

PERMIT

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

ISSUED BY

**DIVISION OF ENVIRONMENTAL QUALITY
REGULATED WASTE OPERATIONS
OFFICE OF LAND RESOURCES**

	Class 1 Landfill
Permit Number:	0299-S1-R1
AFIN:	25-00028
Effective Date:	June 16, 2017
Amendment Date:	April 14, 2020
Permit Owner & Address:	IESI AR Landfill Corporation Cherokee Sanitary Landfill Company 300 Landfill Road Cherokee Village, AR 72529
Facility Site Name and Address:	Cherokee Village Landfill 300 Landfill Road Cherokee Village, AR 72529
Location:	Southeast Quarter of the Southeast Quarter of section twenty (SE 1/4, SE 1/4, Sec. 20) 39.12 acres, Northeast Quarter of the Northeast Quarter of section twenty nine (NE 1/4, NE 1/4, Sec 29) 38.97 acres, Northwest Quarter of the Northeast Quarter of section twenty nine (NW 1/4, NE 1/4, Sec. 29) 39.09 acres, Lot number twenty-one (21) Singing Hills Subdivision section twenty-one (21) 4.8 acres, Lot number twenty-two (22) Singing Hills Subdivision section twenty-one (21) 4.8 acres, Total Area 126.78 acres in Township nineteen North (T-19-N), Range six West (R-6-W), Fulton County, AR
Permitted Landfill Area:	126.78 Acres
Permitted Waste Disposal Volume:	10,691,300 Cubic Yards
Financial Assurance:	\$4,804,342.51

This permit authorizes the operation of the solid waste disposal facility as set forth in the permit application for Cherokee Sanitary Landfill Company (former IESI AR Landfill Corporation) hereinafter called "owner" or "permittee," and received by the Division of Environmental Quality on June 21, 2016. 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 Pollution Control and Ecology Commission, hereinafter called "APC&EC Regulation No. 22" and all other applicable rules and regulations of the Division of Environmental Quality, hereinafter called "Division" and the following terms and conditions.

DESCRIPTION OF THIS PERMIT ACTION

This permit modification is for the vertical expansion of the Cherokee Village landfill. On the effective date, this permit supersedes all prior solid waste permits issued by the Division for this solid waste management facility.

PERMIT 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 Division and in compliance with all applicable provisions of the Act, APC&EC Regulation No. 22, and all other applicable rules and regulations.

- a. The Following drawings are hereby incorporated into Permit 0299-S1-R1:

Permit Drawings:

Revised Drawing 0	Cover Sheet (Doc. #69799, 06/20/2016)
Revised Drawing 1	Index Sheet (Doc. #69799, 06/20/2016)
Revised Drawing 2	General Site Plan/Existing Conditions (Doc. #69799, 06/20/2016)
Revised Drawing 3	General Geologic Profile (Doc. #69799, 06/20/2016)
Revised Drawing 4	Base Liner Grading Plan - Subgrade (Doc. #69799, 06/20/2016)
Revised Drawing 5	Base Liner Grading Plan - Protective Cover (Doc. #69799, 06/20/2016)
Revised Drawing 6	Leachate Management Plan (Doc. #69799, 06/20/2016)
Revised Drawing 7	Cap Liner Grading Plan - Intermediate Cover (Doc. #69799, 06/20/2016)
Revised Drawing 8	Cap Liner Grading Plan - Final Cover (Doc. #69799, 06/20/2016)
Revised Drawing 9	Stormwater Management Plan and Drainage Overlay Grading Plan (Doc. #69799, 06/20/2016)
Revised Drawing 10	Cell Construction Sequencing (Doc. #69799, 06/20/2016)
Revised Drawing 11	Landfill Cross Sections (1 of 2) (Doc. #69799, 06/20/2016)

Revised Drawing 12	Landfill Cross Sections (2 of 2) (Doc. #69799, 06/20/2016)
Revised Drawing 13	Details (I) – Base Liner System (1 of 2) (Doc. #69799, 06/20/2016)
Revised Drawing 14	Details (II) – Base Liner System (2 of 2) (Doc. #69799, 06/20/2016)
Revised Drawing 15	Details (III) – Leachate Management (1 of 3) (Doc. #69799, 06/20/2016)
Revised Drawing 16	Details (IV) – Leachate Management (2 of 3) (Doc. #69799, 06/20/2016)
Revised Drawing 17	Details (V) – Leachate Management (3 of 3) (Doc. #69799, 06/20/2016)
Revised Drawing 18	Details (VI) – Cap Liner System (Doc. #69799, 06/20/2016)
Revised Drawing 19	Details (VII) – Perimeter Grading (Doc. #69799, 06/20/2016)
Revised Drawing 20	Details (VIII) – Stormwater Management Plan (1 of 2) (Doc. #69799, 06/20/2016)
Revised Drawing 21	Details (IX) – Stormwater Management Plan (2 of 2) (Doc. #69799, 06/20/2016)
Revised Drawing 22	Details (X) – Miscellaneous (Doc. #69799, 06/20/2016)
Revised Drawing 23	Details (XI) – Leachate Storage Area (1 of 2) (Doc. #69799, 06/20/2016)
Revised Drawing 24	Details (XII) Leachate Storage Area (2 of 2) (Doc. #69799, 06/20/2016)

- b. The following revised operational plans are hereby incorporated into Permit 0299-S1-R1:

Operational Plans Updated:

Construction Quality Assurance Plan	Doc. #69799, 06/20/2016
Operating Plan and Narrative	Doc. #69799, 06/20/2016
Stormwater Pollution Prevention Plan	Doc. #69799, 06/20/2016
Leachate Recirculation Plan	Doc. #69799, 06/20/2016

2. This permit will expire when the final grades and elevations on the approved plans are reached. The Division shall be notified in writing upon initial construction under this permit; upon construction, modification, or addition to leachate collection and removal facilities and/or leachate storage facilities; upon construction, modification, or addition to the waste containment (liner) system; upon construction of each subsequent disposal cell; upon construction, modification, or addition to sediment ponds; and upon facility closure in order that it may be inspected. Initial construction shall be started within 180 days of the effective date of this permit and completed within 365 days of the effective date, except that erosion and sediment controls shall be implemented at the commencement of construction activities at the Class 1 site and at each borrow site (whether on-site or off-site). Initial construction shall, as a minimum, include the following components constructed in accordance with the approved plans and specifications and permit conditions herein:

At least three permanent benchmarks located within the 126.78-acre Class 1 permit area for vertical survey control of facility construction; at least three permanent horizontal control points (consistent with the coordinate grid system as indicated on the approved plans) located within the 126.78-acre Class 1 permit area for horizontal survey control of facility construction; erosion and sediment controls at the Class 1 permit area and at each borrow site in accordance with APC&EC Regulation No. 22.411, 22.418, 22.419 and 22.430, the Class 1 facility stormwater pollution prevention plan (SWPPP), the Class 1 facility NPDES permit(s), and permit conditions herein; Sediment Pond #1 (East); stormwater run-off control ditch and stormwater drainage conveyance systems along the east side of the property and to and from Sediment Pond #1 (East); NPDES Outfall/Stormwater Outlet Structure (Broad Crested Weir) at southeast corner of property; grass-lined channel up-gradient (north) of weir; concrete lined stormwater channel and riprap down-gradient (south) of weir; at least one (1) 25,000-gallon capacity leachate storage tank with liquid level indicator device and reinforced concrete secondary containment; and leachate collection and removal piping, junction boxes, valve boxes, sumps, sump retrofit, pumps, control systems, flow totalizer, appurtenances, etc. that are necessary to properly collect/remove/monitor leachate from waste disposal cells and convey it to the 25,000-gallon capacity leachate storage tank(s) such that free-flowing conditions are maintained in the leachate collection system.

As-built (record) drawings of the initial construction shall include, as a minimum, the components indicated herein above and coordinates of all property corners of the 126.78-acre Class 1 permit area (consistent with the coordinate grid system as indicated on the approved plans) per APC&EC Regulation 22.426(e). The minimum requirements for as-built (record) drawings of waste containment (liner) systems and leachate collection and removal systems are indicated in Permit Condition No. 14 hereinafter.

Changes to or deviations from the construction/layout of the facility are not authorized unless approved in writing by the Division. Any change to the design of the NPDES Outlet Structure

(Broad Crested Weir), as indicated on the approved plans, will require written approval by the Division prior to construction and may require modification of Permit No. 299-S1 and/or NPDES stormwater permit(s) for the Class 1 landfill facility.

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 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) for the Class 1 facility, NPDES construction and/or stormwater permit(s) for the Class 1 facility, 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 Division, the facilities are no longer in compliance with the Act, APC&EC Regulation No. 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 APC&EC Regulation No. 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 Division 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 from damage to persons or property by reason of the installation, maintenance, or operation of the disposal facility.

6. This permit is for a 126.78-acre Class 1 landfill site with disposal to be on approximately 90 acres in areas as indicated on the plans. Waste filling/disposal shall not occur any closer than 100 feet to the property boundary of the site. The permit will expire upon the expiration date, or when the final grades and elevations indicated on the approved plans are reached, 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. Changes to or deviations from the construction/layout of the facility, as shown on the approved modification plans as indicated under the plan identifier number hereinafter and as indicated in the approved operation narrative/specifications dated June 20, 2016 that were submitted as part of the permit modification application, are not authorized unless approved in writing by the Division. The plan identifier number for the approved set of plans is Document No. 69799.

This permit does not authorize any changes to the final waste fill elevations/grades for the Class 4 landfill disposal facility (Permit No. 083-S4-R1) or modification to the Class 4 waste disposal footprint as indicated on the approved permit plans for the Class 4 facility.

7. The permittee is required to post financial assurance covering 100% of closure cost and 20% of post-closure care cost. This amount is subject to annual adjustment 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. The instruments used must be in the exact form set forth in APC&EC Regulation

No. 22 and must be filed with the Division before the permit can be become effective. 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 Regulation No. 22.

8. An initial permit fee has been received by the Division. Annual permit fees due thereafter shall be assessed in accordance with APC&EC Regulation No. 9, Fee System for Environmental Permits. Failure to pay annual fees when due may result in revocation of this permit.

9. 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.

10. This facility is for the disposal of all waste eligible for a Class 1 sanitary landfill including all "special materials" as listed in APC&EC Regulation No. 22. Special materials as identified by APC&EC Regulation No. 22 do not require written authorization from the Division, provided the materials, not specifically identified by the Special Materials section; such as "process waste" must be characterized by the generator of the waste prior to acceptance for disposal in the landfill in accordance with the facility written hazardous waste exclusion program.

11. 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.

12. The permittee shall maintain an Operating Record on-site (or at an alternate location approved in writing by the Division) of all documentation, monitoring or test results, records, licenses, certifications, inspection reports, correspondence, etc. required by the operation narrative, plans/specifications, CQA Plan, APC&EC Regulation No. 22, stormwater pollution prevention plan (SWPPP), and/or permit conditions herein. The permittee shall forward a copy of information from the Operating Record when requested by the Division.

13. Construction Quality Assurance/Construction Quality Control (CQA/CQC)
CQA/CQC criteria, procedures, testing, documentation, reporting, and certifications for construction shall be in accordance with the approved CQA Plan and APC&EC Regulation No. 22.428 and 22.429. An engineering report meeting the requirements of APC&EC Regulation No. 22.428 and 22.429 shall be submitted at least fourteen (14) days prior to commencement of disposal activities in any newly constructed disposal area. For final cover systems, an engineering certification report required by APC&EC Regulation No. 22.428 and 22.1301 of shall be submitted within thirty (30) days of completion of the final cover system.

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

14. As-built (record) drawings that accurately depict the actual construction of the facility shall be provided to the Division. As-built (record) drawings shall be provided for the initial construction under this permit (as discussed in Permit Condition No. 2 hereinbefore); upon construction of waste containment (liner) systems, upon modification or addition to existing leachate collection/removal systems, and/or leachate storage facilities; upon construction of new leachate collection/removal systems and/or leachate storage facilities; upon construction of new waste disposal cells; upon construction, modification, or expansion of sediment ponds; and upon facility closure. All as-built (record) drawings shall be certified by a Registered Land Surveyor or a Professional Engineer. For waste containment (liner) systems, the following, as a minimum, shall be indicated on as-built (record) drawings:

The limits of liner construction; the top and bottom of liner elevations at 50' intervals referenced to the site grid coordinate system; for granular drainage blanket, top of blanket elevation at 50' elevations; the location of slope breaks, leachate sumps and trenches, berms, and other features which are material to the disposal area construction; a key map showing the location of the construction in relation to the permitted design, along with an identification of areas previously constructed and areas yet to be constructed; compaction and permeability testing locations; and the lowest point of the liner not including leachate trenches and sumps.

15. The final grades and elevations shown on the plans shall not be exceeded in anticipation of settlement and consolidation of the waste mass. Timely initiation and completion of closure of filled landfill cells or units shall be made in accordance with APC&EC Regulation No. 22.1301(f) and (g). Proper construction of the final cover system shall be observed and certified in writing in a construction quality assurance (CQA) documentation report to the Division by a registered professional engineer whenever an area or phase of the landfill is closed-out. The report shall include CQA/CQC test results as indicated in the approved CQA Plan; map(s) indicating the location, designation, and extent of area(s) actually closed-out; and test locations. All test results, maps, certifications, acceptances, and other documentation required by the CQA Plan, operation narrative, specifications, plans, APC&EC Regulation No. 22, and/or permit conditions herein shall be maintained in the Operating Record.

16. The following bottom liner system configurations has been approved. The bottom liner system has been listed from bottom to top. All components of the liner system must meet the approved construction quality assurance plan specifications.

Prepared subgrade
Geosynthetic clay liner
60-mil thick high density polyethylene (HDPE) geomembrane

Double sided geocomposite
12-inch thick protective soil cover layer

17. 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. Monitoring wells MW-1, MW-3, MW-5, MW-6 and MW-8 shall be used for both static water level measurements and groundwater sampling, and monitoring wells MW-2, MW-4, MW-7 shall be used for static water level measurements only.

Three (3) additional wells on site, designated as piezometers PZ-9, PZ-10, and PZ-11, shall also be used for static water level measurements.

Due to the abrupt changes in the static water levels reported for monitor wells MW-1 and MW-2, and the resulting change in the ground-water flow direction, the Division has determined that the permittee shall submit a report, prepared by a qualified ground-water scientist, that details the changes in the ground-water flow rates and flow direction at the landfill site through time. This report shall be used by the Division to determine if additional down gradient wells are needed to adequately monitor the site. This report is to be submitted by October, 2002. The Division, at any time, may modify the sampling points or require additional or replacement wells based on the results of the sampling events or the construction of additional waste cells.

The proposed location of all new or replacement wells must be approved by the Division. The wells shall be constructed and developed in accordance with ASTM D5092-90 Design and Installation of Ground Water Monitoring Wells in Aquifers and screened to monitor the uppermost aquifer. Complete lithologic logs must be recorded by a qualified geologist and submitted to the Division.

The permittee shall comply with APC&EC Regulation No. 22.1103(a) which states that "Following construction, each well shall be developed to the degree necessary to restore formation hydraulic conductivity and ensure turbidity-free samples which are representative of formation ground water quality." Monitoring wells in which turbidity values exceed 5 Nephelometric Turbidity Units (NTU) must be redeveloped. If the turbidity remains above 5 NTU, the integrity of the well must be evaluated by a qualified groundwater 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 Division within sixty (60) days of completion and shall be placed in the operating record.

18. The ground water monitoring system for the facility must meet the requirements of 40 CFR Part 258, Subpart E, and APC&EC Regulation No. 22, and be certified by a QUALIFIED GROUND WATER SCIENTIST as defined by 40 CFR §258.50(g) and APC&EC Regulation No. 22.1201(f).

19. Each groundwater monitoring well shall be permanently marked with the appropriate unique identification sequence number or designation corresponding to the well locations on the facilities design plans. The sampling of groundwater and measurement of static water levels shall be performed

in accordance with the facility's Sampling and Analysis Plan approved by the Division. Ground water sampling and analysis shall in all cases comply with the requirements of Subpart E of 40 CFR Part 258 as adopted in APC&EC Regulation No. 22.

20. Monitoring wells shall be sampled semi-annually and sample analysis shall be performed by a Division certified wastewater testing laboratory. Groundwater samples shall not be field filtered. Groundwater sampling and analysis shall comply with quality assurance guidelines of 40 CFR Part 136 - Guidelines Establishing Test Procedures for the Analysis of Pollutants under the Clean Water Act.

21. Sampling of groundwater and measurement of static water levels shall only be accomplished by trained personnel familiar with proper procedures and techniques. Laboratory analysis results shall be submitted directly to the Division from the contract laboratory. Groundwater shall be sampled and analyzed for the following parameters:

- Water level normalized to sea level
- Iron, Total
- Manganese, Total
- Appendix 1 constituents of APC&EC Regulation No. 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 Division. Analysis for volatile organic compounds (VOC) 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 Division at any time based upon analytical results and new laboratory techniques.

22. A statistical method to be used for evaluating monitoring results for each groundwater constituent must be selected by the permittee and approved by the Division. The method selected must meet the requirements of APC&EC Regulation No. 22.1203. The permittee, or a designee other than the contract laboratory, must determine whether there is a statistically significant increase (or decrease in the case of pH) for each groundwater monitoring constituent in conformance with the requirements of APC&EC Regulation No. 22.1203.

23. 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 permittee must:

- Within fourteen (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 Division;

-Establish an assessment monitoring program meeting the requirements of APC&EC Regulation

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

If after ninety (90) days, a successful demonstration provided for 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.

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 APC&EC Regulation No. 22.1207 and then proceed with implementation of a corrective action program in accordance with APC&EC Regulation No. 22.1208.

24. 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.

25. The permittee shall implement a hazardous waste screening and detection program at the facility in accordance with the approved operating plan and APC&EC Regulation No. 22. The program shall include procedures for pre-disposal evaluation of commercial/industrial waste, solidified sludge, and other questionable wastes to determine whether or not the waste is acceptable for disposal in the facility.

26. 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.

Alternative materials for daily cover, such as synthetic materials, shall only be used when specifically authorized in writing by the Division. Any alternative daily cover that is proposed by the permittee must comply with Division 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 (6) 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.

27. Leachate collection/removal and leachate storage systems shall be monitored, operated, and maintained such that free-flowing conditions are maintained in the leachate collection system. Additional leachate storage capability and/or pumping capacity shall be provided, if necessary, to assure that the leachate collection system is free-flowing. Each leachate pump station shall be equipped with automated pump controls for on/off operation and a high-level alarm light and/or

buzzer. Leachate removed from the leachate collection system shall be stored in leachate storage tank(s) as indicated on the approved plans and ultimately disposed in a municipal wastewater treatment facility which has an NPDES permit. Leachate that is disposed in publicly owned treatment works (POTW) must comply with 40 CFR Part 403 (U. S. EPA Pretreatment Regulations). The date, quantity of leachate that is removed, results of any testing that is done, and the receiving wastewater treatment facility name and NPDES permit number shall be monitored and recorded each time leachate is removed from the site.

Each leachate storage tank shall be equipped with a liquid level indicator device on the outside of the tank that accurately indicates liquid level within the tank. The liquid level shall be prominently indicated in feet and tenths of a foot (or feet and inches) such that it is clearly visible to the naked eye when standing at the outside of the concrete secondary containment wall. The liquid level at each leachate storage tank shall be monitored and recorded at least once per week. The total leachate flow into leachate storage tanks(s) shall be monitored and recorded via the totalizer meter indicated on the plans at least once per week. The dates of leachate level and flow monitoring shall be recorded along with the level/flow readings and the name of the person making the readings.

Leachate that is removed and disposed off-site shall be tested for the following parameters at least semiannually: BOD, TOC (or COD), TSS, ammonia (N), Chlorides, Sulfates, Phenol, Zinc, and pH. Testing shall be performed by a laboratory certified by the Division. These tests may be in addition to any testing that may be required by the municipal wastewater treatment facility that accepts the leachate for treatment/disposal.

Leachate derived from areas with a composite bottom liner system designed in accordance with APC&EC Regulation No. 22.424(b) may be recirculated back onto the areas from whence it was derived, provided a management plan meeting the requirements of APC&EC Regulation No. 22.429(k) is submitted to and approved by the Division. Records of leachate recirculation shall, as a minimum, include the criteria specified in APC&EC Regulation No. 22.421(f) and 22.429(k). Recirculation of leachate derived from and/or placement onto areas not having a composite bottom liner system designed in accordance with APC&EC Regulation No. 22.424(b) is strictly prohibited. Leachate that is recirculated shall be tested at least semiannually for the parameters indicated in the preceding paragraph and at least annually for the parameters indicated in APC&EC Regulation No. 22.429(k).

28. This permit authorizes one (1) active disposal area at the Class 1 facility per APC&EC Regulation No. 22.411(c). 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.

29. Diversion berms, terraces, ditches, etc. to control and prevent stormwater run-on from running through or into the active waste disposal area shall be constructed and maintained and no waste shall be deposited in standing water.

30. Seeding with suitable perennial grasses and soil stabilization shall be conducted in the spring and in the fall on all exposed surfaces not currently receiving wastes. Furthermore, vegetation shall be accomplished as soon as practicable after final elevations are attained and the landfill area is closed-out in accordance with the approved closure plan and APC&EC Regulation No. 22.1301.

31. Following establishment of cover vegetation, the vegetation shall be properly mowed as needed during the growing season to control undesirable annual weed and woody stem vegetation growth and promote the growth of desirable perennial cover grasses.

32. Appropriate NPDES construction/stormwater permit(s) shall be obtained for stormwater discharges from the Class 1 landfill site and from borrow sites. A Stormwater Pollution Prevention Plan (SWPPP), which outlines erosion and sediment control measures that will actually be implemented and maintained at the site(s), shall be prepared in accordance with applicable NPDES requirements. A copy of the SWPPP shall be maintained on-site for reference by operating staff.

The top (except where service road is constructed) and side slopes of levees of sediment ponds (interior and exterior) shall be seeded with suitable perennial grasses to maintain the integrity of levees and control erosion. Pond levees shall be properly mowed as needed during the growing season to control undesirable annual weed and woody stem vegetation growth and promote the growth of desirable perennial cover grasses.

At the commencement of construction in the W 1/2, SE 1/4 SE 1/4, Section 20, T-19-N, R-6-W, Fulton County, the permittee shall construct Sediment Pond #2 (West) as indicated on the approved plans. Construction shall include establishment of perennial grass cover on pond levees as indicated herein above.

At the commencement of construction in the horizontal expansion area adjacent to and just south of the original Class 1 permit area (in the N Y2, N Y2, NE 1/4 and/or the S Y2, N Y2, NE 1/4, Section 29, T-19-N, R-6-W, Fulton County), the permittee shall construct all necessary stormwater drainage conveyance systems and sediment ponds to collect, store and treat stormwater runoff from these areas. Construction shall include establishment of perennial grass cover on pond levees as indicated herein above.

33. Erosion and sediment controls shall be implemented and maintained on an ongoing basis at each borrow site (whether on-site or off-site) to minimize sediment losses until final reclamation/stabilization of the borrow site is accomplished. Such ongoing controls would typically include silt fences, vegetative buffer/filter strips, grass-lined swales, grass-lined channels, erosion control blankets, vegetated turf reinforced mats (TRMs), check dams, sediment traps, sediment ponds, riprap, outlet controls, and similar measures that are effective in controlling erosion and minimizing sediment losses. Final reclamation/stabilization at each borrow site shall include final grading to promote proper drainage and establishment of suitable perennial cover grasses such that all disturbed areas are fully stabilized, or reclamation through other means approved in writing by the Division.

Final side slopes at borrow pits shall not be any steeper than 3:1 (H:V).

34. The permittee shall comply with the requirements of APC&EC Regulation No. 22.416, 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.
35. Any statements in the operational narrative, specifications, and/or engineering plans that conflict with APC&EC Regulation No. 22, permit conditions herein, or other applicable laws and regulations shall not be considered authorized by the Division.
36. 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 Regulation No. 22 for the purposes of, including but not limited to, taking samples, inspection, and other enforcement or engineering action, without interference or delay from the permittee.
37. If any provision of these conditions or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these conditions that can be given effect without the invalid provision or application, and to this end provisions of these conditions are declared to be severable.
38. The Division's decision to issue this permit is final for purposes of appeal as of the date indicated in the Certificate of Service below.

**DIVISION OF ENVIRONMENTAL QUALITY
PERMIT
FOR A SOLID WASTE MANAGEMENT FACILITY**

PERMITTEE: IESI AR Landfill Corporation
OWNER: IESI AR Landfill Corporation
OPERATOR: IESI AR Landfill Corporation
FACILITY LOCATION: 300 Landfill Road
Cherokee Village, AR 72529
DOCUMENT ID NUMBER: 70810
ACTIVITY: Major Modification – Vertical Expansion
AFIN: 25-00028
PERMIT NUMBER: 0299-S1

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;" APC&EC Regulation No. 22, Arkansas Solid Waste Management Rules, as adopted by the Pollution Control and Ecology Commission, hereinafter called "APC&EC," a permit is issued by the Division of Environmental Quality (DEQ) to the IESI AR Landfill Corporation (Permittee), to operate a solid waste management facility located in Cherokee Village, Fulton County, Arkansas.

The Permittee's location is summarily described as follows:

Southeast Quarter of the Southeast Quarter of section 20, Northeast Quarter of the Northeast Quarter of section 29, Northwest Quarter of the Northeast Quarter of section 29, Lot number 21 Singing Hills Subdivision section 21, Lot number 22 Singing Hills Subdivision section 21, Township 19 North, Range 6 West in Fulton County, Arkansas

The Permittee shall comply with all terms and conditions of this Permit. This permit consists of the conditions contained in APC&EC Regulation No. 22. Nothing contained herein shall negate the Permittee's duty to comply with the regulations and this Permit, or DEQ's ability to enforce the regulations and this Permit. This Permit is based on the assumption that the information

submitted by the Permittee is accurate, and the facility will be operated as specified in this Permit.

The Permittee shall inform DEQ of any deviation from or changes in the information in the Application which would affect the Permittee's ability to comply with the applicable regulations or Permit conditions.

The Director reserves the right to amend or add conditions to this Permit, as necessary to be protective of human health and the environment.

This Permit shall be effective on service of notice of the permit modification decision, as specified in APC&EC Regulation No. 8.215(B) (Administrative Procedures).

The Permit Modification includes the addition of 2,113,000 cubic yards of airspace for a total of 10,691,300 cubic yards of airspace.

For the purposes of resolving conflicts between requirements to which the Permittee is subject, the following hierarchy and order of authority will govern in the Permittee's duty to comply: Regulations promulgated under APC&EC Regulation No. 22; General Permit Conditions; Permit Conditions/standards specific to activities, and the Permit Modification Application(s).

Issued this _____13th_ day of ___April___, 2020



Jarrod Zweifel, PG
Associate Director
Office of Land Resources
Division of Environmental Quality

Date of Service: April 15, 2020
(Certificate of Electronic Transmission of Notice of Decision)

Effective Date: April 15, 2020

END OF PERMIT SIGN-OFF SHEET



June 15, 2017

Mr. Ronnie Black
Landfill Manager, IESI Cherokee Sanitary Landfill
300 Landfill Road
Cherokee Village, Arkansas 72529

RE: Issuance of Final Permit Modification for IESI Cherokee Sanitary Landfill Class 1
Permit No: 0299-S1-R1 AFIN: 25-00028
Document No: 71872 Cross Reference ID: 69799, 71486

Dear Mr. Black:

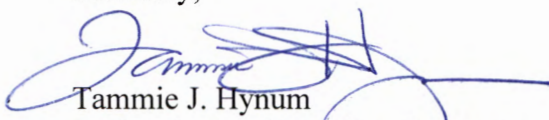
ADEQ has made a final decision to issue a permit modification authorizing the construction, operation, and maintenance of the IESI Cherokee Sanitary Landfill, a solid waste landfill facility as described in your application submitted on June 20, 2016, and subsequent documentation as referenced in the permit and located in the ADEQ facility file. The permit number for the facility is 0299-S1-R1. A Public Notice detailing ADEQ's decision to issue Permit 0299-S1-R1 was published in The News on March 16, 2017, with the public comment period ending April 15, 2017. Please find enclosed the final Permit 0299-S1-R1, the Notice of Decision, the Permit Summary and Rationale/Statement of Basis (SOB), and the Response to Comments.

The permit modification is granted subject to the terms and conditions specified in the permit. Please review all terms and conditions of the permit to ensure compliance with all applicable requirements.

If IESI Cherokee Sanitary Landfill would like to appeal this matter, the appeal must be filed in accordance with Arkansas Pollution Control & Ecology Commission's (APC&EC or Commission) Regulation No. 8, available at www.adeq.state.ar.us. If you have any questions regarding the appeal procedure, please contact your attorney. All appeal procedures must be filed with the Commission's Secretary who is located at 101 E. Capitol, Suite 205, Little Rock, AR 72201. For directions to the Commission's office, call (501) 682-7893.

Thank you for your cooperation on this matter. If you have any questions, or if we may be of service, please feel free to contact the Office of Land Resources at (501) 682-0602.

Sincerely,



Tammie J. Hynum
Acting Senior Operations Manager
Office of Land Resources

Enclosures: Permit
Permit Summary and Rationale/Statement of Basis
Response to Comments

cc: Hynum, Cusher, Rich, McWilliams, Love, Norton
Dave McCormick, P.E., Terracon, Zach Oliver, IESI Cherokee Sanitary Landfill

PERMIT

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

ISSUED BY

**STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
REGULATED WASTE OPERATIONS
OFFICE OF LAND RESOURCES**



Permit Number:	Class 1 Landfill
AFIN:	0299-S1-R1
Effective Date:	25-00028
Permit Owner & Address:	IESI AR Landfill Corporation 300 Landfill Road Cherokee Village, AR 72529
Facility Site Name and Address:	Cherokee Village Landfill 300 Landfill Road Cherokee Village, AR 72529
Location:	Southeast Quarter of the Southeast Quarter of section twenty (SE 1/4, SE 1/4, Sec. 20) 39.12 acres, Northeast Quarter of the Northeast Quarter of section twenty nine (NE 1/4, NE 1/4, Sec 29) 38.97 acres, Northwest Quarter of the Northeast Quarter of section twenty nine (NW 1/4, NE 1/4, Sec. 29) 39.09 acres, Lot number twenty-one (21) Singing Hills Subdivision section twenty-one (21) 4.8 acres, Lot number twenty-two (22) Singing Hills Subdivision section twenty-one (21) 4.8 acres, Total Area 126.78 acres in Township nineteen North (T-19-N), Range six West (R-6-W), Fulton County, AR
Permitted Landfill Area:	126.78 Acres
Permitted Waste Disposal Volume:	10,691,300 Cubic Yards
Financial Assurance:	\$4,804,342.51

This permit authorizes the operation of the solid waste disposal facility as set forth in the permit application for IESI AR Landfill Corporation hereinafter called "owner" or "permittee," and received by the Department of Environmental Quality on June 21, 2016. 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 Pollution Control and Ecology Commission, hereinafter called "APC&EC Regulation No. 22" and all other applicable rules and regulations of the Department of Environmental Quality, hereinafter called "Department" and the following terms and conditions.

DESCRIPTION OF THIS PERMIT ACTION

This permit modification is for the vertical expansion of the Cherokee Village landfill. On the effective date, this permit supersedes all prior solid waste permits issued by the Department for this solid waste management facility.

PERMIT 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, APC&EC Regulation No. 22, and all other applicable rules and regulations.

a. The Following drawings are hereby incorporated into Permit 0299-S1:

Permit Drawings:

Revised Drawing 0	Cover Sheet (Doc. #69799, 06/20/2016)
Revised Drawing 1	Index Sheet (Doc. #69799, 06/20/2016)
Revised Drawing 2	General Site Plan/Existing Conditions (Doc. #69799, 06/20/2016)
Revised Drawing 3	General Geologic Profile (Doc. #69799, 06/20/2016)
Revised Drawing 4	Base Liner Grading Plan - Subgrade (Doc. #69799, 06/20/2016)
Revised Drawing 5	Base Liner Grading Plan - Protective Cover (Doc. #69799, 06/20/2016)
Revised Drawing 6	Leachate Management Plan (Doc. #69799, 06/20/2016)
Revised Drawing 7	Cap Liner Grading Plan - Intermediate Cover (Doc. #69799, 06/20/2016)
Revised Drawing 8	Cap Liner Grading Plan - Final Cover (Doc. #69799, 06/20/2016)
Revised Drawing 9	Stormwater Management Plan and Drainage Overlay Grading Plan (Doc. #69799, 06/20/2016)
Revised Drawing 10	Cell Construction Sequencing (Doc. #69799, 06/20/2016)
Revised Drawing 11	Landfill Cross Sections (1 of 2) (Doc. #69799, 06/20/2016)

Revised Drawing 12	Landfill Cross Sections (2 of 2) (Doc. #69799, 06/20/2016)
Revised Drawing 13	Details (I) – Base Liner System (1 of 2) (Doc. #69799, 06/20/2016)
Revised Drawing 14	Details (II) – Base Liner System (2 of 2) (Doc. #69799, 06/20/2016)
Revised Drawing 15	Details (III) – Leachate Management (1 of 3) (Doc. #69799, 06/20/2016)
Revised Drawing 16	Details (IV) – Leachate Management (2 of 3) (Doc. #69799, 06/20/2016)
Revised Drawing 17	Details (V) – Leachate Management (3 of 3) (Doc. #69799, 06/20/2016)
Revised Drawing 18	Details (VI) – Cap Liner System (Doc. #69799, 06/20/2016)
Revised Drawing 19	Details (VII) – Perimeter Grading (Doc. #69799, 06/20/2016)
Revised Drawing 20	Details (VIII) – Stormwater Management Plan (1 of 2) (Doc. #69799, 06/20/2016)
Revised Drawing 21	Details (IX) – Stormwater Management Plan (2 of 2) (Doc. #69799, 06/20/2016)
Revised Drawing 22	Details (X) – Miscellaneous (Doc. #69799, 06/20/2016)
Revised Drawing 23	Details (XI) – Leachate Storage Area (1 of 2) (Doc. #69799, 06/20/2016)
Revised Drawing 24	Details (XII) Leachate Storage Area (2 of 2) (Doc. #69799, 06/20/2016)

b. The following revised operational plans are hereby incorporated into Permit 0299-S1:

Operational Plans Updated:

Construction Quality Assurance Plan	Doc. #69799, 06/20/2016
Operating Plan and Narrative	Doc. #69799, 06/20/2016
Stormwater Pollution Prevention Plan	Doc. #69799, 06/20/2016
Leachate Recirculation Plan	Doc. #69799, 06/20/2016

2. This permit will expire when the final grades and elevations on the approved plans are reached. The Department shall be notified in writing upon initial construction under this permit; upon construction, modification, or addition to leachate collection and removal facilities and/or leachate storage facilities; upon construction, modification, or addition to the waste containment (liner) system; upon construction of each subsequent disposal cell; upon construction, modification, or addition to sediment ponds; and upon facility closure in order that it may be inspected. Initial construction shall be started within 180 days of the effective date of this permit and completed within 365 days of the effective date, except that erosion and sediment controls shall be implemented at the commencement of construction activities at the Class 1 site and at each borrow site (whether on-site or off-site). Initial construction shall, as a minimum, include the following components constructed in accordance with the approved plans and specifications and permit conditions herein:

At least three permanent benchmarks located within the 126.78-acre Class 1 permit area for vertical survey control of facility construction; at least three permanent horizontal control points (consistent with the coordinate grid system as indicated on the approved plans) located within the 126.78-acre Class 1 permit area for horizontal survey control of facility construction; erosion and sediment controls at the Class 1 permit area and at each borrow site in accordance with APC&EC Regulation No. 22.411, 22.418, 22.419 and 22.430, the Class 1 facility stormwater pollution prevention plan (SWPPP), the Class 1 facility NPDES permit(s), and permit conditions herein; Sediment Pond #1 (East); stormwater run-off control ditch and stormwater drainage conveyance systems along the east side of the property and to and from Sediment Pond #1 (East); NPDES Outfall/Stormwater Outlet Structure (Broad Crested Weir) at southeast corner of property; grass-lined channel up-gradient (north) of weir; concrete lined stormwater channel and riprap down-gradient (south) of weir; at least one (1) 25,000-gallon capacity leachate storage tank with liquid level indicator device and reinforced concrete secondary containment; and leachate collection and removal piping, junction boxes, valve boxes, sumps, sump retrofit, pumps, control systems, flow totalizer, appurtenances, etc. that are necessary to properly collect/remove/monitor leachate from waste disposal cells and convey it to the 25,000-gallon capacity leachate storage tank(s) such that free-flowing conditions are maintained in the leachate collection system.

As-built (record) drawings of the initial construction shall include, as a minimum, the components indicated herein above and coordinates of all property corners of the 126.78-acre Class 1 permit area (consistent with the coordinate grid system as indicated on the approved plans) per APC&EC Regulation 22.426(e). The minimum requirements for as-built (record) drawings of waste containment (liner) systems and leachate collection and removal systems are indicated in Permit Condition No. 14 hereinafter.

Changes to or deviations from the construction/layout of the facility are not authorized unless approved in writing by the Department. Any change to the design of the NPDES Outlet Structure (Broad Crested Weir), as indicated on the approved plans, will require written approval by the Department prior to construction and may require modification of Permit No. 299-S1 and/or NPDES

stormwater permit(s) for the Class 1 landfill facility.

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 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) for the Class 1 facility, NPDES construction and/or stormwater permit(s) for the Class 1 facility, 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, APC&EC Regulation No. 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 APC&EC Regulation No. 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 from damage to persons or property by reason of the installation, maintenance, or operation of the disposal facility.

6. This permit is for a 126.78-acre Class 1 landfill site with disposal to be on approximately 90 acres in areas as indicated on the plans. Waste filling/disposal shall not occur any closer than 100 feet to the property boundary of the site. The permit will expire upon the expiration date, or when the final grades and elevations indicated on the approved plans are reached, 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. Changes to or deviations from the construction/layout of the facility, as shown on the approved modification plans as indicated under the plan identifier number hereinafter and as indicated in the approved operation narrative/specifications dated June 20, 2016 that were submitted as part of the permit modification application, are not authorized unless approved in writing by the Department. The plan identifier number for the approved set of plans is Document No. 69799.

This permit does not authorize any changes to the final waste fill elevations/grades for the Class 4 landfill disposal facility (Permit No. 083-S4-R1) or modification to the Class 4 waste disposal footprint as indicated on the approved permit plans for the Class 4 facility.

7. The permittee is required to post financial assurance covering 100% of closure cost and 20% of post-closure care cost. 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 requiring final cover during the active life of the facility and the cost for a third party to perform post closure care. The instruments used must be in the exact form set forth in APC&EC Regulation No. 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 APC&EC Regulation No. 22.

8. An initial permit fee has been received by the Department. Annual permit fees due thereafter shall be assessed in accordance with APC&EC Regulation No. 9, Fee System for Environmental Permits. Failure to pay annual fees when due may result in revocation of this permit.

9. 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.

10. This facility is for the disposal of all waste eligible for a Class 1 sanitary landfill including all "special materials" as listed in APC&EC Regulation No. 22. Special materials as identified by APC&EC Regulation No. 22 do not require written authorization from the Department, provided the materials, not specifically identified by the Special Materials section; such as "process waste" must be characterized by the generator of the waste prior to acceptance for disposal in the landfill in accordance with the facility written hazardous waste exclusion program.

11. 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.

12. The permittee shall maintain an Operating Record on-site (or at an alternate location approved in writing by the Department) of all documentation, monitoring or test results, records, licenses, certifications, inspection reports, correspondence, etc. required by the operation narrative, plans/specifications, CQA Plan, APC&EC Regulation No. 22, stormwater pollution prevention plan (SWPPP), and/or permit conditions herein. The permittee shall forward a copy of information from the Operating Record when requested by the Department.

13. Construction Quality Assurance/Construction Quality Control (CQA/CQC)
CQA/CQC criteria, procedures, testing, documentation, reporting, and certifications for construction shall be in accordance with the approved CQA Plan and APC&EC Regulation No. 22.428 and 22.429. An engineering report meeting the requirements of APC&EC Regulation No. 22.428 and 22.429 shall be submitted at least fourteen (14) days prior to commencement of disposal activities in any newly constructed disposal area. For final cover systems, an engineering certification report required by APC&EC Regulation No. 22.428 and 22.1301 shall be submitted within thirty (30) days of completion of the final cover system.

All test results, logs, certifications, acceptances, construction reports, photographs, layout drawings, record (as-built) drawings, shop drawings, construction drawings, and other

documentation required by the specifications, CQA/CQC plan, and/or permit conditions herein shall be retained in the facility operating record for review by authorized representatives of the Department.

14. As-built (record) drawings that accurately depict the actual construction of the facility shall be provided to the Department. As-built (record) drawings shall be provided for the initial construction under this permit (as discussed in Permit Condition No. 2 hereinbefore); upon construction of waste containment (liner) systems, upon modification or addition to existing leachate collection/removal systems, and/or leachate storage facilities; upon construction of new leachate collection/removal systems and/or leachate storage facilities; upon construction of new waste disposal cells; upon construction, modification, or expansion of sediment ponds; and upon facility closure. All as-built (record) drawings shall be certified by a Registered Land Surveyor or a Professional Engineer. For waste containment (liner) systems, the following, as a minimum, shall be indicated on as-built (record) drawings:

The limits of liner construction; the top and bottom of liner elevations at 50' intervals referenced to the site grid coordinate system; for granular drainage blanket, top of blanket elevation at 50' elevations; the location of slope breaks, leachate sumps and trenches, berms, and other features which are material to the disposal area construction; a key map showing the location of the construction in relation to the permitted design, along with an identification of areas previously constructed and areas yet to be constructed; compaction and permeability testing locations; and the lowest point of the liner not including leachate trenches and sumps.

15. The final grades and elevations shown on the plans shall not be exceeded in anticipation of settlement and consolidation of the waste mass. Timely initiation and completion of closure of filled landfill cells or units shall be made in accordance with APC&EC Regulation No. 22.1301(f) and (g). Proper construction of the final cover system shall be observed and certified in writing in a construction quality assurance (CQA) documentation report to the Department by a registered professional engineer whenever an area or phase of the landfill is closed-out. The report shall include CQA/CQC test results as indicated in the approved CQA Plan; map(s) indicating the location, designation, and extent of area(s) actually closed-out; and test locations. All test results, maps, certifications, acceptances, and other documentation required by the CQA Plan, operation narrative, specifications, plans, APC&EC Regulation No. 22, and/or permit conditions herein shall be maintained in the Operating Record.

16. Notwithstanding what may be indicated on the plans and specifications, alternative liner systems (including geosynthetic clay liner) are not authorized by this permit. Should the permittee desire to use any liner system other than a "composite liner" system as defined in APC&EC Regulation No. 22.424(b), an Alternate liner Demonstration in accordance with Department written guidance on alternative liner design and demonstration shall be submitted to and approved by the Department prior to initiation of construction of the alternative liner system. The Department reserves the right to require the installation of additional groundwater monitoring wells and make other changes to the permit in the event a request to use an alternative liner design is approved.

17. The ground water 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.

18. 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. 22.102. 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. 22.102.

19. The facility will follow an approved Sampling and Analysis Plan (SAP). An updated SAP shall be submitted to the Department for review within sixty (60) calendar days following installation of the required new wells listed in this permit. The SAP must meet the requirements contained with the facility permit and APC&EC Regulation No. 22.1203(j)

20. The ground water monitoring system shall include, at a minimum, twenty-one (21) monitoring wells with an additional three (3) monitoring wells installed if the optional leachate pond is constructed. The monitoring system will be comprised of:

- a. Fifteen (15) existing monitoring wells (MW-1, MW-1B, MW-2, MW-3, MW-3B, MW-4, MW-5, MW-6, MW-6B, MW-8, MW-8B, MW-14, P-9, P-10, P-11);
- b. Six (6) new monitoring wells around the southern portion of the permitted area (five (5) shallow wells to be paired with existing wells MW-2, MW-4, P-9, P-10, and P-11; and one (1) well between MW-2 and P-11 in the southeastern portion of the property);
- c. Three (3) new monitoring wells around the optional leachate pond (one (1) well to the north, south, and east of the pond) to be installed during pond construction.

Any modification of the groundwater monitoring system will follow the provisions of APC&EC Regulation No. 22.

21. The Permittee shall submit a work plan for Department approval for installation of the required new monitoring wells within sixty (60) calendar days of effective date of this permit.

22. Upon Department approval of a well installation, decommissioning, or repair work plan, reports of the installation, decommissioning, or repair shall be submitted to the Department within sixty (60) calendar days of completion and shall be placed in the facility operating record. The work quality and methods must be certified by the supervising professional.

23. The ground water 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 month apart. In addition, one monitoring event will be performed within the first six months of the year (January through June) and one monitoring event within the last six months of the year (July through December).

24. For the monitoring wells which do not have existing groundwater quality data, 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 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.

25. A groundwater monitoring report will be submitted to the Department within 90 calendar days from the date of each monitoring event.

26. 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 run 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.

27. 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.

28. For wells entering into assessment monitoring, the sampling of the full list of Appendix 2 parameters will be annually for the initial two (2) sampling events per APC&EC Regulation No. 22.1205(b). Afterwards, sampling of the full list of Appendix 2 parameters may be performed at wells in assessment monitoring according to the following schedule based on APC&EC Regulation No. 22.1205(c):

- a. All monitoring wells which had an exceedance of the groundwater protection standard during the previous calendar year shall be sampled annually.
- b. The remainder of wells in assessment monitoring will be sampled every three (3) years.

29. All parameter concentrations which are above the Method Detection Limit (MDL) must be reported.

30. All ground water 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.

31. Schedule if a Nature and Extent Investigation is Required – If assessment monitoring constituents are detected at statically significant levels above the groundwater protection standard (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 the statistical finding or upon written notice by the Department. An alternate source demonstration or alternate source demonstration work plan may also be submitted by the facility; however, the facility must comply with the remainder of APC&EC Regulation No. 22.1205(g) until a successful demonstration is made as per APC&EC Regulation No. 22.1205(g)(2).

32. 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.

33. The permittee shall implement a hazardous waste screening and detection program at the facility in accordance with the approved operating plan and APC&EC Regulation No. 22. The program shall include procedures for pre-disposal evaluation of commercial/industrial waste, solidified sludge, and other questionable wastes to determine whether or not the waste is acceptable for disposal in the facility.

34. 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.

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 (6) 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.

35. Leachate collection/removal and leachate storage systems shall be monitored, operated, and maintained such that free-flowing conditions are maintained in the leachate collection system. Additional leachate storage capability and/or pumping capacity shall be provided, if necessary, to assure that the leachate collection system is free-flowing. Each leachate pump station shall be equipped with automated pump controls for on/off operation and a high-level alarm light and/or buzzer. Leachate removed from the leachate collection system shall be stored in leachate storage tank(s) as indicated on the approved plans and ultimately disposed in a municipal wastewater

treatment facility which has an NPDES permit. Leachate that is disposed in publicly owned treatment works (POTW) must comply with 40 CFR Part 403 (U. S. EPA Pretreatment Regulations). The date, quantity of leachate that is removed, results of any testing that is done, and the receiving wastewater treatment facility name and NPDES permit number shall be monitored and recorded each time leachate is removed from the site.

Each leachate storage tank shall be equipped with a liquid level indicator device on the outside of the tank that accurately indicates liquid level within the tank. The liquid level shall be prominently indicated in feet and tenths of a foot (or feet and inches) such that it is clearly visible to the naked eye when standing at the outside of the concrete secondary containment wall. The liquid level at each leachate storage tank shall be monitored and recorded at least once per week. The total leachate flow into leachate storage tanks(s) shall be monitored and recorded via the totalizer meter indicated on the plans at least once per week. The dates of leachate level and flow monitoring shall be recorded along with the level/flow readings and the name of the person making the readings.

Leachate sampling shall be in accordance with Section 22.429(1). Leachate that is removed and disposed off-site shall also be tested for Biological Oxygen Demand (BOD), Total Suspended Solids (TSS), and ammonia (N). Initial leachate sampling at the facility will be at the same frequency and for the same parameters as groundwater monitoring except that turbidity is not a required parameter.

Leachate derived from areas with a composite bottom liner system designed in accordance with APC&EC Regulation No. 22.424(b) may be recirculated back onto the areas from whence it was derived, provided a management plan meeting the requirements of APC&EC Regulation No. 22.429(k) is submitted to and approved by the Department. Records of leachate recirculation shall, as a minimum, include the criteria specified in APC&EC Regulation No. 22.421(f) and 22.429(k). Recirculation of leachate derived from and/or placement onto areas not having a composite bottom liner system designed in accordance with APC&EC Regulation No. 22.424(b) is strictly prohibited. Leachate that is recirculated shall be tested at least semiannually for the parameters indicated in the preceding paragraph and at least annually for the parameters indicated in APC&EC Regulation No. 22.429(k).

36. This permit authorizes one (1) active disposal area at the Class 1 facility per APC&EC Regulation No. 22.411(c). 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.

37. Diversion berms, terraces, ditches, etc. to control and prevent stormwater run-on from running through or into the active waste disposal area shall be constructed and maintained and no waste shall be deposited in standing water.

38. Seeding with suitable perennial grasses and soil stabilization shall be conducted in the spring and in the fall on all exposed surfaces not currently receiving wastes. Furthermore, vegetation shall be accomplished as soon as practicable after final elevations are attained and the landfill area is closed-

out in accordance with the approved closure plan and APC&EC Regulation No. 22.1301.

39. Following establishment of cover vegetation, the vegetation shall be properly mowed as needed during the growing season to control undesirable annual weed and woody stem vegetation growth and promote the growth of desirable perennial cover grasses.

40. Appropriate NPDES construction/stormwater permit(s) shall be obtained for stormwater discharges from the Class 1 landfill site and from borrow sites. A Stormwater Pollution Prevention Plan (SWPPP), which outlines erosion and sediment control measures that will actually be implemented and maintained at the site(s), shall be prepared in accordance with applicable NPDES requirements. A copy of the SWPPP shall be maintained on-site for reference by operating staff.

The top (except where service road is constructed) and side slopes of levees of sediment ponds (interior and exterior) shall be seeded with suitable perennial grasses to maintain the integrity of levees and control erosion. Pond levees shall be properly mowed as needed during the growing season to control undesirable annual weed and woody stem vegetation growth and promote the growth of desirable perennial cover grasses.

At the commencement of construction in the W 1/2, SE 1/4 SE 1/4, Section 20, T-19-N, R-6-W, Fulton County, the permittee shall construct Sediment Pond #2 (West) as indicated on the approved plans. Construction shall include establishment of perennial grass cover on pond levees as indicated herein above.

At the commencement of construction in the horizontal expansion area adjacent to and just south of the original Class 1 permit area (in the N Y2, N Y2, NE 1/4 and/or the S Y2, N Y2, NE 1/4, Section 29, T-19-N, R-6-W, Fulton County), the permittee shall construct all necessary stormwater drainage conveyance systems and sediment ponds to collect, store and treat stormwater runoff from these areas. Construction shall include establishment of perennial grass cover on pond levees as indicated herein above.

41. Erosion and sediment controls shall be implemented and maintained on an ongoing basis at each borrow site (whether on-site or off-site) to minimize sediment losses until final reclamation/stabilization of the borrow site is accomplished. Such ongoing controls would typically include silt fences, vegetative buffer/filter strips, grass-lined swales, grass-lined channels, erosion control blankets, vegetated turf reinforced mats (TRMs), check dams, sediment traps, sediment ponds, riprap, outlet controls, and similar measures that are effective in controlling erosion and minimizing sediment losses. Final reclamation/stabilization at each borrow site shall include final grading to promote proper drainage and establishment of suitable perennial cover grasses such that all disturbed areas are fully stabilized, or reclamation through other means approved in writing by the Department. Final side slopes at borrow pits shall not be any steeper than 3:1 (H:V).

42. The permittee shall comply with the requirements of APC&EC Regulation No. 22.416, 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.

43. Any statements in the operational narrative, specifications, monitoring plans and/or engineering plans that conflict with APC&EC Regulation No. 22, permit conditions herein, or other applicable laws and regulations shall not be considered authorized by the Department.

44. 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, inspection, and other enforcement or engineering action, without interference or delay from the permittee.

45. If any provision of these conditions or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these conditions that can be given effect without the invalid provision or application, and to this end provisions of these conditions are declared to be severable.

46. 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.

**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY
PERMIT
FOR A SOLID WASTE MANAGEMENT FACILITY**

PERMITTEE: IESI AR Landfill Corporation
OWNER: IESI AR Landfill Corporation
OPERATOR: IESI AR Landfill Corporation
FACILITY LOCATION: 300 Landfill Road
Cherokee Village, AR 72529
DOCUMENT ID NUMBER: 70810
ACTIVITY: Major Modification – Vertical Expansion
AFIN: 25-00028
PERMIT NUMBER: 0299-S1

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;" APC&EC Regulation No. 22, Arkansas Solid Waste Management Rules, as adopted by the Pollution Control and Ecology Commission, hereinafter called "APC&EC," a permit is issued by the Arkansas Department of Environmental Quality (ADEQ) to the IESI AR Landfill Corporation (Permittee), to operate a solid waste management facility located in Cherokee Village, Fulton County, Arkansas.

The Permittee's location is summarily described as follows:

Southeast Quarter of the Southeast Quarter of section 20, Northeast Quarter of the Northeast Quarter of section 29, Northwest Quarter of the Northeast Quarter of section 29, Lot number 21 Singing Hills Subdivision section 21, Lot number 22 Singing Hills Subdivision section 21, Township 19 North, Range 6 West in Fulton County, Arkansas

The Permittee shall comply with all terms and conditions of this Permit. This permit consists of the conditions contained in APC&EC Regulation No. 22. Nothing contained herein shall negate the Permittee's duty to comply with the regulations and this Permit, or ADEQ's ability to enforce the regulations and this Permit. This Permit is based on the assumption that the information

submitted by the Permittee is accurate, and the facility will be operated as specified in this Permit.

The Permittee shall inform ADEQ of any deviation from or changes in the information in the Application which would affect the Permittee's ability to comply with the applicable regulations or Permit conditions.


The Director reserves the right to amend or add conditions to this Permit, as necessary to be protective of human health and the environment.

This Permit shall be effective on service of notice of the permit modification decision, as specified in APC&EC Regulation No. 8.215(B) (Administrative Procedures).

The Permit Modification includes the addition of 2,113,000 cubic yards of airspace for a total of 10,691,300 cubic yards of airspace.

For the purposes of resolving conflicts between requirements to which the Permittee is subject, the following hierarchy and order of authority will govern in the Permittee's duty to comply: Regulations promulgated under APC&EC Regulation No. 22; General Permit Conditions; Permit Conditions/standards specific to activities, and the Permit Modification Application(s).

Issued this 15th day of June, 2017



Tammie J. Hynum
Acting Senior Operations Manager
Office of Land Resources
Arkansas Department of Environmental Quality

Date of Service: 6.16.17
(Certificate of Mailing of Notice of Decision)

Effective Date: 6.16.17

END OF PERMIT SIGN-OFF SHEET

RESPONSIVENESS SUMMARY
Cherokee Sanitary Landfill Class 1
Permit Number 0299-S1-R1

On March 7, 2017 the Arkansas Department of Environmental Quality-Office of Land Resources (ADEQ) issued a proposed permit associated with the construction and operation of the Cherokee Sanitary Landfill Class1. After the close of the 30-day comment period, the ADEQ received a comment from the facility (Document ID #71486). The following is the ADEQ response to the facility comment.

Comment 1

Portion of Draft Permit Condition 20:

The ground water monitoring system shall include, at a minimum, twenty-four (24) monitoring wells comprised of:

- a. Fifteen (15) existing monitoring wells (MW-1, MW-1B, MW-2, MW-3, MW-3B, MW-4, MW-5, MW-6, MW-6B, MW-8, MW-8B, MW-14, P-9, P-10, P-11);*
- b. Six (6) new monitoring wells around the southern portion of the permitted area (five (5) shallow wells to be paired with existing wells MW-2, MW-4, P-9, P-10, and P-11; and one (1) well between MW-2 and P-11 in the southeastern portion of the property);*
- c. Three (3) new monitoring wells around the proposed leachate pond (one (1) well to the north, south, and east of the pond).*

Request the three new monitoring wells around the optional leachate pond be required to be installed prior to utilization of the pond if it is constructed.

Response to Comment 1

Permit Conditions 20 and 21 were modified so the facility will install the three new monitoring wells around the optional leachate pond during pond construction. If the leachate pond is not constructed, the wells will not be required as part of this permit.

Please note, a typographical error regarding the permit number was corrected from Permit 0299-S1 to Permit 0299-S1-R1.