



PERMIT

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

ISSUED BY

STATE OF ARKANSAS

DEPARTMENT OF ENVIRONMENTAL QUALITY

PERMIT CLASS: **Class 1 Landfill**

CSN IDENTIFICATION: **25-0028**

PERMIT NUMBER: **299-S1**

EFFECTIVE DATE: December 20, 2000

EXPIRATION DATE: December 20, 2010

PERMIT OWNER AND ADDRESS:

Facility Name and Address:

Cherokee Sanitary Landfill
300 Landfill Road
Cherokee Village, AR 72529

Facility Owner and Address:

IESI AR Landfill Corporation
300 Landfill Road
Cherokee Village, AR 72529

LOCATION: The Class 1 permit area includes the following:

SE 1/4, SE 1/4, Sec. 20	39.12 acres	Waste Disposal Area = Approx. 90 acres
NE 1/4, NE 1/4, Sec. 29	38.97 acres	
NW 1/4, NE 1/4, Sec.29	39.09 acres	
Lot #21, Singing Hills Subdivision, Sec. 21	4.8 acres	
Lot #22, Singing Hills Subdivision, Sec. 21	<u>4.8</u> acres	
Total Class 1 Permit Area	126.78 acres in T-19-N, R-6-W, Fulton County, AR	

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

DESCRIPTION OF THIS PERMIT ACTION: **Modification for horizontal and vertical expansion of the Class 1 landfill. On the effective date, this permit supersedes all prior solid waste disposal permits and permit modifications issued by the Department for this Class 1 landfill facility.**

PERMIT CONDITIONS: This permit is your authority to construct and/or operate the Solid Waste Disposal Facility set forth in your modification application dated March 13, 2000. 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 Code, 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 applicable provisions of the Act, Regulation 22, and all other applicable rules and regulations.

SEE ATTACHED PAGES FOR ADDITIONAL PERMIT CONDITION

2. This permit will expire upon the expiration date, or when the final grades and elevations on the approved plans are reached, whichever occurs first. 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 Sections 22.411, 22.418, 22.419 and 22.430 of Regulation 22, 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) @ 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 Section 22.426 (e) of Regulation 22. 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, as indicated on the approved modification plans dated March 6/7, 2000 and approved operation narrative/specifications dated December 1999 that were submitted as part of the permit modification application, 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 Regulation Number 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, 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 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 December 1999 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 No. 10412 (Genesis Environmental Consulting, Inc; Cover Sheet: Dec. 1999 - 02/15/00; Sheets No. 1 - 11, 13, 20 - 23, & 26 - 28: 03/07/00; Sheet No. 12: 03/01/00; Sheet No. 14: 01/01/00; Sheets No. 15 - 19: 03/02/00; Sheet No. 24: 03/03/00; and Sheet No. 25: 03/06/00). The identifier number for the modification application is No. 10412.

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 initial amount of financial assurance is \$2,646,500. 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 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. 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.

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 Regulation Number 22. Special materials as identified by Regulation 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, Regulation 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 Sections 22.428 and 22.429 of Regulation 22. An engineering report meeting the requirements of Sections 22.428 and 22.429 of Regulation 22 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 Sections 22.428 and 22.1301 of Regulation 22 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 Section Sections 22.1301(f) and (g) of Regulation 22. 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, Regulation 22, and/or permit conditions herein shall be maintained in the Operating Record.

16. Notwithstanding what may be indicated on the plans and specifications, alterative 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 Section 22.424 (b) of Regulation 22, an **Alternative 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. 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 Department 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 Department to determine if additional down gradient wells are needed to adequately monitor the site. This report is to be submitted by October, 2002.

The Department, 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 Department. 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 Department.

The permittee shall comply with Regulation 22.1103(a) which states that "Following construction, each well shall be developed to the degree necessary to restore formation hydraulic conductivity and 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 Department within 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 Regulation Number 22, and be certified by a QUALIFIED GROUND WATER SCIENTIST as defined by §258.50(g) and section 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 Department. Ground water sampling and analysis shall in all cases comply with the requirements of Subpart E of 40 CFR Part 258 as adopted in Regulation 22.

20. Monitoring wells shall be sampled semi-annually and sample analysis shall be performed by a Department 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 Department 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 Regulation 22

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

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 Department. The method selected must meet the requirements of Section 22.1203 of Regulation 22. 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 Section 22.1203 of Regulation 22.

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

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

If after 90 days, a successful demonstration provided for in Section 22.1204(c)(3) of Regulation 22 is not made, the permittee must sample and analyze for Appendix 2 constituents in accordance with Section 22.1205 of Regulation 22.

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

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 Regulation 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 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 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 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 Department. 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 Section 22.424 (b) of Regulation 22 may be recirculated back onto the areas from whence it was derived, provided a management plan meeting the requirements of Section 22.429 (k) of Regulation 22 is submitted to and approved by the Department. Records of leachate recirculation shall, as a minimum, include the criteria specified in Sections 22.421 (f) and 22.429 (k) of Regulation 22. Recirculation of leachate derived from and/or placement onto areas not having a composite bottom liner system designed in accordance with Section 22.424 (b) of Regulation 22 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 Section 22.429 (k) of Regulation 22.

28. This permit authorizes **one (1)** active disposal area at the Class 1 facility per Section 22.411 (c) of Regulation 22. Multiple working faces shall not be utilized at the facility unless the permittee can provide adequate justification for more than one working face and specific authorization for such is granted in writing by the Department. It is not anticipated that such authorization will be granted except on a temporary basis for highly unusual or emergency situations.

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 Section 22.1301 of Regulation 22.

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 sideslopes 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 1/2, N 1/2, NE 1/4 and/or the S 1/2, N 1/2, 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 Department. Final sideslopes at borrow pits shall not be any steeper than 3:1 (H:V).

34. The permittee shall comply with the requirements of Section 22.416 of Regulation 22, Air Criteria, including but not limited to compliance with the New Source Performance Standards [NSPS] and Emission Guidelines [EG] for new and existing Municipal Solid Waste [MSW] landfills under Section 111 of the Clean Air Act.

35. 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.

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

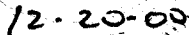
37. If any provision of these conditions or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these conditions that can be given effect without the invalid provision or application, and to this end provisions of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

38. The 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
8017 I-30, Post Office Box 8913
Little Rock, Arkansas 72219-8913



For the Director



Date

CERTIFICATE OF SERVICE

I, Christy Heider, hereby certify that a copy of this permit has been mailed by first - class mail to Mr. Rod Smith, Cherokee Sanitary Landfill, 300 Landfill Road, Cherokee Village, AR 72529, on or before this 20th day of December, 2000.

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

SOLID WASTE MANAGEMENT DIVISION

December 20, 2000

This is the response to written comments received regarding subject draft permit. A final permit for the facility is being issued concurrent with this response to comments. Only those persons who submitted written comments within the 30-day public comment period or made comments for the record at the public hearing on November 30, 2000 have legal standing to appeal the final permit decision. Appeals must be in writing, must be filed within 30 days hereafter, and must conform to all the requirements set forth in applicable laws and regulations.

Facility Name: Cherokee Sanitary Landfill

Owner/Operator: IESI AR Landfill Corporation

Location: Approximately 0.4 mile west of Highway 289
and 1.25 miles north of Highway 62 in Fulton
County, Arkansas

Permit No: 299-S1

Type of Permit: Class 1 Landfill

Public Notice Date: November 2, 2000

ISSUES AND RESPONSES

The following summarizes issues raised in written comments received during the public comment period. Although a public hearing held on November 30, 2000 was attended by sixteen people and a number of issues were discussed informally immediately prior to the formal hearing regarding the proposed permit modification, there was only one commenter who spoke for the record at the hearing. The commenter emphasized the need for a local landfill facility to properly dispose of solid waste from the area and commended IESI for cooperating with Cherokee Village officials and for operating the existing landfill facility in an environmentally responsible manner.

Issues raised in written comments are followed by responses from the Department when appropriate. Some revisions were made to the permit in response to comments received.

Issue No. 1

The permit number for the 40-acre original landfill site is 0083-S1-R2. In most instances when a permit modification is issued the same permit number is retained and a revision number is added. Thus, 0083-S1-R2 would become 0083-S1-R3. The commenter suggested such procedure should be followed for the referenced permit action, rather than issuing a new permit number.

Response No. 1

The decision on whether to issue a revision number or a new permit number is made on a case-by-case basis depending upon the nature, significance and scope of proposed changes at the facility, and the timeliness and completeness of the existing permit document in the light of current regulations. Some factors which could result in issuance of a new permit number include:

- 1) A major increase in capacity is proposed,
- 2) An increase in the size of the landfill area is proposed,
- 3) Significant revisions in facility design/layout are proposed,
- 4) An existing permit for a facility is outdated such that significant additions/revisions are necessary in order for the permit document to conform with the requirements of the latest version of Regulation No. 22 or other applicable laws and regulations.

When a new permit number is issued for a permit modification, it typically involves more than one of the factors mentioned above. For the particular permit action in question, all four of the factors listed above are relevant in the decision to issue a new permit number.

Under "Description Of This Permit Action" on the cover page, the permit for the expanded landfill facility emphasizes that it supercedes all prior solid waste disposal permits or permit modifications for the landfill facility. Thus on the effective date, 299-S1 becomes the only valid solid waste disposal permit document regarding requirements for construction, operation, maintenance, monitoring, testing, reporting, record keeping, closure, post-closure care, financial assurance, etc. for the Cherokee Class 1 landfill facility.

Issue No. 2

One commenter expressed concern that wording appearing on page 1 and repeated on page 2 (Permit Condition No. 2.) and page 3 (Permit Condition No. 3.) in the draft permit would unduly and unfairly restrict the amount of waste that could go into the landfill, thereby limiting the competitiveness of the facility in the solid waste disposal marketplace. The wording in question in the draft permit:

"The facility is authorized to accept up to 38 percent of the projected Class 1 waste generated both within and without the White River Regional Solid Waste Management District (WRRSWMD) over the next 30 years, with the percentage subject to yearly review by the WRRSWMD."

The commenter suggested the following alternative wording:

"In accordance with Arkansas Regulation 22, the White River Regional Solid Waste Management District has issued a Certificate of Need for the referenced landfill development as a Class 1 waste disposal facility. The Certificate of Need corresponds to 7,944,906 cubic yards of net landfill void space that is projected to last roughly 22 years based on current waste receipt and growth trends. A copy of the facility Annual Engineering Inspection Report is to be submitted to the District prior to April 1 of a given calendar year. The report shall document the landfill utilization rate and growth projections based on waste receipt records corresponding to the reporting period for the previous calendar year. This information will be used by the District combined with information gathered at other waste management facilities within the District to determine needs while evaluating future expansions and landfill developments within the District."

Response No. 2

The wording in reference to 38 percent of the projected Class 1 waste within and without the White River Regional Solid Waste Management District was completely deleted from the permit as requested. Rather than insert the alternative wording proposed by the commenter, no mention of capacity in terms of cubic yards was added to the permit, which is consistent with other landfill permits issued by the Department since the cubic yard capacity is not typically included in landfill permits. Actions or requirements of regional solid waste management districts are not typically included in individual permits issued to landfill facilities, but such requirements are contained in Chapter Two of Regulation No. 22.

The scope and size of the expanded landfill facility are addressed in at least two ways in the permit. The cover page and Permit Conditions No. 2. and 6. set forth the authorized permit acreage of the expanded landfill facility (126.78 acres with disposal to occur on approximately 90 acres). Condition No. 6 also indicates the plan identifier number (No. 10412) for the approved set of plans, which show the authorized final grades and horizontal and vertical extent of the authorized waste fill, and thus define the capacity of the facility. The permit does not authorize any changes to the approved set of plans, unless the proposed changes are approved in writing by the Department. Any such changes may require modification of the permit. In the event the proposed changes are classified as "major" as defined in Section 22.308 of Regulation No. 22, the Department is required to provide public notice of the proposed changes before making a final decision on whether or not to approve the changes or modify the permit.

Issue No. 3

One commenter suggested that wording of Permit Condition No. 11 regarding prohibition of disposal of liquid waste in the landfill be revised. The proposed wording:

"Disposal of bulk liquid waste in the landfill is prohibited without prior authorization from the ADEQ. Authorization by the ADEQ (if granted) will be based on a liquid waste management plan to be prepared and submitted by the Permittee. Leachate recirculation is authorized if conducted in accordance with other applicable Permit Conditions as stated."

Response No. 3

Wording concerning prohibition of disposal of bulk liquid in the landfill was retained for consistency with other permits issued by the Department. The wording proposed by the commenter would be in violation of Regulation No. 22, which clearly prohibits the introduction of bulk liquid waste into the landfill.

As noted in Section 22.420 of Regulation 22, any bulking of liquid waste must occur at a designated bulking/mixing area *separate* from the waste disposal area. Any such bulking/mixing area must be approved by the Department prior to its construction/use. Before bulked waste could be placed in the landfill, it would have to pass the paint filter test, which is a standard test used to determine whether or not there is free liquid in a waste. If free liquid emerged from a representative

Response To Comments

Permit No. 299-S1

Page 5 of 5

sample during the test, the material could not be disposed in the landfill.

The minimum required design criteria, submittals, terms, conditions, restrictions, prohibitions, monitoring, testing, etc. regarding recirculation of leachate are set forth in the last paragraph of Permit Condition No. 27.



ARKANSAS
Department of Environmental Quality

December 20, 2000

Mr. Rod Smith, Landfill Manager
IESI AR Landfill Corporation
300 Landfill Road
Cherokee Village, AR 72529

**RE: Issuance of Final Permit for Modification/Expansion of Class 1 Landfill Facility
CSN 34-0082 Permit No. 299-S1**

Dear Smith:

Enclosed is a permit authorizing the construction, operation, and maintenance of the Class 1 landfill as described in your modification application dated March 13, 2000. The permit number is 299-S1. On the effective date, 299-S1 supercedes the old permit for the facility (0083-S1-R2). Additional submittals are required prior to beginning disposal operations at new cells prepared under the permit modification.

The decision to issue the permit modification is based upon: 1) the permit modification application, 2) other materials submitted by the applicant, 3) comments made for the record at the public hearing, and 4) written comments received during the designated 30-day public comment period. Some changes were made to the permit as a result of the comments received as discussed in the enclosed Response to Comments.

The permit modification is granted subject to the terms and conditions specified in the permit. The initial amount of financial assurance required is \$2,646,500 for the facility. Acceptable mechanisms for financial assurance include a surety bond, collateral bond (supported by a letter of credit, securities or cash), or other mechanisms as set forth in Chapter Fourteen of Regulation Number 22. The instruments used must be in the exact form set forth in Regulation Number 22 and must be filed with the Department before the permit can become effective. The purpose of the financial assurance is to ensure an environmentally sound closure of the site upon conclusion of disposal operations and acceptable post closure care.

Letter To Mr. Rod Smith
December 20, 2000
Page 2 of 2

Operations may begin at new cells prepared under the permit modification only after written notification from this Department that the following items have been submitted by you and approved by the Department: a) financial assurance, b) construction quality assurance test results, c) engineering certification of initial construction, and d) as-built drawings of initial construction. Please review all terms and conditions of the permit to ensure compliance with all applicable requirements.

Any person with legal standing in this matter may appeal the Department's final decision to the Arkansas Pollution Control and Ecology Commission. Appeals must be in writing, must be filed within thirty (30) days of the Department's final decision, and must conform to all applicable laws and regulations. General information on appeal procedures may be obtained by contacting the Legal Division of the Department, phone number: 501-682-0892.

Thank you for your cooperation in this matter. If you have any questions, or if we may be of service, please feel free to contact the Solid Waste Management Division.

Sincerely,



Dennis John Burks, Chief
Solid Waste Management Division

Enclosures: Permit No. 299-S1 and Conditions
Response to Comments

cc w/encl: Van Thomas, White River RSWMD, Batesville
Bryan Edwards, GEC, Little Rock
Heidi Love, Inspector Supervisor
Gary Meador, Solid Waste Inspector
Martin Betz, Cherokee Village
Norma Smith, Mammoth Spring

cc: LaVivian Daniels, Commission Secretary
Pat Henry, Planning Section
Darlene Hale, Programs Branch
Jim Purvis, Business Office

ADEQ

ARKANSAS
Department of Environmental Quality

Solid Waste Division

May 2, 2008

IESI-AR Landfill Corporation
Attn: Mr. Rodney Smith, General Manager
300 Landfill Road
Cherokee Village, AR 72529

**RE: Approval – Minor Permit Modification and Transmittal of Permit Addendum
IESI Cherokee Village Landfill
Permit Number: 0299-S1 AFIN: 25-00028
Document Number: 52469 Cross Reference Number: 52426**

Dear Mr. Smith:

ADEQ Solid Waste Management Division (SWMD) Technical Branch staff has reviewed the Minor Permit Modification Application (Document No. 52426) submitted on April 29, 2008. The minor modification is related to a vertical increase and decrease to the IESI Cherokee Village Class 1 Landfill (IESI). The modification does not modify the landfill's footprint or increase the permitted facility's waste volume. ADEQ has also reviewed the revised set of engineering drawings submitted with the application. After review of the submitted documentation, it appears all requirements under Regulation 22 to obtain a Minor Modification have been met. Therefore, the Department hereby provides authorization for the proposed Minor Modification.

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

Please call me at (501) 682-0510 should you have any questions regarding the above information.

Sincerely,



Michael Robinson
Chief, SWMD



Bryan Leamons, P.E.
Engineer Supervisor, SWMD

Enclosure: Permit 0299-S1 Addendum

cc: David McCormick, P.E., Terracon
Harry Elliott, Enforcement Branch Manager SWMD
Gary Meador, District Field Inspector SWMD

ADEQ

ARKANSAS
Department of Environmental Quality

July 24, 2009

IESI-AR Landfill Corporation
Attn: Mr. Rodney Smith, General Manager
300 Landfill Road
Cherokee Village, AR 72529

**RE: Approval – Minor Permit Modification and Transmittal of Permit Addendum
Liquid Waste Management Plan
IESI Cherokee Village Class 1 Landfill
Permit Number: 0299-S1 AFIN: 25-00028
Document Number: 55686 Cross Reference Number: 55598**


Dear Mr. Smith:

The Arkansas Department of Environmental Quality - Solid Waste Management Division (ADEQ -SWMD) Technical Branch staff has reviewed the response to comments and the revised Liquid Waste Management Plan (LWMP) submitted by Aquaterra Environmental Solution, Inc. on June 15, 2009 for the IESI Cherokee Village Class 1 Landfill. The LWMP is associated with the submitted Minor Permit Modification Application dated March 11, 2009 (Document # 54955). The minor modification is related to a proposal for the landfill to accept waste liquids from the area natural gas exploration and production drilling activities. The modification does not modify the landfill's footprint or increase the permitted facility's waste volume. After review of the revised LWMP and the previously submitted permit modification documentation, it appears all requirements under Regulation 22 to obtain a Minor Modification have been met. Therefore, the Department hereby provides authorization for the proposed Minor Modification.

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

Please call me at (501) 682-0510 should you have any questions regarding the above information.

Sincerely,



Michael Robinson
Chief, SWMD

Enclosure: Permit 0299-S1 Addendum

cc: Harry Elliott, Enforcement Branch Manager SWMD
Gary Meador, District Field Inspector SWMD
Mark Russell, P.G., Aquaterra Environmental Solutions, Inc.
Mike Freisen, IESI Corporation



Addendum to Permit

STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT DIVISION



IESI Cherokee Village		AFIN:	25-00028
Class 1 Landfill		Permit No:	0299-S1
Date	Addendum to Permit		
June 29, 2009 Doc.# 55686	Approval of the minor permit modification for a Liquid Waste Management Plan (LWMP). The modification does not change the landfill's footprint or increase the permitted facility's waste volume. The LWMP, dated June 2009, submitted by Aquaterra Environmental Solutions, Inc., under a cover letter dated June 11, 2009 (Doc#: 55598) will be the approved permit LWMP for IESI Cherokee Village Class 1 Sanitary Landfill, Permit #0299-S1.		

CERTIFICATE OF SERVICE

I, Mona Pastore, hereby certify that a copy of this permit has been mailed by first-class mail to Mr. Rodney Smith, General Manager, 300 Landfill Road, Cherokee Village, AR 72529 on or before this 24th day of July, 2009.



Addendum to Permit



STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT DIVISION

IESI Cherokee Village		AFIN:	25-00028
Class 1 Landfill		Permit No:	0299-S1
Date	Addendum to Permit		
May 2, 2008 Doc.# 52469	Approval of the minor permit modification for vertical increase and decrease. The application does not modify the landfill's footprint or increase the permitted facility's waste volume. The approved revised drawing set, issued by Terracon Consulting Engineers and Scientists in Bryant, Arkansas, entitled Minor Permit Modification Application, Cherokee Class 1 Sanitary Landfill, Permit #0299-S1, April 2008 will now be the approved permit drawings. (Drawings 1 through 28 of Document Number 52426)		

CERTIFICATE OF SERVICE

I, Mona Partman hereby certify that a copy of this permit has been mailed by first-class mail to Mr. Rodney Smith, General Manager, 300 Landfill Road, Cherokee Village, AR 72529 on or before this 2nd day of May, 2007.

ADEQ

ARKANSAS
Department of Environmental Quality

November 23, 2010

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

**RE: Administrative Permit Modification – Removal of Expiration Date
IESI Cherokee Village Class 1 Landfill**
Permit Number: 0299-S1 AFIN: 25-00028
Document Number: 58593 Cross Reference Number: 57681

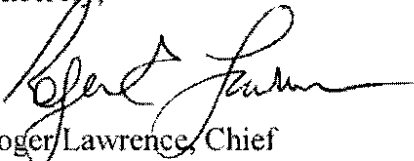
Dear Mr. Friesen:

The Arkansas Department of Environmental Quality-Solid Waste Management Division (ADEQ-SWMD) has received your request to extend the duration of the above referenced permit for the IESI Cherokee Village Class 1 Landfill. Under current regulations the landfill permit is effective as long as the waste remains within the permitted boundaries and does not exceed the permitted capacity, fill volume or elevations.

The ADEQ-SWMD hereby provides this administratively modified permit with expiration date removed. Attached is the new permit cover page for the IESI Cherokee Village Class 1 Landfill. Please replace the existing cover page of your permit with the new cover page.

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

Sincerely,



Roger Lawrence, Chief
Solid Waste Management Division

Enclosure

cc: Bill Sadler, Geologist Supervisor, SWMD
Heidi Love, Inspector Supervisor, SWMD
Gary Meador, District Field Inspector SWMD
David McCormick, P.E., Terracon Consultants, Inc.
Owen Carpenter, P.E.,P.G., Terracon Consultants, Inc.



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

PERMIT CLASS: Class 1 Landfill

CSN IDENTIFICATION: 25-0028
PERMIT NUMBER: 299-S1

EFFECTIVE DATE: December 20, 2000
REISSUED PERMIT COVER PAGE: Administrative Amendment - Permit Expiration Date
 Removed

PERMIT OWNER AND ADDRESS:

Facility Name and Address:

Cherokee Sanitary Landfill
 300 Landfill Road
 Cherokee Village, AR 72529

Facility Owner and Address:

AR Landfill Corporation
 300 Landfill Road
 Cherokee Village, AR 72529

LOCATION: The Class 1 permit area includes the following:

SE 114, SE 114, Sec. 20	39.12 acres	Waste Disposal Area = Approx. 90 acres
NE 114, NE 114, Sec. 29	38.97 acres	
NW 114, NE 1/4, Sec29	39.09 acres	
Lot #21, Singing Hills Subdivision, Sec.21	4.8 acres	
Lot #22, Singing Hills Subdivision, Sec.21	4.8 acres	
Total Class 1 Permit Area	126.78 acres in T-19-N, R-6-W, Fulton County, AR	

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

DESCRIPTION OF THIS PERMIT ACTION: Modification for horizontal and vertical expansion of the Class 1 landfill. On the effective date, this permit supersedes all prior solid waste disposal permits and permit modifications issued by the Department for this Class 1 landfill facility.

PERMIT CONDITIONS: This permit is your authority to construct and/or operate the Solid Waste Disposal Facility set forth in your modification application dated March 13, 2000. 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 Code, 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 applicable provisions of the Act, Regulation 22, and all other applicable rules and regulations.

SEE ATTACHED PAGES FOR ADDITIONAL PERMIT CONDITION

ADEQ

ARKANSAS
Department of Environmental Quality

October 4, 2011

IESI-AR Landfill Corporation
Attn: Mr. Craig Kirchoff
300 Landfill Road
Cherokee Village, AR 72529

**RE: Approval – Minor Permit Modification and Transmittal of Permit Addendum
IESI Cherokee Village Landfill
Permit Number: 0299-S1 AFIN: 25-00028
Document Number: 60982 Cross Reference Number: 60600, 60664**

Dear Mr. Kirchoff:

ADEQ Solid Waste Management Division (SWMD) Technical Branch staff has reviewed the revised Minor Permit Modification Application (Document No. 60600) submitted on August 1, 2011, and the subsequent revised drawings (Document No. 60664) submitted on August 8, 2011. The minor modification is related to a vertical increase and decrease to the IESI Cherokee Village Class 1 Landfill (IESI). The modification does not modify the landfill's footprint or increase the permitted facility's waste volume. After review of the submitted documentation, it appears all requirements under Regulation 22 to obtain a Minor Modification have been met. Therefore, the Department hereby provides authorization for the proposed Minor Modification.

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

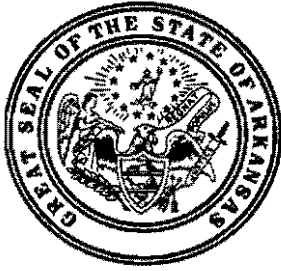
Please call me at (501) 682-0510 should you have any questions regarding the above information.

Sincerely,


Roger Lawrence, Chief
Solid Waste Management Division

Enclosure: Permit 0299-S1 Addendum

cc: David McCormick, P.E., Terracon Consultants, Inc.
Mike Friesen, IESI, 2301 Eagle Parkway, Suite 200, Fort Worth, TX 76177
Heidi Love, Inspector Supervisor, SWMD
Gary Meador, District Field Inspector SWMD
Clark McWilliams, P.E., SWMD
Bryan Leamons, Engineering Supervisor, SWMD



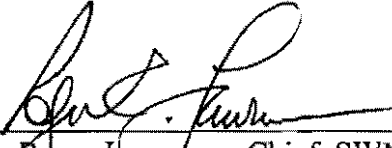
Addendum to Permit



STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT DIVISION

IESI Cherokee Village		AFIN:	25-00028
Class 1 Landfill		Permit No:	0299-S1
Date	Addendum to Permit		
October 4, 2011 Doc.# 60600 and Doc # 60664	<p>Approval of the minor permit modification for vertical increase and decrease.</p> <p>This addendum does not modify the landfill's footprint or increase the permitted facility's waste volume. The approved revised documentation and drawing set, issued by Terracon Consultants, Inc. in Bryant, Arkansas, entitled Minor Modification Application, Cherokee Class 1 Sanitary Landfill, Permit #0299-S1, July 2011, will now be the approved permit documents and approved drawings (i.e., permit documents (Doc #60600) and permit Drawings 1 through 28 (Doc #60664)), related to solid waste permitting requirements</p> <p>This addendum specifically serves to replace portions of Permit Condition 6 and other permit documents that are pertinent to landfill final elevations and grades. Unaffected permit documents and permit conditions remain in-place and applicable.</p>		

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



Roger Lawrence, Chief, SWMD

10/4/2011
Date

CERTIFICATE OF SERVICE

I, Barbara Mathews hereby certify that a copy of this permit has been mailed by first-class mail to Mr. Craig Kirchoff, 300 Landfill Road, Cherokee Village, AR 72529 on or before this 4th day of October, 2011.

ADEQ

ARKANSAS
Department of Environmental Quality

March 19, 2015

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

**RE: Approval – Minor Permit Modification and Transmittal of Permit Addendum
IESI Cherokee Sanitary Landfill**
Permit Number: 0299-S1 **AFIN: 25-00028**
Document Number: 67230 **Cross Reference Number(s): 66960, 67116, 67168**

Dear Mr. Friesen:

ADEQ Solid Waste Management Division (SWMD) Technical Branch staff has reviewed the Minor Permit Modification Application (Document No. 66220) submitted on July 9, 2014, and the subsequent revised submittals (Document Nos. 66960, 67116 and 67168). The minor modification is related to an alternative bottom liner system for the IESI Cherokee Sanitary Class 1 Landfill (IESI). The modification does not modify the landfill's footprint or increase the permitted facility's waste volume. After review of the submitted documentation, it is concluded that requirements under Regulation 22 to obtain a minor modification have been met. Therefore, the Department hereby provides authorization for the proposed minor modification.

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

Please call me at (501) 682-0608 should you have any questions regarding the above information.

Sincerely,


Benjamin T. Jones, Chief
Solid Waste Management Division

Enclosure: Permit 0299-S1 Addendum

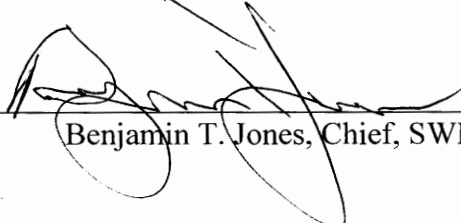
cc: David McCormick, P.E., Terracon Consultants, Inc.
Ronnie Black, General Manager Cherokee Sanitary Landfill
Heidi Love, Inspector Supervisor SWMD
Maria Matoska, Permit Engineer SWMD
Bryan Leamons, Engineering Supervisor SWMD

Addendum to Permit

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

IESI Cherokee Sanitary Landfill	AFIN:	25-00028
Class 1 Landfill	Permit No:	0299-S1
Application Reference (Date /Doc ID)	Addendum to Permit	
February 4, 2015 Doc.# 66960	Revision to Document ID 66220: Revised application includes revised design and CQA requirements for GCL. This minor permit modification will allow the use of a GCL or compacted clay liner as part of the bottom liner system and include the utilization of chimney drains as shown on plans. This modification does not change the landfill's footprint or increase the permitted facility's waste volume.	
February 5, 2015 Doc.# 67116	Submittal to include revised detail drawings of the the bottom liner system	
February 18, 2015 Doc.# 67168	HELP Calculations Summary	
Condition No.	Additional Permit Conditions	
Condition 39	<p>As an amendment to the previously approved design plans, the following plans are also approved:</p> <p>Drawing 29-Leachate and Liner Collection System GCL Option Details Doc.#67116</p> <p>Figure 1-Cell Protective Cover Grading Plan Doc.#67168</p> <p>Figure 2-Cell Liner System Details (Cell B2) Doc.#67168</p>	

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



 Benjamin T. Jones, Chief, SWMD

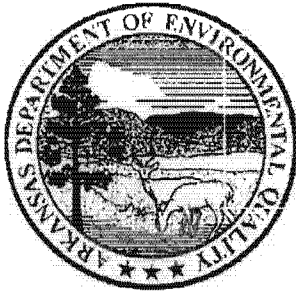
3/18/2015

 Date

CERTIFICATE OF SERVICE

I, Barbara Mathews hereby certify that a copy of this permit has been mailed by first-class mail to Mr. Mike Friesen, 2301 Eagle Parkway, Suite 200, Fort Worth, TX 76177 on or before this 19th day of March, 2015.

Statement of Basis – Rationale for Permit Conditions	
22.306(c) requires permit decisions to include a rationale for the decisions made including technical basis for site specific conditions. Following is a summary of the rationale for the new and revised conditions presented in this modification.	
Condition	Rationale
39	This permit condition details the addition of approved landfill plans for the facility. Plans are considered and acceptable alternative bottom liner system design for the areas depicted in the plans as allowable in accordance with Regulation 22. Any changes to the plans listed will require a modification to the facility permit.



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

PERMIT NUMBER: 0299-S1

AFIN NUMBER: 25-00028

PERMIT CLASS: Class I Landfill

PERMIT OWNER AND ADDRESS: IESI AR Landfill Corporation, 300 Landfill Road, Cherokee Village, AR 72529

FACILITY LOCATION: 300 Landfill Road, Cherokee Village, AR 72529

LEGAL DESCRIPTION: 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

DESCRIPTION OF THIS PERMIT ACTION: The permit modification includes an addition of a 100,000 gallon double-walled tank to increase the leachate storage capacity. On the effective date, this permit modification supersedes all prior permits and permit modifications issued by the Department for this solid waste management facility.

PERMIT CONDITIONS: This permit modification provides the IESI AR Landfill Corporation the authority to construct and operate the Solid Waste Disposal Facility set forth in this modification application dated May 05, 2016 and subsequent submittals. This permit modification 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;" APC&EC Regulation No. 22, Arkansas Solid Waste Management, 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 Arkansas Department of Environmental Quality, hereinafter called "Department," and the following terms and conditions:

1. The disposal facility shall be constructed, maintained, and operated in accordance with the final plans, specifications and operation narrative as approved by the Department and in compliance with all applicable provisions of the Act, 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. #69565, 05/11/2016)
Revised Drawing 1	Index Sheet (Doc. #69565, 05/11/2016)
Revised Drawing 2	General Site Development Plan (Doc. #60600, 08/02/2011)
Revised Drawing 3	General Geologic Profile (Doc. #60600, 08/02/2011)
Revised Drawing 4	Overall Site Bottom Grading Plan (Doc. #60600, 08/02/2011)
Revised Drawing 5	Area A Bottom Grading Plan (Doc. #60600, 08/02/2011)
Revised Drawing 6	Area B Bottom Grading Plan (Doc. #60600, 08/02/2011)
Revised Drawing 7	Area C Bottom Grading Plan (Doc. #60600, 08/02/2011)
Revised Drawing 8	Area D Bottom Grading Plan (Doc. #60600, 08/02/2011)
Revised Drawing 9	Area E Bottom Grading Plan (Doc. #60600, 08/02/2011)
Revised Drawing 10	Overall Site Final Drainage Plan (Doc. #60600, 08/02/2011)
Revised Drawing 11	Overall Site Final Grading Plan (Doc. #60600, 08/02/2011)
Revised Drawing 12	Sediment Pond #1 Plan/Profile (East) (Doc. #60600, 08/02/2011)
Revised Drawing 13	Sediment Pond #2 Plan/Profile (West) (Doc. #60600, 08/02/2011)
Revised Drawing 14	Overall Site fill progression/Sequence plan (Doc. #60600, 08/02/2011)
Revised Drawing 15	North/South cross-sections (Doc. #60600, 08/02/2011)
Revised Drawing 16	North/South cross-sections (Doc. #60600, 08/02/2011)
Revised Drawing 17	East/West cross-sections (Doc. #60600, 08/02/2011)
Revised Drawing 18	East/West cross-sections (Doc. #60600, 08/02/2011)
Revised Drawing 19	Liner/leachate collection systems details (Doc. #60600, 08/02/2011)

Revised Drawing 20	Liner/leachate collection systems details (Doc. #60600, 08/02/2011)
Revised Drawing 21	Liner/leachate collection systems details (Doc. #60600, 08/02/2011)
Revised Drawing 22	Liner/leachate collection systems details (Doc. #60600, 08/02/2011)
Revised Drawing 23	Leachate storage area details (Doc. #60600, 08/02/2011)
Revised Drawing 24	Final cover system details (Doc. #60600, 08/02/2011)
Revised Drawing 25	General stormwater system details (Doc. #60600, 08/02/2011)
Revised Drawing 26	General stormwater system details (Doc. #60600, 08/02/2011)
Revised Drawing 27	Miscellaneous Details (Doc. #60600, 08/02/2011)
Revised Drawing 28	Miscellaneous Details (Doc. #60600, 08/02/2011)
Drawing 29	Leachate and Liner Collection System GCL Option Details (Doc. #67116, 02/05/2015)
Drawing 30	Leachate Storage Area Details 2 (Doc. #69565, 05/11/2016)
Figure 1	Cell Protective Cover Grading Plan (Doc. #67168, 02/18/2015)
Figure 2	Cell Liner System Details (Cell B2) (Doc. #67168, 02/18/2015)

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

Operational Plans Updated:

Liquid Waste Management Plan	Doc. #55598, 06/11/2009
Operating Plan and Narrative	Doc. #69565, 05/11/2016
Stormwater Pollution Prevention Plan	Doc. #69565, 05/11/2016
Leachate Recirculation Plan	Doc. #69565, 05/11/2016

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, as indicated on the approved modification plans dated March 6/7, 2000 and approved operation narrative/specifications dated December 1999 that were submitted as part of the permit modification application, 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 December 1999 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. 10412 (Genesis Environmental Consulting, Inc.; Cover Sheet: Dec. 1999 - 02/15/00; Sheets No. 1-11, 13, 20-23, & 26-28: 03/07/00; Sheet No. 12: 03/01/00; Sheet No.14: 01/01/00; Sheets No. 15 - 19: 03/02/00; Sheet No. 24: 03/03/00; and Sheet No. 25: 03/06/00). The identifier number for the modification application is Document No. 10412.

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 be 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. 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 Department 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 Department to determine if additional down gradient wells are needed to adequately monitor the site. This report is to

be submitted by October, 2002.

The Department, 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 Department. 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 Department.

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 Department 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 Department. 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 Department 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 Department 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

Department. 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 Department 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 Department. 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 Department;

- 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 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.

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 Department. 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 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).

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 Department. 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 Department. 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 Department.

36. 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.

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 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: Cherokee Village, Fulton County, Arkansas
DOCUMENT ID NUMBER: 69645
ACTIVITY: Minor Modification
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, as specified in the Permit. Applicable regulations are those which are in effect on the date of issuance of the Permit Modification, in accordance with 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 in the Application of 05/11/2016 is accurate, and the facility will be operated as specified in the Application and 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 a 100,000 gallon double-walled tank for leachate storage.

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 30th day of June 2016



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

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

Effective Date:

END OF PERMIT SIGN-OFF SHEET

ADEQ

ARKANSAS
Department of Environmental Quality

REGULATED WASTE PROGRAMS, OFFICE OF LAND RESOURCES ROUTING SLIP

DATE 06/10/2016

Subject: IESI AR Landfill Corporation Minor Permit Modification

From: Zack Darr

<u>Route in turn to:</u>	<u>Action Needed</u>	<u>Date Received</u>	<u>Date Reviewed</u>	<u>Initials</u>
Cusher	<input checked="" type="checkbox"/> Concurrence <input checked="" type="checkbox"/> Review	<u>6/10</u>	<u>6/15</u>	<u>AC</u>
Speake	<input checked="" type="checkbox"/> Concurrence <input checked="" type="checkbox"/> Review	<u>6/16</u>	<u>6/16</u>	<u>SSD</u>
Hynum	<input checked="" type="checkbox"/> Concurrence <input checked="" type="checkbox"/> Review	<u>6/14/16</u>	<u>6/23/16</u>	<u>SAH</u> comments <u>OK</u>
	<input type="checkbox"/> Concurrence <input type="checkbox"/> Review	_____	_____	_____
	<input type="checkbox"/> Concurrence <input type="checkbox"/> Review	_____	_____	_____
	<input type="checkbox"/> Concurrence <input type="checkbox"/> Review	_____	_____	_____

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

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COMMENTS: