

# ADEQ

ARKANSAS  
Department of Environmental Quality

August 31, 2005

Northwest Arkansas Regional Solid Waste Management District  
Attn: Bill Lord  
1305 Rossi Road  
Mountain Home, AR 72653

**RE: Transfer of Permits from RLH Inc to the Northwest Arkansas Regional Solid Waste Management District**

**Nabors Class 1 and Class 4 Landfills and Compost Area**

**AFIN: 03-00051 Permit Number: 0249-S, 0249-S4, 0015-SG-CYW**

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Dear Mr. Lord:

ADEQ Solid Waste Management Division staff has reviewed your request to transfer Permit No: 0249-S, Permit No. 0249-S4 and coverage under the General Permit for the Construction and Operation of a Yard Waste Composting Facility (Permit designation 0015-SG-CYW) from RLH Inc. to the Northwest Arkansas Regional Solid Waste Management District. The request for transfer meets the APC&EC Regulation 22 and Regulation 8 requirements for the transfer of the permits listed above and the Director of the Arkansas Department of Environmental Quality has waived the 30 day period required for the transfer of the permits. Based on the submittals received in support of the transfer of the permits the Arkansas Department of Environmental Quality hereby transfers Permit Number 0249-S, Permit 0249-S4 and coverage under general permit 0015-SG-CYW from RLH Inc. to the Northwest Arkansas Regional Solid Waste Management District. Copies of the transferred Permit 0249-S and Permit 0249-S4 are attached. Please review all terms and conditions of the permits to ensure compliance with all applicable requirements.

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

Sincerely,



Ryan Benefield, P.E.  
Engineer Supervisor  
Solid Waste Management Division (SWMD)



Steve Martin  
Chief

Enclosure

Cc: Harry Elliott, Enforcement Branch Manager  
Susan Speake, Programs Branch Manager  
Gary Meador, District Field Inspector, SWMD  
Genesis Environmental Consulting Inc.  
RLH, Inc.

PERMIT



FOR THE CONSTRUCTION AND OPERATION OF A  
SOLID WASTE DISPOSAL FACILITY

ISSUED BY

STATE OF ARKANSAS  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SOLID WASTE MANAGEMENT DIVISION



Class 1 Landfill

Permit Number	0249-S
AFIN	03-00051
Effective Date	June 14, 1988 (Reissued for Permit Transfer August 31, 2005)
Permit Owner & Address	Northwest Arkansas Regional Solid Waste Management District 1305 Rossi Road Mountain Home, AR 72653
Facility Site Name & \ 911 Address	Nabors Landfill – Class 1 1320 Rossi Road Three Brothers, AR 72653
Location	Parts of T-21-N, R-14-W, Baxter County
Property Area	200 ± acres
Permitted Landfill Area	28 ± acres

This permit is your authority to construct and/or operate the Solid Waste Disposal Facility set forth in your application dated November 12, 1987. This permit is issued pursuant to the provisions of the Arkansas Solid Waste Management Act (Act 237 of 1971; Sec. 82-2701 et seq., Ark. Stats.), hereinafter called the "Act", the Arkansas Solid Waste Management Code, hereinafter called the "Code", and all other applicable rules and regulations of the Department of Pollution Control and Ecology, hereinafter called "Department", and the following terms and conditions:

1. The disposal facility shall be constructed, maintained, and operated in accordance with the final plans and specifications as approved by the Department and in compliance with all applicable provisions of the Act, the Code, and all other applicable rules and regulations.
2. This permit shall automatically terminate unless construction of the disposal facility has been commenced within 180 day(s) of the date hereof and completed with all reasonable diligence. The

Department shall be notified in writing when the disposal facility has-been completed in order that it may be inspected.

3. The disposal facility shall be operated by qualified personnel and maintained in good operating condition at all times.
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, the Code, and applicable rules and regulations. This permit shall not relieve the permittee, its agents or employees, from compliance with all provisions of the Act and the Code.
5. Nothing herein contained shall be construed as releasing the permittee from any liability for damage to persons or property by reason of the installation, maintenance, or operation of the disposal facility.
6. This permit is issued in reliance upon the statements and representations made in the application and the plans and specifications and the Department has no responsibility for the adequacy or proper functioning of the disposal facility.
7. This permit is for Phase I, II, and III consisting of 200 acres. Waste disposal operations shall be limited to Phase I consisting of 28 acres. Waste disposal in Phase II or III is subject to Department approval of engineering design material specific to each new phase.
8. Waste disposal operations at this site shall not commence until an initial application fee in the amount of \$3500.00 is received and acknowledged by the Department. This fee shall be submitted in accordance to Section 10 of Regulation 9: Permit Fees. Failure to pay annual permit fees when due may result in revocation of this permit.
9. Proper preparation of the site shall be supervised and reported in writing to the Department by a Registered Engineer prior to placement of any waste in the landfill.
10. Each of the 18 groundwater monitoring wells and 12 springs shall be analyzed quarterly or as directed the Department. Results submitted to the Department after each analysis shall include the following parameters: Chlorides, Total Dissolved Solids, Total Organic Carbon, Sulfates, Iron Manganese, pH, Specific Conductance, temperature, water level, and chemical oxygen demand. Analytical results shall be provided to the Department directly from the contract laboratory within 45 days of the sampling event. Sampling points, parameters, and frequency will be added or deleted as required by the Department. A sampling and analysis plan shall be submitted and approved by the Department prior to the initial sampling event unless an approved contract laboratory accomplishes the sampling.
11. This facility is for the disposal of all waste eligible for a Class I sanitary landfill. All the special materials (as listed in Appendix "A" of the Arkansas Solid Waste Management Code-March 23, 1984) except solidified sludge and discarded tires are not authorized for disposal in the facility. All other wastes requiring specified written authorization, as identified in the Arkansas Solid Waste Management Code, shall obtain this authorization from the Arkansas Department of Pollution Control and Ecology prior to disposal.

12. **Revised on June 6, 2005 as Follows:** The total amount of financial assurance is \$1,333,027.40. Of this amount \$1,189,642.40 dollars will be required for closure costs and \$143,385.00 dollars will be required for the post-closure costs (20% of total post-closure costs). This amount shall be subject to annual adjustments and may be increased at the discretion of the Department based upon the estimated cost for a third party to close the largest area requiring final cover during the active life of the facility and the cost for a third party to perform post closure care. The instruments used for financial assurance must be in one of the forms set forth in Regulation 22 or as otherwise approved by the Department. 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.
13. Quality control records for the construction of the clay liner and the artificial liner shall be maintained on site for review by regulatory officials.
14. Compaction and permeability testing shall be conducted on the liner for each zone as indicated in the submitted design, and certified by the permittee's Registered Professional Engineer. The zone shall not be used for landfilling until the compaction density and hydraulic conductivity specifications, as noted in the engineering report and blueprints, are met. Vehicle movement over certified liners shall be minimized as indicated in the submitted specifications.
15. Leachate will gravity flow from a leachate collection system to an enclosed basin and be trucked to a sewage treatment plant or disposed of in an alternate manner approved in advance by the Department. The quality and quantity of leachate produced shall be analyzed and measured as long as significant amounts are produced which will be determined by the Department. Leachate Storage capability is subject to Department approval, based on actual leachate flow rate. Approval must be obtained from the Department prior to the leachate being trucked to a sewage treatment plant or alternate disposal site. The quantity of leachate and the proposed disposal site must be submitted as part of the disposal approval request. Department approval must be received prior to any changes in leachate disposal methods. Leachate analysis shall be conducted twice annually, or as directed by the Department. Volume measurements shall be made weekly. Results shall be submitted directly from the contract laboratory to the Department after each monitoring period, and shall include the following: Volume produced, Chlorides, Total Dissolved Solids, Chemical Oxygen Demand, Biological Oxygen Demand, pH, Zinc, Copper, Nickel, Lead, Chromium, and Cadmium.
16. Seeding and soil stabilization shall be conducted in the spring and fall on all exposed surfaces. Furthermore, revegetation shall be accomplished immediately after final elevations are completed. Water for irrigation from the sediment basins may be used upon approval from the Department.
17. A bi-monthly report shall be submitted from a Registered Professional Engineer and include the following: Amount of waste received during the two month period, certification that the monitoring wells were properly sampled, quality control records for liner installation, certification of liners meeting density and hydraulic conductivity specifications, summary of leachate volume measurements, and revegetation implementation progress.
18. As an adjunct to the additional conditions listed above, the permittee is reminded that the provisions of Condition No. 1 of this permit shall also be satisfied in the construction, operation and maintenance of the landfill.

19. The permit will expire when the disposal area described in the final engineering plans has been filled to design capacity and is closed out in accordance with the approved closure plan and provisions of Regulation 22. The final grades and elevations shown on the plans shall not be exceeded in anticipation of settlement and consolidation of the waste mass. The post-closure care period for the facility is 30 years in accordance with Regulation 22. The approved permit plans for the final cover system and the bottom liner system for Zone 15 are as follows:

Bottom Grading Plan - Zone 15	Drawing 4 of 13 Document Id# 28209
Final Cover Grading Plan	Drawing 5 of 13 Document Id# 28209
Stormwater Control Plan	Drawing 5 of 13 Document Id# 28209
Liner and Final Cover System Details	Drawing 11 of 13 Document Id# 28209
Liner and Final Cover System Details	Drawing 11 of 13 Document Id# 28209

The permit plans listed above completely replace any previous plans regarding the final cover configuration of the facility. The permitted disposal area includes and is limited to Zones 1-17 as shown on the approved permit drawings assigned Document Identifier 28209. All future waste disposal operations at the facility will be limited to the Zones 1-17. The extent of the bottom liner systems for Zones 1-14 and 16-17 have been constructed and no future bottom liner system construction associated with Zones 1-14 and 16-17 is authorized.

20. Proper construction of the bottom liner system and final cover system including all ancillary facilities shall be observed and certified to the Department by a Registered Professional Engineer in a Construction Certification Report in accordance with the approved CQA Plan (Document Identifier 28209). Zone 15 will be prepared, constructed and certified in one construction event and included in one certification report unless approval for constructing a partial area of Zone 15 is approved by the Department.

The Construction Certification Report shall include all CQA/QC test results, forms, drawings and additional submittals as required in the approved CQA Plan (Document Identifier 28209, Appendix 2). The Certification Report shall be submitted to the Department at least fourteen (14) days prior to waste placement in any constructed area. The construction of Zone 15, as per the approved plans (Document Identifier 28209), will include the construction of a composite bottom liner system on the interior slope between Zone 15 and Zones 1-13. The composite bottom liner system will consist of the following from top to bottom:

1. A 12 inch protective soil layer taken from on-site soils.
2. A 60 Mil HDPE flexible membrane liner
3. A 24 inch recompacted clay liner exhibiting a maximum hydraulic conductivity of  $1 \times 10^{-7}$  centimeters per second (cm/s)

The facility may utilize in place intermediate cover if it can be demonstrated that the in place intermediate cover meets all soil properties for a compacted clay liner as stated in the approved CQA plan, can be shown to be a minimum of 12 inches thick and is verified through in place permeability testing to have a maximum hydraulic conductivity of  $1 \times 10^{-7}$  cm/s. A minimum of 9 borings per acre shall be performed to verify the thickness of the in place intermediate cover material and a minimum of 2 in place permeability samples shall be obtained to verify that the in place intermediate

cover meets the minimum soil properties for clay liner material as per the approved CQA Plan including having a maximum hydraulic conductivity of  $1 \times 10^{-7}$  cm/s. If the existing intermediate cover layer is less than 12 inches in thickness or does not exhibit the minimum soil properties, a 24 inch minimum recompacted clay liner layer shall be installed in accordance with the approved CQA plan and the approved permit drawings. Any variations from ADPC&E Regulation 22, this permit, the permit plans and narrative or the approved CQA Plan for any reason shall be reported to the Department for approval in writing prior to construction of the affected system or facility. No variations or alternative standards from the requirements of ADPC&E Regulation 22 have been approved associated with the construction or operation of the landfill except where specifically identified in this permit and associated permit addendum.

21. Prior to the construction of any portion of the final cover system, the permittee shall submit a Gas System Management Plan for approval by the Air Division and Solid Waste Management Division of the Arkansas Department of Environmental Quality to comply with applicable sections of ADPC&E Regulation 22 and applicable New Source Performance Standards.
22. Approval of RLH's Request for a minor modification that did not increase permitted elevations or change the foot print area of the waste acceptance area. Approved Plans associated with Zone 14 having Document Identifier Number 20978.

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

  
\_\_\_\_\_  
Steve Martin for Marcus Devine

8-31-05  
Date

PERMIT

FOR THE CONSTRUCTION AND OPERATION OF A  
SOLID WASTE DISPOSAL FACILITY

ISSUED BY

STATE OF ARKANSAS  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SOLID WASTE MANAGEMENT DIVISION



Class 4 Landfill

Permit Number	0249-S4
AFIN	03-00051
Effective Date	September 12, 1997 (Reissued for Permit Transfer August 31, 2005)
Expiration Date	September 12, 2007
Permit Owner & Address	Northwest Arkansas Regional Solid Waste Management District 1305 Rossi Road Mountain Home, AR 72653
Facility Site Name & \ 911 Address	Nabors Landfill – Class 4 1320 Rossi Road Three Brothers, AR 72653
Location	Portions of the NE ¼ of the NW ¼ and portions of the NW ¼ of the NE ¼ of Section 35, T-21-N, R-14-W
Property Area	200 ± acres
Permitted Landfill Area	5.75 ± acres

DESCRIPTION OF THIS PERMIT ACTION: This is a minor administrative permit modification under Regulation Number 22, Section 22.308 (d). This class 4 landfill operation was originally authorized under permit number 249-S. On the effective date, this permit modification supersedes all prior permit conditions issued by the Department for this solid waste management facility.

PERMIT CONDITIONS: This permit is issued pursuant to the provisions of the Arkansas Solid Waste Management Act (Arkansas Code Annotated 8-6-201 et seq.) as amended, hereinafter called the "Act"; Regulation Number 22, Arkansas Solid Waste Management, as adopted by the Pollution Control and Ecology Commission, hereinafter called "Regulation 22"; and all other applicable rules and regulations of the Department of Pollution Control and Ecology, hereinafter called "Department", and the following terms and conditions:

1. The disposal facility shall be constructed, maintained, and operated in accordance with the final plans, specifications and operation narrative as approved by the Department and in compliance with all applicable provisions of the Act, Regulation 22, and all other applicable rules and regulations.
2. At all times the disposal facility shall be maintained in good condition and operations shall be conducted by licensed, on-site operators holding the appropriate license as required by Regulation Number 27, Certification of Sanitary Landfill Operators. Copies of the approved operating narrative, plans, specifications, operator licenses, and this disposal permit shall be maintained at the site for reference.
3. This permit may be revoked or modified whenever, in the opinion of the Department, the facilities are no longer in compliance with the Act, 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.
4. This permit is issued in reliance upon the statements and representations made in the application, operating narrative, the plans, specifications and related documents and the Department has no responsibility for the adequacy or proper functioning of the disposal facility. Nothing herein contained shall be construed as releasing the permittee from any liability for damage to persons or property by reason of the installation, maintenance, or operation of the disposal facility.
5. This permit is for a 5.75 acre site with disposal to be in the areas as indicated on the plans. The permit will expire when the disposal area described in the final engineering plans has been filled to design capacity and is closed out in accordance with the provisions of Regulation 22, or on the expiration date shown above, 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.
6. The initial amount of financial assurance required is \$30,170.39. 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 in accordance with Regulation 22.
7. 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.
8. This facility is for the disposal of bulky inert, non-putrescible Class 4 waste as defined by Regulation 22. This waste includes non-compostable yard waste such as tree trunks and stumps, demolition and construction debris, shredded or processed tires as defined by Regulation Number 14, Regulations and Administrative Procedures for the Waste Tire Program, furniture and appliances provided polychlorinated biphenyls (PCB's), chlorofluorocarbons (CFC's), and hydrochlorofluor carbons (HcFCs) are removed from the appliance prior to disposal in accordance with applicable state and federal regulations, and other inert wastes that the Department may approve for disposal. Hazardous and/or toxic waste materials, liquid or semi-liquid waste, household wastes of any kind, putrescible waste, paper waste including cardboard



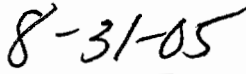
and "Special Materials" as these terms may be defined by Regulation 22 are not authorized for acceptance and disposal at the facility.

9. Written procedures which meet the requirements of Section 22.608 of Regulation 22 shall be followed for excluding hazardous and unauthorized waste from the disposal area. The hazardous and unauthorized waste screening/detection plan shall be fully implemented, including proper training of facility operators to recognize hazardous waste.
10. An operating record shall be maintained on-site, or at an alternative location approved by the Department, of all documentation, monitoring or test results, construction quality assurance/quality control test results, records, operator license and training certificates, and certifications required by Regulation 22, the permit application documents, and permit conditions contained herein. The operating record shall be available for review by authorized representatives of the Department during normal business hours. The permittee shall provide a copy of any information from the operating record to the Department when requested.
11. A weekly cover of six (6) inches of compacted soil shall be applied to all exposed waste or more frequent cover may be required if necessary to control disease vectors, fires, odors, blowing liner, scavenging and to limit the generation of leachate. An additional compacted cover soil layer (interim cover) shall be applied to all surfaces that will not receive an application of waste or final cover within 30 days. Interim cover shall be of sufficient thickness to cover all exposed waste and shall not be less than 12" in total thickness including the weekly cover.
12. Measures to control and prevent stormwater from running through or into the active fill area shall be constructed and maintained at the site and no waste shall be deposited in standing water or within five (5) feet of the seasonal high groundwater table.
13. Best management practices shall be implemented to control erosion at the site and to prevent off-site deposition of sediment, leachate and waste. In addition to other measures that may be necessary to control erosion, seeding of suitable perennial grasses and soil stabilization shall be conducted in the spring and fall on all exposed surfaces that are not to receive additional waste placement during the next growing season. Erosion and sediment control measures shall also be implemented at all off site soil borrow areas that may be used in conjunction with landfill construction or operation.
14. The permittee shall prepare and submit to the Department an annual engineering report in accordance with the provisions of Section 22.619 of Regulation 22. The report shall cover the one year time period beginning January 1 and ending December 31 of each year. The annual engineering report for this permit shall be combined with the annual engineering report as required by the Class 1 facility permit.
15. The final cover shall, at a minimum, consist of eighteen (18) inches of clay constructed to a permeability of  $1 \times 10^{-7}$  cm/sec, and overlain with six (6) inches of topsoil. Immediately after final elevations are attained, the final cover system shall be constructed and a vegetation cover of suitable perennial grasses shall be established and maintained. Testing and certification of the final cover shall be in accordance with Chapter 13 of Regulation 22 and permeability tests shall be conducted in accordance with ASTM D5084.

16. Interim and final cover vegetation shall be properly mowed as necessary to control undesirable annual weed and woody vegetation growth and to facilitate proper inspection of the cover.
17. Any change in the ownership of the facilities or control of the operation of this landfill may be considered a modification of the permit. The permittee shall notify the Department of a change in ownership or a change in operations as defined in Regulation No. 22, Section 22.102. Change in ownership or control is determined by a change of five percent (5%) or more of the debt or equity of the permittee. Notwithstanding the above, the permittee is not required to notify the Department of any transfer of five percent (5%) or more of the debt or equity of the permittee among the persons or entities disclosed in Section E of the Disclosure Statement, nor shall such transfer constitute a modification of the permit. The permittee is only required to notify the Department in the event there is a transfer of five percent (5%) or more of the debt or equity of the permittee, and that person or entity has not previously been disclosed in Section E of the Disclosure Statement.
18. 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.
19. The Department, its employees, agents, or any authorized person shall have the right to enter the property at any time for any reason as set out in Regulation 22 for purposes of, including but not limited to, taking of samples, inspection, and any other enforcement or engineering action, without interference or delay from the permittee.
20. The Department's decision to issue this permit is final for purposes of appeal as of September 12, 1997.

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

  
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Steve Martin for Marcus Devine

  
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Date