

ADEQ

ARKANSAS
Department of Environmental Quality

December 9, 2008

Eco-Vista, LLC
Attn: Mr. Kirby Thompson
2210 Waste Management Drive
Springdale, AR 72762

RE: Name Change of Permits from WM Tontitown Landfill, LLC to Eco-Vista, LLC
Permit Numbers: 0290-S1-R2, 0290-S4-R1, 0013-SCYW-MC, 0023-STSW-MC and 0005-SWTP
AFIN: 72-00144
Cross Reference Number(s): 53464, 53465, 53466, 53468, and 53469

Dear Mr. Thompson:

ADEQ - Solid Waste Management Division staff has reviewed your request for name change of Solid Waste Permits 0290-S1-R2, 0290-S4-R1, 0013-SCYW-MC, 0023-STSW-MC and 0005-SWTP from WM Tontitown Landfill, LLC to Eco-Vista, LLC. SWMD has determined that the request for name change meets the APC&EC Regulation 8 and Regulation 22 requirements. Based on the submittals received requesting this change, the Arkansas Department of Environmental Quality hereby transfers Permit Numbers 0290-S1-R2, 0290-S4-R1, 0013-SCYW-MC, 0023-STSW-MC and 0005-SWTP to Eco-Vista, LLC. Updated copies of each individual permit are attached. Note the general permits are not affected by the name change other than updating ADEQ records. Please review all terms and conditions of the permits to ensure compliance with all applicable requirements.

Please call me at (501) 682-0601 should you have any questions regarding the above information.

Sincerely,



Michael Robinson
Chief, SWMD

Enclosures

cc: Harry Elliott, Enforcement Branch Manager
Susan Speake, Programs Branch Manager
Mona Partman, SWMD, Technical Branch
Justin Sparrow, District Field Inspector, SWMD
Dave Conrad, Waste Management



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



PERMIT CLASS : Class 4 Landfill

AFIN : 72-0144

PERMIT NUMBER : 0290-S4-R1

EFFECTIVE DATE : April 16, 1997

REISSUED COVER PAGE : April 11, 2000 [Permit Transfer to New Owner]

NAME CHANGED : December 9, 2008

PERMIT OWNER AND ADDRESS:

Eco-Vista, LLC
P.O. Box 1310
Springdale, AR 72765

FACILITY ADDRESS:

Eco-Vista, LLC
18200 Stutts Road/Washington County No. 865
Springdale, AR 72765

LOCATION: Approximately two and one half miles south of Tontitown in Section 23, Township 17 North, Range 31 West, Washington County, Arkansas.

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

DESCRIPTION OF THIS PERMIT ACTION: Permit Transfer to New Owner

PERMIT CONDITIONS: This permit is your authority to construct and/or operate the Solid Waste Disposal Facility set forth in your application dated September 1996. This permit is issued pursuant to the provisions of the Arkansas Solid Waste Management Act (Arkansas Code Annotated 8-6-201 et seq.) as amended, hereinafter called the "Act"; Regulation Number 22, Arkansas Solid Waste Management, as adopted by the Pollution Control and Ecology Commission, hereinafter called "Regulation 22"; and all other applicable rules and regulations of the Department of Environmental Quality, hereinafter called "Department", and the following terms and conditions:

- 1) The disposal facility shall be constructed, maintained, and operated in accordance with the final plans, specifications and operation narrative as approved by the Department and in compliance with all applicable provisions of the Act, Regulation 22, and all other applicable rules and regulations.
- 2) This permit shall automatically terminate unless construction of the disposal facility has been commenced within 180 days of the original effective date of the permit and is completed with all reasonable diligence or; when the authorized fill elevations have been attained. The Department shall be notified in writing when the initial construction has been completed and upon facility closure in order that it may be inspected.
- 3) At all times the disposal facility shall be maintained in good condition and operations shall be conducted by licensed, qualified on-site operators holding the appropriate license as required by Regulation Number 27, Certification of Sanitary Landfill Operators. Copies of the approved operating narrative, plans, specifications, operator licenses, and this disposal permit shall be maintained at the site for reference.
- 4) This permit may be revoked or modified whenever, in the opinion of the Department, the facilities are no longer in compliance with the Act, Regulation 22, and applicable rules and regulations. This permit shall not relieve the permittee, its agents or employees, from compliance with all provisions of the Act and Regulation 22.

- 5) This permit is issued in reliance upon the statements and representations made in the application, operating narrative, the plans, specifications and related documents and the Department has no responsibility for the adequacy or proper functioning of the disposal facility. Nothing herein contained shall be construed as releasing the permittee from any liability for damage to persons or property by reason of the installation, maintenance, or operation of the disposal facility.
- 6) This permit is for a 60-acre site with disposal to be in approximately 28.5 acres as indicated on the plans. Disposal is not authorized within the gas pipeline right of way. The permit will expire when the disposal area described in the final engineering plans has been filled to design capacity and is closed out in accordance with the provisions of Regulation 22. The final grades and elevations shown on the plans shall not be exceeded in anticipation of settlement and consolidation of the waste mass.
- 7) The initial amount of financial assurance required is \$543,844. This amount is subject to annual adjustment and may be increased at the discretion of the Department, depending upon the estimated cost for a third party to close the largest area of all permitted facilities ever requiring final cover during the active life and the cost for a third party to perform post closure care. The instruments used must be in the exact form set forth in Regulation 22 and must be filed with the Department before the permit can become effective. A portion or all of the financial assurance may be held by the Department beyond the time of cessation of disposal operations at the site to ensure satisfactory closure and post closure care in accordance with Regulation 22.
- 8) Preparation of the site shall be supervised and reported in writing to the Department by a Registered Professional Engineer prior to the placement of wastes. See Condition No. 16. for Construction Quality Assurance [CQA] requirements.
- 9) An initial permit fee has been received by the Department. Annual permit fees due thereafter shall be assessed in accordance with Regulation Number 9, Fee System for Environmental Permits. Failure to pay annual fees when due may result in revocation of this permit.
- 10) This facility is for the disposal of bulky inert, non-putrescible Class 4 waste as defined by Regulation 22. This waste includes non-compostable wood waste such as tree trunks and stumps, demolition and construction debris, shredded or processed tires as defined by Regulation Number 14, Regulations and Administrative Procedures for the Waste Tire Program, furniture and appliances provided polychlorinated biphenyls (PCB's) and chlorofluorocarbons (CFC's) are removed from the appliance prior to disposal in accordance with applicable state and federal regulations, and other inert wastes that the Department may approve for disposal. Hazardous and/or toxic waste materials, liquid or semi-liquid waste, household wastes of any kind, putrescible waste, paper waste including cardboard and "Special Materials" as these terms may be defined by Regulation 22 are not authorized for acceptance and disposal at the facility.
- 11) A weekly cover of six (6) inches of compacted soil shall be applied to all exposed waste on a regular schedule acceptable to the Department.
- 12) Measures to control and prevent stormwater from running through or into the active fill area shall be constructed and maintained at the site and no waste shall be deposited in standing water or within five (5) feet of the seasonal high groundwater table.
- 13) Best management practices shall be implemented to control erosion at the site and to prevent off-site deposition of sediment, 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

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

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

16. The liner bottom shall be 24" or more of compacted clay material exhibiting a permeability equal to or less than 1×10^{-5} cm/sec. In the event bedrock is encountered during the excavation, the bedrock shall be removed to a depth of at least 12" below the bottom of the liner and a proper subgrade prepared for construction of the liner, or alternately the bottom of the liner shall be raised a minimum of 24" above the bedrock. Testing and certification of construction of the bottom liner system shall be in accordance with the Construction Quality Assurance Plan submitted as part of the operating narrative and Section 22.428 (b) Soil Liner Material Criteria of Regulation No. 22, except that the permeability of the liner system must be 1×10^{-5} cm/sec or less in accordance with Section 22.621.

17. Leachate shall be trucked to a sewage treatment plant or disposed in an alternate manner approved by the Department. The quality and quantity of leachate produced shall be monitored during the active life of the landfill and during the post closure period for as long as significant amounts of leachate are produced. Leachate storage capability is subject to Department approval based upon actual leachate flow rates. Department approval must be obtained prior to any changes in leachate disposal methods. The following shall be monitored for each leachate disposal event:

| | | | | |
|------------------------|---------------|--------|----------|---------|
| Volume disposed | C OD (or TOC) | Zinc | Lead | Sulfate |
| Chloride | BOD5 | Copper | Chromium | |
| Total Dissolved Solids | pH | Nickel | Cadmium | |

Monitoring results shall be submitted directly from the contract laboratory to the Department after each monitoring event. For disposal of leachate at publicly owned treatment works [POTW] with approved industrial wastewater pre-treatment programs, testing requirements of the POTW may be substituted for tests required herein.

Drainage material used in the leachate collection system must be free of organic and carbonate material and meet the requirements of Section 22.425 (d) (2) of Regulation No. 22.

18. A ground water monitoring system shall be incorporated to include the Class 4 area as proposed in the permit application. The Department reserves the right to require changes to the groundwater monitoring system based upon a review of the pending Class 1 permit modification application and the results of monitoring at existing monitoring wells.

19. Any change in the ownership of the facilities or control of the operation may be considered a permit modification and shall be fully disclosed to the Department. For purposes of this permit, ownership or control shall be determined by a change in the debt or equity of the permittee of five percent (5%) or more. Notwithstanding the above, the permittee is not required to disclose a change in ownership

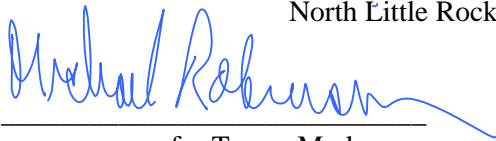
or control of the facility if the change is among the persons and/or entities previously disclosed to the Department in Section E of the Disclosure Statement or similar disclosure.

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

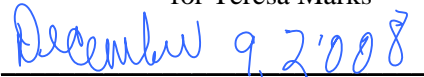
21. The Department, its employees, agents, or any authorized person shall have the right to enter the property at any time for any reason as set out in Regulation 22 for purposes of, including but not limited to, taking of samples, inspection, and any other enforcement or engineering action, without interference or delay from the permittee.

22. The Department's decision to issue this permit is final for purposes of appeal as of the date indicated in the Certificate of Service below.

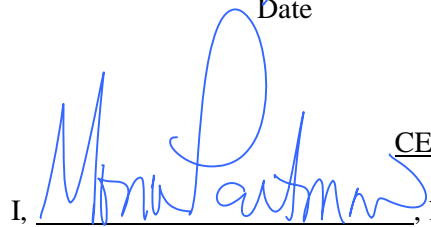
APPROVED BY: Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72218



for Teresa Marks



Date



CERTIFICATE OF SERVICE

I, Mona Paulman, hereby certify that a copy of this permit has been mailed by first-class mail to Kirby Thompson, Eco-Vista, LLC, P. O. Box 1310, Springdale, Arkansas 72765 on or before this 10th day of Dec., 2008.