



STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 682-0744  
FAX: (501) 682-0753



March 26, 1997

41715 - 0123-SR-2

The Honorable Freddie Taldo  
Mayor of Tontitown  
P. O. Box 127  
Tontitown, AR 72770

41717 - 0162-SR-2

RE: Sunray Landfill - Tontitown, Arkansas  
Permits No. 123-SR-2 & 162-SR-2 CSN 72-0144

Dear Mayor Taldo:

Thank you for your recent letter expressing your interest in the referenced facility. As you are probably well aware, Sunray has submitted an application for a new Class 4 landfill and a modification application for expansion of the existing Class 1 landfill at the Tontitown site.

I have instructed the Solid Waste Division to add your name to the mailing list of persons interested in receiving notice of Department announcements and decisions regarding permit actions for the Sunray Tontitown facility. Henceforth, you will be mailed notice of all public meetings or hearings and announcements of Department draft and final decisions on all permit actions regarding the Tontitown site.

The Department understands the limitations of a small community such as Tontitown to provide adequate facilities to conduct public meetings or hearings. It is not anticipated at the present time that a public hearing will be held in conjunction with the proposed Class 4 landfill. It is likely that a public hearing will be held in the next few months regarding the proposed expansion of the existing Class 1 landfill in accordance with the Department's customary public participation procedures for proposed major modifications at Class 1 facilities. A date and time for the hearing have not yet been considered since the Solid Waste Division is still involved in a technical review of the modification request.

Department staff has informed me that it appears that any public hearing held regarding proposed permit actions in regards to the Sunray Tontitown site will most likely be held in the City of Springdale due its close proximity to Tontitown and the presence of several suitable meeting places at Springdale. Details of the date, time, and place for any hearing will most likely be coordinated with the Springdale Chamber of Commerce.

Letter To The Honorable Freddie Taldo  
March 26, 1997  
Page 2 of 2

I hope the information in this letter and enclosures contained herein will be useful to you. Please feel free to contact Mike Hood of the Solid Waste Division at 501-682-0601 if you have any additional questions about the status of permitting actions for the Sunray facility.

Sincerely,



Randall Mathis  
Director

Enclosures: Notice of Draft Class 4 Permit Decision  
Notice of Administratively Complete Permit  
Modification Application for Class 1 Facility

cc: Mike Hood, Technical Manager, Solid Waste Division, ADPC&E  
Tom Coleman, Fort Smith District Inspector, Solid Waste Division, ADPC&E

## NOTICE OF DRAFT PERMIT DECISION

In accordance with provisions of Arkansas Statutes, 8-4-203(b), public notice is hereby given that the Arkansas Department of Pollution Control and Ecology has made a draft decision to issue a permit requested by Sunray Services, Inc. for a new Class 4 landfill facility to be located adjacent to the existing Sunray Class 1 Landfill located approximately two and one half miles south of Tontitown in Section 23, Township 17 North, Range 31 West, Washington County, Arkansas. The name/address of the applicant is: Sunray Services, Inc., 104 Old Missouri Road, Springdale, AR 72765. The proposed Class 4 facility would accept non-putrescible wastes such as construction/demolition waste, old furniture and appliances, etc. A tentative decision has been made not to hold a public hearing regarding the proposed Class 4 facility.

Any interested person may submit written comments concerning the technical or regulatory merits of the draft permit decision within 30 days of the publication date of this notice. Other than the permit applicant, only those persons who submit written comments on the draft decision during the designated 30-day comment period, or who make comments for the record at any formal public hearing called by the Department shall have legal standing to appeal any final permitting decision made by the Director.

Written comments concerning the draft permit decision should be mailed or delivered to the Solid Waste Division; Department of Pollution Control and Ecology; 8017 I-30, P.O. Box 8913; Little Rock, AR 72219-8913. Additional information regarding this draft decision, including copies of the draft permit, permit application, and other documents that describe the proposed facility, can be made available for inspection by contacting the Solid Waste Division at the above address or by calling 501-682-0602. There may be a charge to cover photocopying costs for some documents.

(Continued)

A final, written decision on this permit application will be issued by the Department after the close of the designated public comment period provided in this notice. The final decision will include a response to each issue raised during the public comment period, and will include an explanation of the rationale for any technical requirements or standards involved in making the final decision. Any person with legal standing in this matter may appeal the final decision to the Arkansas Pollution Control and Ecology Commission. Under Arkansas law, no person may appeal a final permitting decision of the Department without first establishing standing to do so. Legal standing to appeal can be established by submitting written comments for the record during the designated comment period or by making an oral statement at any formal public hearing called by the Department.

Appeals of the final decision must be in writing, must be filed within 30 days of the date of the final permit decision, and must conform to all of the requirements set forth in applicable laws and regulations. General information on appeal procedures may be obtained by contacting the Legal Division of the Department at the above address [Phone No. 501-682-0892], however, specific legal advice cannot be provided.

Dated this [Insert Date of Publication] day of \_\_\_\_\_, 1997.

By authority of the Director,  
Arkansas Department of Pollution Control and Ecology

NOTICE OF APPLICATION FOR MODIFICATION OF PERMIT

In accordance with provisions of Arkansas Statutes 8-4-203(b), public notice is hereby given that an administratively complete permit modification application seeking to expand an existing Class 1 landfill located approximately two and one half miles south of Tontitown in Section 23, T-17-N, R-31-W, Washington County, Arkansas was received by the Solid Waste Management Division of the Department on January 21, 1997. The name/address of the applicant is: Sunray Services, Inc., 104 Old Missouri Road, Springdale, AR 72765. The Class 1 facility accepts municipal solid waste and non-hazardous commercial and industrial waste.

Any interested person may request that the Department hold a public hearing concerning the proposed permit modification. Requests must be in writing and must be submitted within 10 business days of the publication date of this notice. The decision on whether to schedule a public hearing is at the discretion of the Director. If a hearing is scheduled, notice will be provided by 1st-class mail to the permit applicant and to all persons who submitted individual written requests for a hearing within this 10-day period as provided by law.

Requests for a public hearing should be mailed or delivered to the Solid Waste Management Division; Arkansas Department of Pollution Control and Ecology; 8017 I-30, P. O. Box 8913; Little Rock, AR 72219-8913.

Additional details concerning the proposed permit, including a copy of the permit application, can be made available for inspection by contacting the Solid Waste Management Division at the above address or by calling 682-0602. There may be a charge to cover photocopying cost for some documents.

A second public notice concerning this proposed modification will be published when the Department has developed a draft decision to approve or deny the modification request. Upon publication of the second notice, any interested person may submit written comments to the Department regarding the technical and regulatory merits of the draft permit decision. All comments received will be considered in developing the final permit decision if those comments are received within the comment period designated in the second notice. Other than the permit applicant, only those persons who submitted written comments during that specified comment period, or who make comments for the record at any formal hearing called by the Department regarding this permit application, will have legal standing to appeal any final permit decision.

Dated this [Insert Date of Publication] day of \_\_\_\_\_, 1997  
By authority of the Director,  
Arkansas Department of Pollution Control and Ecology



SOLID WASTE MANAGEMENT DIVISION  
801 1-30, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 682-0580  
FAX: (501) 682-0611



March 11, 1997

Mike B. Russell, J.P. District #1  
Washington County Quorum Court  
Washington County Courthouse  
280 N. College Ave., Suite 210  
Fayetteville, AR 72701

Re: Draft Permit Decision for Sunray Services Inc. Class 4  
OSW 72-0144 Permit No. 290-S4-DRAFT

Dear Mr. Russell:

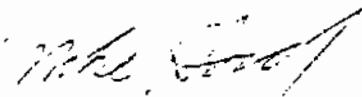
Thank you for your interest in the referenced draft permit. A tentative decision has been made not to hold a formal public hearing on the proposed Class 4 facility since only one person requested a hearing following publication of the notice of an administratively complete application. Written comments on the Class 4 draft permit will be accepted by the Department for thirty (30) days following publication of the notice of draft permit in the local newspaper. A copy of the notice, which explains how to obtain additional information about the draft decision, is enclosed herewith.

It should be noted that two permit actions are currently pending for the referenced facility. The present permit action involves notice of a draft permit for a proposed Class 4 facility at the existing Sunray Tontitown landfill site. Class 4 facilities may accept construction and demolition waste, old furniture and appliances, and similar non-putrescible waste.

Sunray has also submitted a permit modification application to expand the capacity of the existing Class 1 Tontitown facility. Class 1 landfills may accept municipal solid waste (household garbage), and nonhazardous commercial and industrial waste. There will most likely be a public hearing regarding the proposed expansion of the existing Class 1 landfill in accordance with customary permitting procedures for Class 1 facilities.

if you have any questions or comments, or if we may be of service,  
please contact the Solid Waste Management Division.

Sincerely,



Mike Hood, P.E.  
Technical Manager

Enclosures: Notice of Draft Permit Decision  
Draft Permit  
Permit Summary and Rationale



CHARLES A. JOHNSON  
County Judge

WASHINGTON COUNTY

STATE OF ARKANSAS  
Washington County Courthouse  
280 N. College Ave., Suite 210  
Fayetteville, Arkansas 72701  
Telephone 444-1700

(6)  
11-6-96  
SW

Mr. Mike Hood  
Arkansas Department of Pollution Control  
8017 I-30  
P.O.Box 8913  
Little Rock, Arkansas 72219-8913

November 5, 1996

Dear Mr. Hood:

In response to the recent public notice regarding the Tontitown Landfill in Washington County I request your department hold a public hearing concerning the proposed Class IV permit submitted by Sunray Services, Inc. Official public notice is dated October 31, 1996.

I request this hearing be conducted in the Tontitown area since this landfill is located in Tontitown, Arkansas. It is inappropriate to conduct such a meeting in the Community Building in Springdale, Arkansas 20 miles away. A local meeting is more conducive to the needs of the residents of Tontitown and in their best interest.

Included in this official letter request for public hearing are the names and phone numbers of Tontitown area facilities applicable to a public meeting. I will gladly assist you in finding a generally accepted meeting for this hearing by calling 501-756-1949, 501-361-2420 or writing me at P.O.Box 6546, Springdale, Arkansas.

Sincerely,

Michael B. Russell, J.P. District #1  
Washington County Quorum Court  
Washington County, Arkansas





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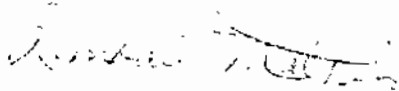
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