, this permit modification supersedes all prior permits and permit modifications issued by the Department for this Class 1 Permit.

PERMIT CONDITIONS

1. This permit is for construction, operation, including closure and post-closure care periods, for approximately 107.7 acres site with a permitted waste disposal area of approximately 63.3 acres, as indicated on the approved plans and drawings and in accordance with permit application and supplemental application materials. The boundaries of the facility or landfill, and the final grades, or elevations of the landfill shall not be exceeded at any time whether inadvertent or intentional. This permit may be placed in void status when the fill elevations are reached within compliance with approved plans, and when the facility is closed according to approved plans, and when the facility has completed post-closure care period in accordance with the provisions of approved plans and APC&EC Regulation No. 22, and when the facility has completed any necessary corrective action which may become necessary during the life of this permit.

    a. The Department shall be notified in writing upon construction of each disposal unit and upon facility closure in order that it may be inspected.

    b. Changes to or deviations from the construction/layout and operation of the facility, as indicated on the approved facility plans indicated below, and on the approved permit application documentation, are not authorized unless approved in writing by the Department.

    c. The approved application documents are filed under the Document Identification Numbers 73889, 74421, and 74944 except for any deviations found in other specific document approvals which will be listed in this permit.

2. The initial total amount of financial assurance is $4,808,813.48. Of this amount, $4,442,495.00 will be required for closure costs and $366,318.48 (20% of $1,831,592.40) will be required for the post-closure costs. This amount shall be subject to annual adjustments and may be increased at the discretion of the Department based upon the

estimated cost for a third party to close the largest area requiring final cover during the active life of the facility and the cost for a third party to perform post closure care.

a. The instruments used must be in one of the forms set forth in APC&EC Regulation No. 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 APC&EC Regulation No. 22.

3. This permit is for the disposal of all waste eligible for a Class 1 landfill waste including "special materials" as outlined by APC&EC Regulations No. 22.702, No. 22.704, No. 22.706, and No. 22.708. Special Materials as identified in APC&EC Regulation No. 22 do not require written authorization from the Department provided the materials are identified, managed, and disposed according to provisions of the approved Hazardous and Unauthorized Waste Exclusion Plan and Chapter 7 of APC&EC Regulation 22.

4. Each landfill waste cell shall be constructed in the sequence indicated in the approved plans and specifications. See Condition No. 19 for approved plans.

5. The seventeen (17) acre area identified by the Department of Army Memphis District Corp of Engineers (CORPS) and the Natural Resource Conservation Service (NRCS) as wetland area cannot be developed for solid waste disposal until obtaining proper authorization from the CORPS and NRCS.

6. The bottom liner system for any newly constructed waste cell must consist of twenty four (24) inches of compacted clay exhibiting a maximum hydraulic conductivity of 1×10^{-7} centimeters per second (cm/s), 60 mil HDPE liner, a geocomposite drainage layer, and twelve (12) inches of protective cover layer exhibiting a minimum hydraulic conductivity of 1×10^{-3} centimeters per second (cm/s). The bottom liner placed on top of Pre-Subtitle D area must consist of a minimum of twelve (12) inches of intermediate soil cover, a Geosynthetic Clay Liner (GCL), 60 mil HDPE flexible membrane liner, and twelve (12) inches of protective cover.

a. Proper construction of the bottom clay liner of each waste cell shall be observed and certified to the Department by a Registered Professional Engineer in a Construction Certification Report in accordance with the approved CQA Plan whenever a cell is prepared for use.

b. The Construction Certification Report shall include CQA/QC test results as indicated in the approved CQA Plan; drawings indicating the location, designation, and extent of area(s) actually constructed for use; and test locations.

c. The Certification Report shall be submitted to the Department at least fourteen (14) days prior to waste placement in that cell.

7. No solid waste must be disposed on Pre-Subtitle D areas unless a bottom liner system is placed on top of the Pre-Subtitle D area as described in Condition No. 6.

8. The permittee shall implement the Hazardous and Unauthorized Waste Exclusion Plan presented in Document ID 73889. In addition to the implementation of the approved plan, the facility shall fully meet all requirements of APC&EC Regulation No. 22.412 regarding the exclusion of all unauthorized waste streams.

9. The permittee shall implement the Landfill Gas Monitoring Plan presented in Document ID 74421. In addition to the implementation of the approved Landfill Gas Monitoring Plan, the facility shall fully meet the requirements of APC&EC Regulation No. 22.415 regarding the control of explosive gases. The facility shall monitor each of the gas monitoring probes detailed in the approved Landfill Gas Monitoring Plan and within all structures at the facility on a quarterly basis. The results shall be submitted to the Department within 14 days following each monitoring event. The new gas monitoring probes showed in the approved Landfill Gas Monitoring Plan (Document ID 74421) must be installed within sixty (60) calendar days from the effective date of this permit. Any changes to the approved Landfill Gas Monitoring Plan must be notified to the Department.

10. The permittee shall implement the requirements detailed in the Operating Plan and Narrative presented in Document ID 73889. In addition to the implementation of the approved Operating Plan and Narrative, the facility shall fully meet the requirements of APC&EC Regulation No. 22.

11. The permittee shall implement the Construction Quality Assurance Plan presented in Document ID 73889. In addition to the implementation of the approved Construction Quality Assurance Plan, the facility shall fully meet all requirements of APC&EC Regulation No. 22.428. The facility shall be required to submit construction plans and specifications to the Department prior to each construction event at the facility.

12. The permittee shall implement the Closure and Post Closure Plan presented in Document ID 73889 and 74944. In addition to the implementation of the approved Closure and Post Closure Care Plan, the facility shall fully meet all requirements of APC&EC Regulations No. 22.1301 and No. 22.1302. The post closure maintenance period for this facility shall be a minimum of 30 (thirty) years starting on the date the Department accepts closure of the facility. The length of the post closure period may be decreased or increased by the Director in accordance with APC&EC Regulation No. 22.1302(c)(4). Closure Certification Reports for final cover construction shall be submitted to the Department in accordance with APC&EC Regulation No. 22.1301 and in accordance with the approved closure plan.

13. The final cover system shall be designed according to the specifications set forth in Document Identifier 73889. The design of the top of the landfill must consist of twelve (12) inches of intermediate soil cover, a minimum of eighteen inches of compacted clay liner exhibiting a maximum hydraulic conductivity of 1×10^{-7} centimeters per second (cm/s), a 40-mil HDPE liner, a double-sided geocomposite drainage layer, a twelve (12)

inches of protective layer, and six (6) inches of topsoil layer. An alternative cover design for the side slopes of the landfill must consist of at least twelve (12) inches of intermediate soil cover, a minimum of twenty four (24) inches of compacted clay liner exhibiting a maximum hydraulic conductivity of 1×10^{-7} centimeters per second (cm/s) and six (6) inches of topsoil layer with native perennial grasses.

14. At all times the disposal facility shall be maintained in good condition and operations shall be conducted by licensed, qualified on-site operator holding the appropriate license as required by APC&EC Regulation No. 27, Certification of Sanitary Landfill Operators. Copies of the approved operating narrative, approved permit plans/specifications, operator licenses, stormwater pollution prevention plan (SWPPP), National Pollutant Discharge Elimination System (NPDES) construction and/or stormwater permit(s) for the facility, and this disposal permit shall be maintained at the site for reference.

15. This permit may be revoked in whole or in part or modified whenever, in the opinion of the Department, the facilities are no longer in compliance with the Act, APC&EC Regulation No. 22 and the applicable rules and regulations. This permit shall not relieve the permittee, its agents or employees from compliance with all provisions of the Act and APC&EC Regulation No. 22.

16. The Department may issue modifications or amendments to this permit governing the design, operation, maintenance, closure or post-closure of the facility during the term of this permit. If amendment is provided additional to this permit, that amendment shall be attached to this permit and shall be considered an enforceable part of this permit.

17. 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 form any liability from damage to persons or property by reason of the installation, maintenance operation of the disposal facility.

18. 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 APC&EC Regulation No. 22 for the purposes of, including but not limited to taking samples, reviewing the operating record, inspecting the facility and performing other enforcement or engineering action without interference or delay from the permittee.

19. The approved permit plans for the facility are as follows:

Index Sheet	Sheet 1 of 18, Document ID 73889
Existing Site Conditions	Sheet 2 of 18, Document ID 73889
Survey Control Plan	Sheet 3 of 18, Document ID 73889
Subgrade Grading Plan	Sheet 4 of 18, Document ID 73889
Top of Clay Liner Grading Plan	Sheet 5 of 18, Document ID 73889
Interim Grading Plan	Sheet 6 of 18, Document ID 73889

Final Grading Plan	Sheet 7 of 18, Document ID 73889
Fill Sequence Cell 4 and Cell 5A/5B	Sheet 8 of 18, Document ID 73889
North-South Cross Section	Sheet 9 of 18, Document ID 73889
East-West Cross Section	Sheet 10 of 18, Document ID 73889
Stormwater Control Plan	Sheet 11 of 18, Document ID 73889
Bottom Liner Details	Sheet 12 of 18, Document ID 73889
Leachate Collection System Details 1	Sheet 13 of 18, Document ID 73889
Leachate Collection System Details 2	Sheet 14 of 18, Document ID 73889
Leachate Collection System Details 3	Sheet 15 of 18, Document ID 73889
Final Cover System Details	Sheet 16 of 18, Document ID 73889
Stormwater Control Details	Sheet 17 of 18, Document ID 73889
Miscellaneous Details	Sheet 18 of 18, Document ID 73889

20. The facility shall pay the annual fee assessed in accordance with APC&EC Regulation No. 9, Fee System for Environmental Permits. The facility shall pay disposal fees required by APC&EC Regulation No. 11. Failure to pay fees when due may result in revocation of this permit.

21. Any change in ownership or control of the operation of this landfill 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.

22. Disposal of bulk liquid waste in the landfill is prohibited. "Liquid waste" is waste which contains "free liquids" as defined by Methods 9095 (Paint Filter Test) as described in EPA Publication No. SW-846.

23. Measures to control and prevent storm water run-on from running through or into the active disposal area shall be constructed and maintained. Grading, dikes, diversion ditches, silt fencing, silt, traps, and other best management practices (BMP) for storm water control shall be provided as necessary to control/prevent off-site sediment accumulation from landfill related operations.

24. Appropriate NPDES construction/storm water permit(s) shall be obtained for storm water discharges from the landfill site and borrow sites. A Storm Water Pollution Prevention Plan (SWPPP), which outlines erosion and sediment control measures, shall be prepared and implemented in accordance with applicable NPDES requirements. A copy of the SWPPP shall be maintained on-site for reference by operating staff.

25. The permittee shall comply with the air criteria requirements of APC&EC Regulation No. 22.416. Those requirements include meeting the State Implementation Plan (SIP) pursuant to Section 110 of the Clean Air Act; prohibiting open burning of solid waste, unless authorized by the Department; and establishing fire safety procedures.

26. Litter control fences shall be provided in the active fill area for the control of blowing litter. Other litter control measures shall be implemented, if necessary, to confine litter to the smallest practicable extent and prevent litter from leaving the site.

27. The facility is authorized to utilize synthetic tarps for daily cover if the material selected is of sufficient weight and durability to control disease vectors, fires, odors, blowing litter, and scavenging. The facility must not use Alternate Daily Cover (ADC) for more than five (5) consecutive days. The working face must be covered with a minimum of six (6) inches of soil on a weekly basis. Upon notification from the Department the authorization to utilize ADC may be withdrawn or revoked at any time the Department determines that the ADC is not effective in controlling disease vectors, fires, odors, blowing litter and scavenging. The facility must place soil intermediate cover in compliance with APC&EC Regulation No. 22.413(c). When not using ADC, the permittee must cover disposed waste with at least six (6) inches of soil at the end of each operating day, or at more frequent intervals if necessary, to control disease vectors, fires, odors, blowing litter, and scavenging. No portion of the waste is to be left exposed at the end of the operating day.

28. The landfill working face shall be confined to the smallest practicable area.

29. The final grades and elevations shown on the plans shall not be exceeded at any time or in anticipation of settlement and consolidation of the waste mass.

    a. Timely initiation and completion of closure of landfill cells or units shall be made in accordance with APC&EC Regulation No. 22.1301.

    b. Proper construction of the final cover system shall be observed and certified in writing to the Department by a Registered Professional Engineer in a Construction Certification Report in accordance with the approved CQA Plan whenever a cell, area or phase of the landfill is closed-out.

    c. The Certification Report shall include CQA/QC test results as indicated in the approved CQA Plan; drawings indicating the location, designation and extent of closed area(s); and test locations.

30. This permit authorizes one (1) active disposal area at the facility per Section 22.411(c) of APC&EC Regulation No. 22. Multiple working faces shall not be utilized at the facility unless the permittee can provide adequate justification for more than one working face and specific authorization for such is granted in writing by the Department. It is not anticipated that such authorization will be granted except on a temporary basis for highly unusual or emergency situations. Any previous authorizations which may exist for multiple working faces shall be terminated upon issuance of this permit.

31. 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. If any provision of these conditions or the application of these conditions 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 or application. Therefore, to this end, the provisions of these conditions are declared to be severable.

32. Leachate screening and monitoring shall be in accordance with Section 22.429(l) of APC&EC Regulation No. 22. Leachate from the landfill will be sampled at a minimum of the same frequency and for the same parameters as groundwater monitoring.

33. Leachate collection removal and leachate storage systems shall be monitored and operated such that free flowing conditions are maintained in the leachate collection system. Leachate which is disposed in publicly owned treatment works (POTW) must comply with 40 CFR Part 403 (U.S. EPA Pretreatment regulations). The facility is not authorized to use leachate recirculation as treatment method.

34. Any statements in the operational narrative, application documents, specifications, engineering plans, and/or monitoring plans that conflict with and are less stringent than APC&EC Regulation No. 22, permit conditions herein, or other applicable laws and regulations shall not be considered authorized by the Department. The permittee shall comply with the most stringent of 1) Permit conditions contained herein; 2) APC&EC Regulation No. 22 and other regulations covering solid waste; and 3) State solid waste statutes.

35. The permittee shall furnish the Department annual engineering inspection reports (AEIR) in accordance with APC&EC Regulation No. 22.423. The AEIR for Class 1 facilities is due on March 31 of each year and shall cover the preceding period beginning January 1 and ending December 31.

36. At a minimum, the following documents and materials shall be retained in the facility operating record for review by authorized representatives of the Department:

    a. The approved facility operating plan, approved permit plans and specifications, CQA reports, site inspection reports, operator licenses, this disposal permit and written authorizations issued by the Department that provide modifications to the facility or its operations, all environmental monitoring or test results, and other pertinent records, certifications and correspondence as required by APC&EC Regulation No. 22 or other permit conditions herein; and

    b. All construction test results, certifications, acceptances, construction reports, photographs, layout drawings, record (as-constructed) drawings, shop drawings, construction drawings, and other documentation required by the specifications, and CQA/QC plans, reports and documents; and

    c. Other documents that pertain to the operation and maintenance closure and/or post-closure of the facility, or as directed by the ADEQ.

    d. The permittee shall forward a copy of information from the Operating Record when requested by the Department.

GROUNDWATER MONITORING PERMIT CONDITIONS:

1. A groundwater monitoring system shall be established and maintained that consists of a sufficient number of wells or sampling points and installed at appropriate locations and depths in order to:

   a. Provide groundwater quality passing the relevant point of compliance of the solid waste unit, facility, or practice as defined by APC&EC Regulation No. 22.1202. The downgradient monitoring system must ensure detection of groundwater contamination in the uppermost aquifer; and

   b. Provide background that has not been affected by any solid waste unit, facility, or practice as defined by APC&EC Regulation No. 22.1202.

2. The groundwater monitoring system for this facility, must at all times, be properly maintained, sampled in accordance with the terms and conditions stipulated in this permit, and comply with the monitoring requirements found in APC&EC Regulation No. 22. Once established, groundwater monitoring shall be conducted throughout the active life and post-closure care period.

3. The facility will follow an approved Sampling and Analysis Plan (SAP). This shall be implemented by a qualified groundwater scientist. Groundwater sampling and analysis shall in all cases comply with the requirements of APC&EC Regulation No 22.1203. Changes to this approved SAP will be accomplished following the provisions of APC&EC Regulation No 22.

4. The groundwater monitoring system shall include, at a minimum, eight (8) monitoring wells: MW-1, MW-2R, MW-3, MW-4, MW-5 MW-6, MW-7, MW-8R. The wells are shown in Appendix L of the permit modification application (Doc#73889). Any modification of the groundwater monitoring system shall follow the provisions of APC&EC Regulation No. 22.

5. No monitoring well or piezometer shall be installed, decommissioned, replaced, repaired or otherwise altered without prior approval of the Department. Upon completion of a well installation, replacement, decommissioning, repair or alteration, a report shall be submitted to the Department within sixty (60) days of completion and a copy shall be placed in the facility operating record. Within the report, work quality and methods must be certified by the supervising professional.

6. The groundwater monitoring frequency shall be at least semi-annual during the active life of the facility and the post-closure period. For semi-annual monitoring, the monitoring events will be performed approximately six (6) months apart. In addition, one monitoring event will be performed within the first six (6) months of the year (January through June) and one monitoring event within the last six (6) months of the year (July through December).

7. For any new monitoring wells, quarterly sampling is required until enough data has been collected to adequately perform reliable statistical analysis per recommendations of the EPA Unified Guidance [*Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Unified Guidance* by EPA dated March 2009 (EPA-530/R-09-007)]. Quarterly monitoring events will be performed approximately three (3) months apart. In addition, one monitoring event will be performed during each quarter, defined as: January through March, April through June, July through September, and October through December.

8. Groundwater quality background concentrations used in statistical evaluations for the site groundwater monitoring system shall not be based on data affected by any solid waste landfill unit, facility, or practice as defined in APC&EC Regulation No. 22.1202 (a)(1).

9. The sample analysis shall be performed by a third-party laboratory that is properly certified by the Department's State Environmental Laboratory Certification Program Act (Ark. Code Ann §8-2-201 et seq.) to perform the types of analyses required by APC&EC Regulation No. 22 and this permit. Analytical results shall be submitted directly from the contract or independent third-party laboratory to the Department.

10. The detection monitoring parameters will include at a minimum APC&EC Regulation No. 22 Appendix 1 parameters, chloride, total dissolved solids, sulfate, total organic carbon, pH, specific conductance, iron and manganese.

11. All parameter concentrations which are above the Method Detection Limit (MDL) must be reported. Any Practical Quantitation Limit (PQL) or MDL laboratory reported concentration shall be the lowest concentration level that can be reliably achieved within specified limits of precision and accuracy during routine laboratory operating conditions using current laboratory standards. Analytical methods may be modified by the Department based upon analytical results and new laboratory techniques.

12. All groundwater statistical methodologies shall be performed in a manner that complies with APC&EC Regulation No. 22 and consistent with the most appropriate recommendations for specific situations per the *Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Unified Guidance* by EPA dated March 2009 (EPA 530-R-09-007) or the most current, relevant EPA statistical guidance. Any statements or methodologies within the groundwater sampling and analysis plan that do not meet these criteria shall not be considered authorized by the Department.

13. In accordance with APC&EC Regulation No. 22.1204, if a statistically significant increase over background has been detected for one or more of the detection monitoring constituents, the permitee must:

    a. Within 14 days of this finding, place notice in the Operating Record indicating which constituents have shown statistically significant changes from background levels, and notify the Department;

b. Establish an assessment monitoring program meeting the requirements of APC&EC Regulation No. 22.1205 within 90 days except as provided for in APC&EC Regulation No. 22.1204(c)(3).

c. If, after 90 days, a successful demonstration as described in APC&EC Regulation No. 22.1204(c)(3) is not made, the permittee must sample and analyze for Appendix 2 constituents in accordance with APC&EC Regulation No. 22.1205.

d. If one or more of the Appendix 2 constituents has been detected at a statistically significant level exceeding the groundwater protection standards defined under APC&EC Regulation No. 22.1205 (h) or (i), the permittee must initiate an assessment of corrective measures in accordance with APC&EC Regulation No. 22.1206. Based upon the results of the assessment, the permittee must proceed with selection of a remedy in accordance with APC&EC Regulation No. 22.1207 and then proceed with implementation of a corrective action program in accordance with APC&EC Regulation 22.1208.

14. A Nature and Extent Investigation is required if assessment monitoring constituents are detected at statically significant levels above the groundwater protection standard (GWPS) (APC&EC Regulation No. 22.1205(g)). The facility shall submit a work plan (including a schedule) for characterizing the nature and extent of the release to the Department within thirty (30) calendar days of either: a) the statistical finding; or b) upon written notice that the submitted Alternate Source Demonstration (as defined in APC&EC No. 22.1205(g)(2)) was not approved by the Department.

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

Kevin White

1/14/19
Date

CERTIFICATE OF SERVICE

I, Karen Blue, hereby certify that a copy of this permit has been mailed by first-class mail to the Honorable Judge Wheeless at 100 Court Street, Marion, Arkansas 72364, on or before this 15th day of January, 2019.

PERMIT MODIFICATION APPLICATION SUMMARY AND RATIONALE
Crittenden County Class 1 Landfill
Permit No: 0245-S1-R2
AFIN: 18-00094

PERMIT MODIFICATION 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 MODIFICATION APPLICATION SUMMARY	
Name of Applicant	Crittenden County
Name of Facility	Crittenden County Class 1 Landfill
Application Date	July 17, 2017
General Site Location	1299 Kuhn Road, West Memphis, AR 72301
Specific Site Location	Section 17, Township 6 North, Range 8 East, Crittenden County, AR.
Class 1 Permit Area	Property Acres: 107.7± acres Area to be used for waste disposal: 63.3 acres
Type of Landfill Operation	Area Fill Method.
Wetlands:	Approximate 17 acre wooded area on south end of the property was identified as wetlands. Solid waste disposal won't be developed within this wetland area.
Topography	Deltaic flood plain located within Mississippi River bottomland.
Geology	Mississippi River alluvial deposits located inside of the New Madrid Seismic Zone.
Soil	Clay and/or silty clay alluvium underlain by coarse sand and gravel.
Groundwater	Depth to water: 15-20ft Flow direction: Generally to the west, but with slight variations Hydraulic gradient: 0.0015×10^{-3} ft/ft Hydraulic conductivity: 3.65×10^{-3} cm/sec Linear Velocity: 9.60×10^{-6} cm/sec Effective porosity: 38% Property overlies Mississippi River Valley alluvial aquifer.
Surface Drainage Sequence	A small tributary is located along the south-side of the property that drains into the Mississippi River (approximately 5mi to the east).
Wastes Stream:	Class 1 Municipal Solid Waste as define in APC&EC Regulation No. 22.
Total Capacity	5,403,777 Cubic Yards.
Disposal Rate	Approximately 102,100 Cubic Yards per year (may vary).
Projected Site Life	Approximately 13.2 years (may vary with waste received).

Bottom Liner System	Bottom Liner: – A minimum of twenty four (24) inches of compacted clay exhibiting a maximum hydraulic conductivity of 1 x 10^{-7} centimeters per second (cm/s); – 60 mil HDPE flexible membrane liner; – Geocomposite drainage layer; and – Twelve (12) inches of protective cover layer exhibiting a minimum hydraulic conductivity of 1 x 10^{-3} centimeters per second (cm/s). Bottom liner on top of Pre-Subtitle D areas: – Twelve (12) inches of intermediate soil cover; – Geosynthetic Clay Liner (GCL); – 60 mil HDPE flexible membrane liner; – Geocomposite drainage layer; and – Twelve (12) inches of protective cover layer.
Final Cover	Top of landfill: – Twelve (12) inches of intermediate soil cover; – A minimum of eighteen (18) inches of compacted clay liner exhibiting a maximum hydraulic conductivity of 1 x 10^{-7} centimeters per second (cm/s); – Flexible membrane liner consisting of a minimum 40-mil HDPE liner; – A double-sided geocomposite drainage layer; – Twelve (12) inches of protective layer; and – Six (6) inches of topsoil layer with native perennial grasses. Side slopes of Landfill: – Twelve (12) inches of intermediate soil cover; – A minimum of twenty four (24) inches of compacted clay liner exhibiting a maximum hydraulic conductivity of 1 x 10^{-7} centimeters per second (cm/s); – Six (6) inches of topsoil layer with native perennial grasses.
Alternative Daily Cover Material	Synthetic tarps for no more than five (5) consecutive days.
Initial Financial Assurance after this permit modification	$4,808,813.48

Permit Summary and Rationale

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

- Permit Pre-Application dated January 15, 1987 (Document ID 35449).

- Permit Application dated July 19, 2017. The application was completed through a series of supplemental documents furnished on December 11, 2017, May 31, 2018, August 20, 2018, and October 16, 2018.

- Correspondence from the Permittee; The Arkansas Solid Waste Management Code, as Amended (APC&EC Regulation No. 22); and all other applicable rules and regulations of the Arkansas Department of Environmental Quality.

Condition No.	Permit Conditions
1	Concerns the expiration of the permit. The permit may be placed in void status when the facility is closed out and has completed post-closure care in accordance with the provisions of approved plans and APC&EC Regulation No. 22.309.
2	Specifies the initial amount of financial assurance. (APC&EC Regulations No. 22.1402 and No. 22.1403).
3	Concerns the type of disposal material permitted for the Class 1 landfill including special materials outlined in APC&EC Regulations No. 22.702, No. 22.704, No. 22.706, and No. 22.708.
4	Concerns the construction sequence of each waste cell as indicated by the approved plans and specifications.
5	Concerns an area identified as a wetland, which this area cannot be developed for solid waste disposal until obtaining proper authorization from the CORPS and NRCS as required by APC&EC Regulation No. 22.404.
6	This permit condition establishes the approved bottom liner system configuration of the landfill.
7	This permit condition establishes the approved bottom liner system configuration of the landfill in order for Pre-Subtitle D area meets the Subtitle D standards.
8	This permit condition identifies the approved Hazardous Waste Exclusion Plan for the facility as required by APC&EC Regulation No. 22.412.
9	This permit condition details the approved Explosive Gas Monitoring System and Plan as required by APC&EC Regulation No. 22.415.
10	This permit condition establishes the approved Operating Plan and Narrative as required by APC&EC Regulation No. 22.
11	This condition establishes the approved CQA Plan for the facility and requires review of construction documents prior to all construction events.
12	This permit condition establishes the approved Closure and Post Closure Care Plan for the facility as required by APC&EC Regulations No. 22.1301 and No. 22.1302.
13	This permit condition establishes the approved final cover design as required by APC&EC Regulation No. 22.1301.

Condition No.	Permit Conditions
14	Concerns requirements to maintain the disposal facility in good operating condition under licensed, qualified, on-site landfill operators in accordance with Section 22.411 of APC&EC Regulation No. 22 and with APC&EC Regulation No. 27.
15	Concerns the right of the Department to revoke or modify the permit in the event the facility is no longer in compliance with the Arkansas Solid Waste Management Act, APC&EC Regulation No. 22, or other applicable regulations in accordance with Section 22.308 of APC&EC Regulation No. 22.
16	Concerns issuance of modifications to the permit by the Department is in accordance with Sections No. 22.308 and No. 22.422 of APC&EC Regulation No. 22.
17	States the Department has no responsibility for the proper functioning of the disposal facility and the permittee is not exempt from liability to third parties per APC&EC Regulation No. 8.
18	Concerns the right of Department employees to enter the permittee's property to inspect the facility at any time without interference or delay as in accordance with Section No. 22.1501 of APC&EC Regulation No. 22.
19	This permit condition details the approved landfill plans for the facility. Any changes to the plans listed will require a modification to the facility permit.
20	Concerns the payment of annual fees associated with the permit in accordance with APC&EC Regulation No. 9. And disposal fees required by APC&EC Regulation No. 11. Failure to pay the annual fee may result in revocation of the permit.
21	Concerns permit transfer and disclosure is in accordance with Act 454 of 1991.
22	This condition restricts the disposal of bulk liquid waste at the facility.
23	Concerns the measures to control and prevent storm water run-on through or into the active disposal area.
24	Specifies the requirements for appropriate NPDES permit(s) and Storm Water Pollution Prevention Plan is in accordance with Sections No. 22.418, No. 22.419 and No. 22.427 of APC&EC Regulation No. 22 and the Clean Water Act.
25	Concerns complying with the air criteria requirements of APC&EC Regulation No. 22.416 including the requirements of the State Implementation Plan of the Clean Air Act. Also, prohibiting the open burning of solid waste and establishing fire safety procedures.
26	This permit condition requires the use of litter control fences or other litter control measures to be implemented for the control of blowing litter.
27	Specifies the requirement for daily or more frequent cover to prevent vectors, odors, fire, litter and scavenging. Alternative daily cover must comply with Department guidelines and include specific written operating procedures.
28	Outlines requirements for the working area of the smallest practicable extent area in accordance with Section No. 22.411(c) of APC&EC No. Regulation 22.
29	Specifies the final grades and elevations shown on the plans shall not be exceeded at any time. Requirements for a timely closure, proper construction of the final cover system and Certification Report in accordance with APC&EC Regulation No. 22.1301.
30	This permit condition authorizes one (1) active disposal area. Authorization for a second working face may be granted provided adequate justification.

Condition No.	Permit Conditions
31	Concerns providing notice for the purpose of appeal of the final permit in accordance with Section No. 22.306 of APC&EC Regulation No. 22 and in accordance with APC&EC Regulation No. 8. Provisions regarding severability are in accordance with Section No. 22.1601 of APC&EC Regulation No. 22.
32	Requires leachate from the landfill to be sampled, at a minimum, at the same frequency and for the same parameters as groundwater monitoring except that turbidity is not a required parameter per APC&EC Regulation No. 22.429(l).
33	This permit condition establishes the leachate conditions as required by APC&EC Regulation 22.429.
34	Concerns the requirements for the permittee to comply with APC&EC Regulation No. 22 or permit conditions in the event of a conflict between them and representations in the permit application documents.
35	Specifies the requirement for timely submittal of annual engineering inspection reports in accordance with APC&EC Regulation No. 22.423.
36	Concerns the requirement for recordkeeping in accordance with APC&EC Regulation No. 22.421.

Condition No.	Permit Conditions
	PERMIT RATIONALE FOR GROUNDWATER MONITORING CONDITIONS
1	Requires the permittee to utilize and maintain a groundwater monitoring system to adequately monitor potential impacts on groundwater from facility operations. A general summary of APC&EC Regulation No. 22.1202(a).
2	Specifies the duration of maintenance, design, installation, and operation of the groundwater monitoring system at the facility required by APC&EC Regulation No. 22.1201(d).
3	Requires the facility to follow an approved groundwater sampling and analysis plan that complies with APC&EC Regulation No. 22.1203(j).
4	References the proposed well identification numbers and well locations for this facility to be used as the groundwater monitoring system required by APC&EC Regulation No. 22.1202(a). Point of compliance as defined in APC&EC Regulation No. 22.424(d).
5	Requires Department approval and supervising professional certification for modifying facility groundwater monitoring wells or piezometers per APC&EC Regulation No. 22.1103(f). Gives schedule for submitting reports to the Department.
6	Requires the permittee to sample at least semi-annually per APC&EC Regulation No. 22.1204(b). Specifies semi-annual monitoring intervals.
7	Specifies quarterly monitoring intervals. Quarterly sampling during background sampling is required by APC&EC Regulation No. 22.1203(e) and quarterly sampling during assessment monitoring is required by APC&EC Regulation No. 22.1205(d)(2).
8	Requires background concentrations used in statistical evaluations in the site groundwater monitoring reports to be data which has not been affected by a solid waste landfill unit, facility, or practice as defined by APC&EC Regulation No. 22. EPA's March 2009 Unified Guidance (page 5-1) states that: *"High quality background is the single most important key to a successful statistical groundwater monitoring program, especially for detection monitoring. All of the statistical tests listed in the RCRA regulations are predicated on having appropriate and representative background measurements ... The most important quality of background is that it reflects the historical conditions unaffected by the activities it is designed to be compared to.* " Several sections of APC&EC Regulation No. 22 address a combination of background and statistical methods either directly or indirectly. These sections include: 1201(a), 1202(a)(1), 1204(c)(3), 1205(g)(2), 523, and 524(c).
9	Requires sample analyses to be completed by an ADEQ approved third-party laboratory per the "State Environmental Laboratory Certification Program Act (Ark. Code Ann. § 8-2-201 et Seq.)". Requires direct submittal of all analytical results from the contract or independent third-party laboratory to the Department per APC&EC Regulation No. 22.1203(j)(4).
10	States detection monitoring parameters per APC&EC Regulations No. 22.1204(a) and (d).

Condition No.	Permit Conditions
11	Requires parameter concentrations above the MDL to be reported to the Department and for the PQL and MDL reported to be the lowest concentration that can be reliably achieved within specified limits of precision and accuracy during routine laboratory operating conditions using current laboratory standards per APC&EC Regulation No. 22.1203(h)(5). The sampling procedures and frequency must be protective of human health and the environment per APC&EC Regulation No. 22.1203(c).
12	States all groundwater statistical methodologies will comply with APC&EC Regulation No. 22. In addition, the methodologies will be consistent with the EPA Unified Guidance or the most current relevant EPA statistical guidance publication per APC&EC Regulations No. 22.1203(g)(6) and (7). The statistical methods and techniques used in the statistical evaluation must be clearly explained and referenced as part of the groundwater monitoring report documentation and discussion required by APC&EC Regulation No. 22.1203(k).
13	Establishes timeline for the execution of APC&EC Regulation No. 22.1205(g) following the finding of Statistically Significant Assessment Levels above the Groundwater Protection Standard
14	If one or more assessment monitoring constituents are detected at statistically significant levels above the GWPS, the owner or operator must characterize the nature and extent of the release by installing the additional monitoring wells as necessary, as defined in APC&EC Regulation No.22.1205(g)(1).

PERMIT

FOR THE CONSTRUCTION AND OPERATION OF A SOLID WASTE DISPOSAL FACILITY ISSUED BY STATE OF ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

PERMIT NUMBER: 0245-S1-R1

CSN IDENTIFICATION: 18-0094

PERMIT CLASS: Class 1 Landfill

ORIGINAL PERMIT NUMBER AND DATE: 245-S, January 6, 1988

EFFECTIVE DATE OF THIS PERMIT MODIFICATION: October 28, 1999

EXPIRATION DATE OF THIS PERMIT: (10 years)

PERMIT OWNER AND ADDRESS: Crittenden County
Crittenden County Courthouse
87 Jackson Street
Marion, AR 72364

FACILITY LOCATION: About two miles southwest of West Memphis, Arkansas.

LEGAL DESCRIPTION: Part of the Southeast quarter of Section 17, T-6-N, R-8-E, Crittenden County, Arkansas and more particularly described as follows:

Commencing at the Southeast corner of Section 17; thence N 0° 00' 00" E along the east line of said Section 17, a distance of 2647.36 feet to the East Quarter Corner of said Section 17; thence S 89° 59' 22" W a distance of 1633.82 feet; thence S 0°21'02" W a distance of 2641.55 feet to a point on the south line of said Section 17; thence S 89°48'27" E a distance of 1650.00 feet to the point of beginning, containing 99.68 acres, more or less.

DESIGN ENGINEERS: Genesis Environmental Consulting, Inc.
11400 West Baseline Road
Little Rock, AR 72209

Bond Consulting Engineers, Inc.
208 North Sixth Street
P.O. Box 726
West Memphis, AR 72303

DESCRIPTION OF THIS PERMIT ACTION: Increase in the permitted capacity by approximately 2.06 million cubic yards, from approximately 2.1 million cubic yards to 4.16 million cubic yards. This capacity increase is the result of increase in the final cover elevations. This modification also reflects the change in the facility design to meet the Subtitle D standards. On the effective date, this permit modification supersedes all prior permits and permit modifications issued by the Department for this solid waste management facility.

SEE ATTACHED PAGES FOR ADDITIONAL PERMIT CONDITIONS

PERMIT CONDITIONS: This permit is your authority to construct and/or operate the Solid Waste Disposal Facility set forth in your modification application dated November 30, 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 Arkansas Department of Environmental Quality, 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. Changes to or deviations from the construction/layout of the facility, as indicated on the approved set of plans that were submitted as a part of the permit application, are not authorized unless approved by the Department.

2. The Department shall be notified in writing when the construction of each disposal unit, or portion of a unit is complete and upon closure of each unit to assure timely inspection of the facilities can be made.

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. Authorization to dispose of waste under this permit shall expire upon the expiration date indicated in the permit, or when the original 99.68 acres (90 acres of usable area) for waste disposal have been completed, whichever occurs first. The final grades and elevations shown on the plans shall not be exceeded in anticipation of settlement and consolidation of the waste mass and changes in the approved fill progression shall not be implemented unless prior approval is obtained through a permit modification.

7. The seventeen (17) acre area identified by the Department of Army Memphis District Corp of Engineers (CORPS) and the Natural Resource Conservation Service (NRCS) as wetlands area, cannot be developed for solid waste disposal until obtaining proper authorization from the CORPS and NRCS.

8. The amount of financial assurance is estimated to be $2,331,652. This amount is subject to annual adjustment and may be increased at the discretion of the Department, based 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 or demonstrations used to satisfy financial assurance requirements must be in the exact form set forth in Regulation 22. If a Trust Fund is used to demonstrate financial assurance, payments into the trust fund must be made

annually for an amount as required in Regulation 22 Section 22.1405(a). The permittee should provide documentation from the trustee to the Department showing the latest balance in the trust fund. This documentation verifying the balance in the trust fund should be included in the annual engineering inspection report. 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.

9. Annual permit fees are due hereafter and 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. 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 condition, 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.

11. This facility is for the disposal of all household and commercial waste eligible for disposal in a Class 1 Municipal Solid Waste Landfill including all "special materials" as defined in Regulation Number 22. Special materials as identified by Regulation 22 do not require written authorization from the Department, provided the materials are disposed in accordance with the permit and Regulation 22 provisions. Industrial wastes including "process waste" as defined in Regulation 22 must be characterized by the generator of the waste and screened by the permittee prior to acceptance for disposal in the landfill in accordance with the facility written hazardous waste exclusion program.

12. Written procedures which meet the requirements of Section 22.412 of Regulation 22 shall be followed for excluding hazardous and unauthorized waste from the disposal area. The hazardous and unauthorized waste screening/detection plan shall be fully implemented, including proper training of facility operators to recognize hazardous waste.

13. Disposal of bulk liquid waste in the landfill is prohibited. "Liquid waste" is waste which contains "free liquids" as defined by Method 9095 (Paint Filter Liquids Test) as described in EPA Publication No. SW-846.

14. An operating record shall be maintained on-site, or at an alternative location approved by the Department, of all documentation, monitoring or test results, construction quality assurance/quality control (CQA/ QC) test results, records, operator license and training certificates, and certifications required by Regulation 22, the permit application documents, and permit conditions contained herein. The operating record shall be available for review by authorized representatives of the Department during normal business hours. The permittee shall provide a copy of any information from the operating record to the Department when requested.

15. Construction Quality Assurance/Quality Control (CQA/QC) criteria, procedures, testing, documentation, reporting, and certifications for construction shall be in accordance with the approved CQA plan and Sections 22.428 and 22.429 of Regulation 22. An engineering certification report meeting the requirements of Regulation 22 shall be submitted to the Department at least fourteen (14) days prior to the planned commencement of disposal activities in any newly constructed disposal area. Disposal operations in each new landfill unit or area shall not commence until written approval is granted by the Department.

All test results, certifications, acceptances, construction reports, photographs, layout drawings, record (as-built) drawings, shop drawings, construction drawings, and other documentation required by the specifications, CQA/QC plans, and/or permit conditions herein shall be retained in the facility operating record for review by authorized representatives of the Department.

The top six (6) inches of in-situ clay liner shall be reworked, recompacted and tested for permeability, moisture content and density. Also, the in-situ clay liner up to 24" thickness will be tested for permeability. The test methods and the results should comply with the approved CQA plan and Regulation 22.

The geomembrane, geocomposites and liner protective cover layer shall conform to the approved CQA plan. The CQA for the clay liner, geomembrane, geocomposite and liner protective cover shall be provided by an independent third party.

16. Survey Control, as a minimum, shall be in accordance with Section 22.426 of Regulation 22.

17. Measures to control and prevent storm water from running through or into the active fill area shall be constructed and maintained at the site. Control measures may include but may not be limited to the construction of ditches, terraces, or berms and the use of portable pumps. No waste shall be deposited in standing water or within five (5) feet of the seasonal high groundwater table.

18. Best management practices shall be implemented to control erosion at the site and to prevent off-site deposition of sediment, leachate 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. Erosion and sediment control measures shall also be implemented at all off site soil borrow areas that may be used in conjunction with landfill construction or operation.

19. The permittee shall obtain any necessary storm water and/or wastewater disposal permit(s) from the Water Division of the Department and copies of the appropriate NPDES permit(s) shall be placed in the operating record.

20. A daily cover of six (6) inches of compacted soil shall be applied to all exposed waste and more frequent cover shall be applied if necessary to control disease vectors, fires, odors, blowing litter, scavenging and to limit the generation of leachate. An additional compacted cover soil layer (interim cover) shall be applied to all surfaces that will not receive an application of waste or final cover within 30 days. Interim cover shall be of sufficient thickness to cover all exposed waste and shall not be less than 12" in total thickness including the daily cover.

21. Alternative materials for daily cover, such as synthetic materials, shall only be used when specifically authorized in writing by the Department. Any alternative daily cover that is proposed by the permittee must comply with Department guidelines and include specific written operating procedures that will be implemented to control disease vectors, fires, odors, blowing litter, and scavenging. The use of synthetic material will not be authorized unless it is incorporated within operating procedures that also rely on use of at least six inches of soil cover for daily cover on some days. Any proposal for daily cover based solely upon full-time use of synthetic material will not be approved. The alternate daily cover may be approved first on a trial basis for a brief period and the performance of the landfill will be monitored. It is up to the discretion of the Department to approve the alternate daily cover on a permanent basis.

22. The final cover system shall be one of the following: (i) Final cover system as designed and approved in the permit modification documents or (ii) Final cover system as required by Subtitle D at the time when the closure work will be performed. The permittee should demonstrate that any alternate final cover other than the approved final cover, is stable under the seismic conditions.

    Construction, testing and certification of the final cover shall be in accordance with approved plans and specifications, Sections 22.428 and 22.1301 of Regulation 22. The engineering certification report shall be submitted within thirty (30) days of completion of the final cover system.

23. 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.

24. Litter control fences shall be provided on the site if required to control blowing litter from the active fill area of the landfill. Other litter control measures shall be implemented, if necessary, to confine litter to the smallest practicable extent and prevent litter from leaving the site.

25. Landfill development shall be in accordance with the sequence proposed in the permit modification application.

26. The leachate collection system shall be maintained in a free draining condition at all times to assure the lowest possible leachate head develops on the landfill liner system. Additional leachate storage capability shall be provided if necessary to assure the leachate collection system is free-draining at all times.

27. Leachate removed from the leachate collection system may be stored in leachate storage tanks indicated on the plans. Leachate will be ultimately disposed at a permitted wastewater treatment facility or in an alternate approved manner. Approval of the method and location of leachate disposal shall be obtained from the Department prior to disposal. Records shall be maintained of the location, quantity and quality of leachate disposed. The quality and quantity of leachate produced shall be analyzed and measured as long as significant amounts are produced as determined by the Department. The permittee will comply with the requirements under Sections 22.421 (f) (concerning record keeping) and 22.429(k) (concerning leachate testing and disposal) of Regulation 22. Any alternate means of leachate disposal will require written authorization from the Department.

28. Leachate derived from composite lined landfill areas may be recirculated back onto composite lined areas if such leachate is properly segregated from leachate from disposal areas not having a composite liner. Leachate from disposal areas not having a composite liner shall not be recirculated to any landfill unit and shall be disposed as indicated in Condition No. 27 hereinbefore.

    Leachate recirculation shall not be conducted within 72 hours of a significant rain event (greater than 1" rainfall). Documentation of the leachate recirculation should be maintained in the facility operating record.

29. A ground water monitoring system shall be established and maintained at the site which consists of a sufficient number of wells or sampling points, installed at appropriate locations and depths that will yield representative samples of ground water quality. The ground water monitoring system shall include, at a minimum, eight (8) monitoring wells MW-1, MW-2R, MW-3, MW-4, MW-5 (water level only), MW-6 (water level only), MW-7 (proposed), and MW-8 (proposed). The monitoring well locations are shown in the permit modification application and the proposed well locations are shown on Figure 1 submitted September 10, 1999.

30. Each ground water monitoring well shall be marked with a unique identification number corresponding

to the well locations on the facility design plans. Each monitoring well shall be sampled and static water levels measured in accordance with an approved Sampling and Analysis Plan by personnel trained and familiar with proper procedures and techniques for the collection of ground water samples. Ground water sampling and analysis shall in all cases comply with the requirements of Subpart E of 40 CFR Part 258 as adopted in Regulation 22.

31. Monitoring wells shall be sampled semi-annually and sample analysis shall be performed by a Department certified wastewater testing laboratory. Laboratory results shall be submitted directly to the Department from the contract laboratory.

32. Ground water shall be sampled and analyzed for the following parameters:

-Water level normalized to sea level
-Iron, Total
-Manganese, Total
-Appendix 1 constituents of Regulation 22.

Analysis of Appendix 1 parameters shall be in accordance with EPA Report SW-846 "Test Methods for Evaluating Solid Waste" third edition, or later edition if mutually agreed upon by the permittee and the Department. Analysis of volatile organic compounds (VOCs) shall utilize Method 8260. Analysis for metals shall utilize either Method 6010 or a method from the 7000 series. Method detection limits for each parameter must be reported. Parameter concentrations which are above the Method Detection Limit (MDL) but below the Practical Quantitation Limit (PQL) must be reported. Analytical parameters, sampling frequency, and methods may be modified by the Department at any time based upon analytical results and new laboratory techniques.

33. The permittee shall comply with Regulation 22.1103 (a) which states that "Following construction, each well shall be developed to the degree necessary to restore formation hydraulic conductivity and insure turbidity-free samples which are representative of formation ground water quality." Monitoring wells in which turbidity values are elevated must be redeveloped. If the turbidity remains elevated, the integrity of the well must be evaluated by a qualified ground water scientist. If the well is found to be unreliable it must be replaced prior to the next scheduled sampling event. Reports of replaced or decommissioned wells shall be submitted to the Department within 60 days of completion and shall be placed in the Operating Record.

34. A statistical method to be used for evaluating monitoring results for each ground water constituent must be selected by the permittee and approved by the Department. The method selected must meet the requirements of Section 22.1203 of Regulation 22. The permittee must determine whether there is a statistically significant increase (or decrease in the case of pH) for each ground water monitoring constituent in conformance with the requirements of Section 22.1203 of Regulation 22.

35. In accordance with Section 22.1204 of Regulation 22, if a statistically significant increase over background has been detected for one or more of the detection monitoring constituents, the permittee must:

- Within 14 days of this finding, place a notice in the Operating Record indicating which constituents have shown statistically significant changes from background levels, and notify the Department;
- Establish an assessment monitoring program meeting the requirements of Section 22.1205 of Regulation 22 within 90 days except as provided for in Section 22.1204(c)(3) of Regulation 22.

If, after 90 days, a successful demonstration provided for in Section 22.1204(c)(3) of Regulation 22 is

not made, the permittee must sample and analyze for Appendix 2 constituents in accordance with Section 22.1205 of Regulation 22.

If one or more of the Appendix 2 constituents has been detected at a statistically significant level exceeding the ground water protection standards defined under Section 22.1205 (h) or (i) of Regulation 22, the permittee must initiate an assessment of corrective measures in accordance with Section 22.1206 of Regulation 22. Based upon the results of the assessment, the permittee must proceed with selection of a remedy in accordance with Section 22.1207 of Regulation 22 and then proceed with implementation of a corrective action program in accordance with Section 22.1208 of Regulation 22.

36. The permittee shall comply with the requirements of Section 22.416 of Regulation 22, Air Criteria, including but not limited to compliance with the New Source Performance Standards (NSPS) and Emission Guidelines (EG) for new and existing Municipal Solid Waste (MSW) landfills under Section 111 of the Clean Air Act. The permittee should submit a copy of any related documents to Solid Waste Management Division.

37. The permittee shall prepare and submit to the Department an annual engineering report in accordance with the provisions of Section 22.423 of Regulation 22. The report shall cover the one year time period beginning January 1 and ending December 31 and shall be submitted no later than March 31 of each year.

38. Any statements in the operational narrative, specifications, and/or engineering plans that conflict with and are less stringent than Regulation 22, permit conditions herein, or other applicable laws and regulations shall not be considered authorized by the Department. The permittee shall comply with the most stringent of 1) Permit modifications contained herein; 2) Regulation 22 and other regulations covering solid waste; and 3) State solid waste statutes.

39. 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.

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

For the Director

10-28-99
Date

CERTIFICATE OF SERVICE

I, Chrissy Hudes, hereby certify that a copy of this permit has been mailed by first-class mail to The Honorable Brian Williams, Crittenden County Judge, 100 Court Square, Marion, AR 72364 on or before this 28 day of Oct., 1999.

ADEQ

ARKANSAS
Department of Environmental Quality

July 29, 2009

Crittenden County Landfill
Attn: The Honorable Melton Holt
100 Court Street
Marion, AR 72364

RE: Administrative Corrections
Crittenden County Class 1 Landfill
Permit Number: 0245-S1-R1 AFIN: 18-00094
Document Identification # 55743; Reference Identifier: 55674

Dear Judge Holt:

ADEQ Solid Waste Management Division (SWMD) Technical Branch staff has reviewed Crittenden County Class 1 Landfill administrative corrections regarding Solid Waste Permit 0245-S1-R1. SWMD has determined that theses corrections are necessary for proper operation of the Crittenden County Landfill. The ADEQ-SWMD hereby accepts the changes to Permit Number 0245-S1-R1. Also, with this correction, the previously permitted Class 4 area will be considered part of the Class 1 permit. The Class 4 permit will no longer be necessary and voided upon request of the permittee. The approved permit drawings are documented by this permit action. The attached addendum will be added to the permit #0245-S1-R1 for future reference.

These permit changes are given in reliance upon the statements and representations made to the Department, and the Department has no responsibility for ultimate proper functioning of the disposal facility. The Department also reserves the right to request additional information if deemed necessary. This approval shall not remove any liability nor hold the referenced facility harmless in the event of any adverse environmental or public health conditions resulting from this authorization. Crittenden County shall be solely and fully responsible for implementing any corrective action necessary to remediate any adverse condition at the site based on this authorization.

Please call Ali Dorobati at (501) 682-0603 should you have any questions regarding the above information.

Sincerely,

Karen Bassett

Karen Bassett
Acting Chief, SWMD

cc: Bryan Leamons P.E., Engineer Supervisor
Susan Speake, Program Branch Manager, SWMD
Philip Wilkes, Inspector, SWMD
Ron Vail P.E., SANTEK

Addendum to Permit
0245-S1-R1

ISSUED BY
STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT DIVISION

CRITTENDEN COUNTY	**AFIN:**	**18-00094**
CLASS 1 LANDFILL	**Permit Number:**	**0245-S1-R1**

Date	Addendum to Permit
Doc.#55674 6/25/2009	Pursuant to APC&EC Regulation 22.308(f) this addendum is provided to document approval of corrections determined nessasasry to document proper permitting at the facility. The approved permit drawing set was previously unspecified and is clarified herin. The following documents are considered the approved document set: Sheet 1 of 20- General site development plan .....Doc.# 55674 (6/2009) Sheet 2 of 20-Bottom grading plan.....Doc.# 8812 (11/1998) Sheet 3 of 20-Bottom grading plan.....Doc.# 8812 (11/1998) Sheet 4 of 20- Site final grading plan.....Doc.# 55674 (6/2009) Sheet 4A of 20 – Intrim cover grading plan.....Doc.# 55674 (6/2009) Sheet 5 of 20- General geologic profile.....Doc.# 8812 (11/1998) Sheet 6 of 20- Fill progression plan.....Doc.# 8812 (11/1998) Sheet 7 of 20-Fill progression plan..... Doc.# 8812 (11/1998) Sheet 8 of 20- Cross sections..... Doc.# 8812 (11/1998) Sheet 9 of 20 – Cross sections.....Doc.# 8812 (11/1998) Sheet 10 of 20 – Cross sections.....Doc.# 8812 (11/1998) Sheet 11 of 20 – Sections and details.....Doc.# 8812 (11/1998) Sheet 12 of 20 – Leachate collection system.....Doc.# 8812 (11/1998)

Sheet 13 of 20 – Leachate collection system ..... Doc.# 8812 (11/1998)

Sheet 14 of 20 – Leachate storage area details..... Doc.# 8812 (11/1998)

Sheet 15 of 20 – Miscellaneous berm details.....Doc.# 8812 (11/1998)

Sheet 16 of 20 – Miscellaneous drainage details.....Doc.# 8812 (11/1998)

Sheet 17 of 20 – Miscellaneous drainage details.....Doc.# 8812 (11/1998)

Sheet 18 of 20 – Sedimentation pond details.....Doc.# 8812 (11/1998)

Sheet 19 of 20 – Road/sign details.....Doc.# 55674 (6/2009)

Sheet 20 of 20 – Miscellaneous details.....Doc.# 55674 (6/2009)

CERTIFICATE OF SERVICE

I, Mona Lashmet, hereby certify that a copy of this permit has been mailed by first-class mail to The Honorable Melton Holt, 100 Court Street, Marion, AR 72364, on or before this 30 day of July _____, 2009.

ADEQ

ARKANSAS
Department of Environmental Quality

September 22, 2009

Crittenden County Landfill
Attn: The Honorable Melton Holt
100 Court Street
Marion, AR 72364

RE: Administrative Corrections
Crittenden County Class 1 Landfill
Permit Number: 0245-S1-R1 AFIN: 18-00094
Document Identification #: 56185; Reference Identifier: 56149

Dear Judge Holt:

ADEQ Solid Waste Management Division (SWMD) Technical Branch staff has reviewed Crittenden County Class 1 Landfill administrative corrections regarding Solid Waste Permit 0245-S1-R1. SWMD has determined that theses corrections are necessary for proper permitting and operation of the Crittenden County Landfill. The ADEQ-SWMD hereby accepts the changes to Permit Number 0245-S1-R1. The attached addendum will be added to the permit #0245-S1-R1 for future reference.

These permit changes are given in reliance upon the statements and representations made to the Department, and the Department has no responsibility for ultimate proper functioning of the disposal facility. The Department also reserves the right to request additional information if deemed necessary. This approval shall not remove any liability nor hold the referenced facility harmless in the event of any adverse environmental or public health conditions resulting from this authorization. Crittenden County shall be solely and fully responsible for implementing any corrective action necessary to remediate any adverse condition at the site based on this authorization.

Please call Ali Dorobati at (501) 682-0603 should you have any questions regarding the above information.

Sincerely,

Karen Bassett

Karen Bassett
Acting Chief, SWMD

cc: Bryan Leamons P.E., Engineer Supervisor
Susan Speake, Program Branch Manager, SWMD
Philip Wilkes, Inspector, SWMD
Ron Vail P.E., SANTEK

Addendum to Permit
0245-S1-R1

ISSUED BY
STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT DIVISION

CRITTENDEN COUNTY	**AFIN:**	**18-00094**
CLASS 1 LANDFILL	**Permit Number:**	**0245-S1-R1**

Date	**Addendum to Permit**
Doc.#56149 9/10/2009	Pursuant to APC&EC Regulation 22.308(f) this addendum is provided as approval of corrections determined necessary to document proper permitting and operation at the facility. This approval completes clarification of the permitted volume. The volume increase results from recent administative approvals which cause the Class 4 area to be combined as part of the Class 1 landfill area. The volume is hereby approved to be 4,518,833 cubic yards. The following documents are considered part of the ammended document set: <u>Design Narrative:</u> Revised Section 4, Volume Increased to 4,518,833 Cubic Yards .....Doc.# 56149 (9/2009) <u>Rationale for the volume change is based on the following support drawings:</u> Sheet Number 1, Bottom of the Waste Contours for Volume Calculation.....Doc. #56149 (9/2009) Sheet Number 2, Top of Interim Cover Volume.....Doc. #56149 (9/2009)

<u>CERTIFICATE OF SERVICE</u>

I, Mona Padon, hereby certify that a copy of this permit has been mailed by first-class mail to The Honorable Melton Holt, 100 Court Street, Marion, AR 72364, on or before this 23rd day of Sept., 2009.

ADEQ

ARKANSAS
Department of Environmental Quality

July 22, 2010

Crittenden County Landfill
Attn: The Honorable Melton Holt
100 Court Street
Marion, AR 72364

RE: Approval of Minor Permit Modification and Transmittal of Permit Addendum
Recompilation of Previous Permit Addendums
Crittenden County Class 1 Landfill
Permit Number: 0245-S1-R1 AFIN: 18-00094
Document Identification # 57846; Reference Identifier: 56149

Dear Judge Holt:

ADEQ - Solid Waste Management Division (SWMD) staff has received and reviewed recent minor permit modification applications for modifications to the bottom liner protective cover specifications, modifications to termination berm details, and modifications requesting use of geosynthetic clay liner as an alternative to compacted clay liner for the bottom liner tie-in onto pre-subtitle D slope areas. The SWMD hereby approves the minor permit modification and transmits the attached permit addendum. The attached addendum also serves to incorporate previous permit addendums.

This authorization is given in reliance upon the statements and representations made to the Department, and the Department has no responsibility for ultimate proper functioning of the disposal facility. The Department also reserves the right to request additional information if deemed necessary. This approval shall not remove any liability nor hold the Crittenden County Class 1 Landfill harmless in the event of any adverse environmental or public health conditions resulting from this authorization. The Crittenden County Class 1 Landfill shall be solely and fully responsible for implementing any corrective action necessary to remediate any adverse condition at the site based on this authorization.

Please call me at 501-682-0600 should you have any questions regarding the above information.

Sincerely,

Roger Lawrence
Chief, SWMD

cc: Bryan Leamons P.E., Engineer Supervisor
Susan Speake, Program Branch Manager, SWMD
Philip Wilkes, Inspector, SWMD
Ron Vail P.E., SANTEK

ADDENDUM TO PERMIT

STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT DIVISION

CRITTENDEN COUNTY	AFIN:	18-00094
CLASS 1 LANDFILL	Permit No:	0245-S1-R1

Application Reference (Date/Doc ID)	Description of Addendum to Permit
NA	Pursuant to APC&EC Regulation 22.308(f), formal acknowledgment is provided for the removal of the expiration date specified on the first page of the permit.
6/25/2009 Doc.# 55674	Pursuant to APC&EC Regulation 22.308(f), addendum is provided to document approval of corrections determined nessasasry to establish proper permitting of the facility. The approved permit drawing set was previously unspecified and is outlined and formally approved by this action.
9/10/2009 Doc.#56149	Pursuant to APC&EC Regulation 22.308(f), this addendum is provided to further document approval of corrections determined nessasasry to establish proper permitting of the facility. This action clarifies bottom grades used for determination of permitted waste volume. <u>The following application documents are acknowledged for determination of permitted waste volume:</u> Attachment 4-1, Volume Increase to 4,518,833 Cubic Yard .....Doc.# 56149 (9/2009) Sheet Number 1, Bottom of the Waste Contours for Volume Calculation..... Doc. #56149 (9/2009) Sheet Number 2, Top of Interim Cover Volume.....Doc. #56149 (9/2009) The permitted volume confirmed by this approval replaces permitted volume reported on page 1 of the permit.
4/9/2010 Doc.# 57451	As provided by APC&EC Regulation 22.308(d) minor modification is granted to the design plans and specifications for the bottom liner system protective cover. Modifications include replacement of the sand material specification to alternative soils and incorporation of chimney drains in specified locations.
5/25/2010 Doc. #57699	As provided by APC&EC Regulation 22.308(d), minor modification is granted approving the proposed usage of GCL in place of compacted clay in the bottom liner system in specified areas. Additional modifications for improvements in design for the termination berm are also approved. Design plans and specifications are modified accordingly.

Amended Permit Conditions	
1a	The following documents are considered the approved drawing set: Sheet 1 of 20- General site development plan ..... Doc.# 55674 (6/2009) Sheet 2 of 20-Bottom grading plan..... Doc.# 57451(4/2010) Sheet 3 of 20-Bottom grading plan..... Doc.# 8812 (11/1998) Sheet 4 of 20- Site final grading plan..... Doc.# 55674 (6/2009) Sheet 4A of 20 – Intrim cover grading plan..... Doc.# 55674 (6/2009) Sheet 5 of 20- General geologic profile..... Doc.# 8812 (11/1998) Sheet 6 of 20- Fill progression plan..... Doc.# 8812 (11/1998) Sheet 7 of 20-Fill progression plan..... Doc.# 8812 (11/1998) Sheet 8 of 20- Cross sections..... Doc.# 8812 (11/1998) Sheet 9 of 20 – Cross sections..... Doc.# 8812 (11/1998) Sheet 10 of 20 – Cross sections..... Doc.# 8812 (11/1998) Sheet 11 of 20 – Sections and details..... Doc.# 8812 (11/1998) Sheet 12 of 20 – Leachate collection system.....Doc.# 8812 (11/1998) Sheet 13 of 20 – Leachate collection system ..... Doc.# 57699(5/2010) Sheet 14 of 20 – Leachate storage area details.....Doc.# 8812 (11/1998) Sheet 15 of 20 – Miscellaneous berm details..... Doc.# 57699 (5/2010) Sheet 16 of 20 – Miscellaneous drainage details..... Doc.# 8812 (11/1998) Sheet 17 of 20 – Miscellaneous drainage details..... Doc.# 8812 (11/1998) Sheet 18 of 20 – Sedimentation pond details..... Doc.# 8812 (11/1998) Sheet 19 of 20 – Road/sign details..... Doc.# 55674 (6/2009) Sheet 20 of 20 – Miscellaneous details..... Doc.# 55674 (6/2009) Note: This condition is imposed in addition to the current permit condition 1 located on Document Identification #9808.
1b	In addition to the approved drawing set outlined in Condition 1a, it shall be confirmed that the approved plans equate to a maximum disposal volume of 4,518,833 cubic yards. Note: This condition is imposed in addition to the current permit condition 1 located on Document Identification #9808.
6	Condition 6 is removed and replaced by 6a, 6b, and 6c below.
6a	The facility shall be developed in accordance with the approved plans and specifications of Condition 1a and 1b. The permit shall only expire after Department approval of satisfactory completion of the post-closure care period and Department voidance of the permit.

6b	Permitted waste grades shall not be exceeded in anticipation of settlement or consolidation of the waste mass.
6c	Changes to fill progression shall not be implemented unless formally approved through permit modification.
25	This condition is removed because it is redundant with condition 6a and 6c.

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

For Teresa Marks, Director

Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the aforementioned permit has been mailed by first-class mail to the Honorable Melton Holt, 100 Court Street, Marion, AR 72364.

Certified by Barbara J. Mathews on or before this 22 day of July, 2010.