



March 13, 2007

Waste Management-Tontitown LF, LLC
Attn: Scott Tarkington
2210 Waste Management Drive
Springdale, AR 72762

**RE: Coverage Under General Permit for
WM Tontitown Transfer Station
Solid Waste Permit 0023-STSW-MC; AFIN 72-00144
Document Identifier# 44177; Cross Reference Identifier 34615**

Dear Mr. Tarkington:

Waste Management of Arkansas is hereby granted coverage under the General Permit for the operation of an existing Transfer Station Facility located in Springdale, Arkansas. Permit tracking number 0023-STSW-MC has been assigned to the facility.

Please note that compliance with the terms and conditions of the general permit and the provisions of Regulation 22, and the submitted operations and design narratives and drawings (Reference Identifier: 34615) is required at all times. Please note the above reference numbers assigned to your facility. Use these numbers on all correspondence and submittals related to the facility. Please be reminded that periodic reporting is required by the general permit and that annual permit fees will be due in each calendar year hereafter.

If you have any questions, please call Ali Dorobati at (501) 682-0603.

Sincerely,

A handwritten signature in blue ink that reads "Steve Martin". The signature is written in a cursive style.

Steve Martin; Chief, SWMD

Enclosures: General Permit for the Operation of a Solid Waste Transfer Station

CC: Bryan Leamons, Engineer Supervisor, SWMD
Susan Speake, Programs Branch, SWMD
Harry Elliott, Enforcement Branch, SWMD
Jim Purvis, Fiscal Division, ADEQ
Justin Sparrow; Inspector, SWMD

Facility: Waste Management of Arkansas Transfer Station Facility
AFIN: 72-00144
Permit Number: 0023-STSW-MC

CERTIFICATE OF SERVICE

I, Mona P. [Signature], hereby certify that a copy of this permit has been mailed by first class mail to Scott Tarkington, 2210 Waste Management Drive, Springdale, AR 72784 on or before this 15th day of March, 2007.



**GENERAL PERMIT
FOR THE CONSTRUCTION AND OPERATION OF
A MEDIUM CAPACITY SOLID WASTE TRANSFER STATION
ISSUED BY STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY**



PERMIT NUMBER: 0000-TSW-MC

AUTHORITY: In accordance with the provisions of The Arkansas Solid Waste Management Act (Act 237 of 1971), Ark. Code Ann. §§ 8-6-201 et. seq., as amended, and Arkansas Pollution Control and Ecology Commission, Regulation No. 22, the Department has the authority to issue general permits for certain classes of solid waste processing facilities as defined in Section 22.102 of Regulation 22. In accordance with that authority, The Department has chosen to permit medium capacity solid waste transfer stations using a general permit program.

EFFECTIVE DATE: February 15, 2006

EXPIRATION DATE: February 15, 2011

LIMITATIONS: Owners or operators of solid waste transfer stations within the State of Arkansas who fail to make a written request to the Director to be covered by this general permit and/or submit the required documentation are not authorized to operate under the permit.

Signed this 15th day of February, 2006.

A handwritten signature in cursive script that reads "Steve Martin".

Steve Martin, Chief
Solid Waste Management Division
Arkansas Department of Environmental Quality

PART I COVERAGE UNDER THIS PERMIT

SECTION A. PERMIT AREA

The area covered by this general permit includes all areas within the State of Arkansas.

SECTION B. ELIGIBILITY AND AUTHORIZATION

1. Owners or operators of solid waste transfer stations meeting the requirements described herein and in APC&EC Regulation 22, and conforming to the definition of solid waste transfer stations in Reg.22.102 of APC&EC Regulation 22 may be covered under this general permit subject to the following conditions.
 - a. The facility shall not be permitted to or reasonably expected to accept more than 15,600 tons (medium capacity) of Solid Waste per calendar year. This does not include source separated recyclables accepted at the facility.
 - b. The facility must have been permitted as a Solid Waste Transfer Station prior to January 1, 1999 and has been maintained and operated as a permitted facility since January 1, 1999 or has an active Certificate of Need from the appropriate Regional Solid Waste Management District. Facilities permitted as Material Recovery Facilities which have not received a Certificate of Need shall not obtain coverage under this General Permit.
 - c. Facilities which accept industrial wastes or special wastes shall not be eligible for coverage under this general permit.
2. The Director reserves the right to require the owner or operator of a transfer station to seek coverage under an individual permit. Notice of the decision to require coverage under an individual permit and the rationale for the decision will be provided to the owner operator within 30 days of receipt of a notice of intent to become permitted. In considering whether to require individual permitting, the Director may consider:
 - a. The compliance history of the owners and operators of the facility;
 - b. The size or capacity of the facility;
 - c. Whether the facility was in existence prior to the effective date of amendments to Regulation Number 22 (February, 2005); and ,
 - d. Other overriding environmental or public participation issues.
3. Owners or operators of solid waste transfer stations located within the State of Arkansas and meeting the requirements to be covered under this general permit must submit a notification to the Department indicating their intent to be covered under the terms of the general permit. Unless otherwise notified in writing by the Director, owners or operators are authorized to operate under this general permit within 30 days after submission of the notification. Facilities that have previously received letters of authorization are required to submit notifications.

SECTION C. NOTICE OF INTENT

1. Written notification for intent to be covered under the General Permit shall be made upon forms provided by the Department and all information required by the form shall be provided which shall include the following.

- a. The name, address, and telephone number of the owner and/or operator of the facility, and the name, address, and telephone number of the transfer station;
 - b. The site located on a topographic map or appropriate county or city map.
 - c. A site plan map that delineates:
 - (i) The proposed or existing buildings and improvements including any staging and storage areas for incoming solid waste;
 - (ii) Survey boundary locations, the location of existing and proposed access roads, utilities and any other site improvements; and,
 - (iii) General site topography, existing and proposed drainage characteristics including any run-on and run-off control systems that will be constructed.
 - d. Facility Plans and Specifications clearly indicating the layout and construction that is existing or will be constructed and a design narrative describing the facility design. All designs shall meet the requirements of APC&EC Regulation 22.905. Existing transfer stations facilities not meeting the requirements of APC&EC Regulation 22.905 shall be modified and upgraded to achieve coverage under this General Permit.
 - e. Operating Plan demonstrating how the facility will meet the requirements of APC&EC Reg.22.904(p).
 - f. A description of the current or anticipated annual solid waste throughput and service area served by the transfer station.
 - g. A permit fee as required by APC&EC Regulation 9.
 - h. Financial assurance in an amount of \$5,000 in an allowable mechanism as per APC&EC Reg.22.1405.
2. Notices of Intent for coverage under this general permit for facilities which are not constructed and operating as of the effective date of this General Permit must include the following in addition to the items listed in 6 above.
 - a. Certificate of Need from the applicable Regional Solid Waste Management District.
 - b. Documentation that the proposed site is in conformance with the requirements of APC&EC Reg.22.902 – Location Restrictions and Siting Requirements.
 - c. A disclosure statement, if required.
 3. The notice of intent shall be signed by an authorized individual as defined in Reg.22.301(h) of the APC&EC Regulation 22.

SECTION D. DEADLINE FOR SUBMITTAL

1. Notice of Intents for coverage under this General Permit shall be submitted:
 - a. For existing facilities, not later than April 14, 2006. Existing Facilities which submit a Notice of Intent to be covered under this General Permit by April 14, 2006 will be allowed to continue to operating until a decision has been reached by the Department to allow or deny coverage under this General Permit.

- b. For new or planned facilities, a minimum of 30 days prior to commencement of construction. This provision in no way grants new or planned facilities coverage under this general permit without having received a certificate of need the applicable Regional Solid Waste Management District.

SECTION E. TERMINATION OF COVERAGE

1. Owners or operators shall notify the Director if the facility ceases operation and/or if coverage under the permitted is no longer necessary. The Department shall be notified in writing sixty (60) days prior to the proposed termination date of the permit.
2. Within ten (10) days of ceasing operations, all wastes shall be removed from the site and disposed at a properly permitted disposal facility, and the facility and equipment shall be brought to a sanitary condition. The operator shall then arrange for a final cleaning of any containers, equipment, machines, floors, and facility surfaces having come in contact with solid waste. All closure activities shall be completed not later than 45 days after the termination date of facility operations unless otherwise approved by ADEQ.

PART II PERMIT CONDITIONS

SECTION A. GENERAL CONDITIONS

1. The solid waste transfer station shall be maintained and operated in accordance with the conditions of this permit and in compliance with all applicable provisions of the Arkansas Code Annotated §§ 8-6-201 - 8-6-1504 (Code), as amended, APC&EC Regulation 22, and all other applicable rules and regulations.
2. This general permit may be modified, revoked and reissued, or terminated for cause in accordance with the requirements of Arkansas Department Pollution Control and Ecology Regulations No. 8 and No. 22. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes, does not stay any permit condition.
3. The permit holder shall pay an annual permit fee as provided in Regulation 9.
4. The facility shall maintain financial assurance in the amount of \$5,000 at all times. The method for furnishing the required amount of financial assurance shall be as provided for in Reg.22.1405 of APC&EC Regulation 22.
5. Any change in ownership or control of the operation of the facility will require submittal of a disclosure statement in accordance with Arkansas Code of 1987 Annotated §§ 8-1-106 and Regulation Number 8 of the Arkansas Pollution Control and Ecology Commission. Transfer of this permit will require new notification of intent for coverage in accordance with Part I Section C. Failure to notify the Department of a change in ownership or control, or a change in responsibility for the operation of the processing facility will be cause for termination of coverage under this general permit.
6. The Department has no responsibility for the adequacy or proper operation of the transfer station. 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 transfer station. The transfer station shall be operated by qualified personnel and maintained in good condition at all times.
7. Whenever it shall be necessary for the purpose of implementing or monitoring the enforcement of any permit condition, law or regulation duly adopted by the Arkansas Pollution Control and Ecology Commission, any authorized employee or agent of the Department may enter the facility property for the purpose of obtaining information, conducting investigations or inspections, taking of samples, or examining and copying records pertaining to the operation of the facility. Investigations or inspections by authorized employees or agents shall be conducted without interference or delay from the permittee or the property owner, and will be conducted during daylight, during regular business hours; or, under emergency or extraordinary circumstances, at a time necessary to observe the suspected violation or unauthorized conduct.
8. The Facility shall be operated in accordance with the provisions of the site specific Operations Plan as approved by the Department and the requirements of Reg.22.904. All changes to the site specific Operations Plans must be approved in writing by the Department.
9. The Facility shall be constructed in accordance with the Design Narrative and Permit Plans and Specifications as approved by the Department. Any changes to the approved design for the facility must be approved in writing by the Department prior to implementation.
10. Coverage under this general permit shall automatically terminate unless construction of the disposal facility has been commenced within 180 days and completed within 365 days from coverage under the general permit. Coverage under this general permit shall be considered terminated if the facility fails to operate for sixty consecutive calendar days. If the facility does not operate for sixty consecutive calendar days the facility implement the procedures under Part I, Section E of this permit.

11. Recordkeeping Requirements –

- a. Required Records - The owner or operator must record and retain at the facility in an operating record or in an alternative location approved by the Director the following information as it becomes available.
 - (i) The Current Approved APC&EC Regulation 22.
 - (ii) This General Permit.
 - (iii) The Notice of Intent for the Facility and associated documents.
 - (iv) The Certificate of Need for the Facility.
 - (v) Any required location restriction demonstrations of the permitted facility.
 - (vi) Approved Operations plan.
 - (vii) Waste Receipt and Disposal records.
 - (viii) Approved Design Narrative.
 - (ix) Records of any periodic inspections required by this Regulation or by permit conditions.
- b. Access to Records - All information contained in the operating record must be furnished upon request to the Department or be made available at all reasonable times for inspection by the Department.
- c. Waste Receipt Records - All owner or operators shall provide an adequate means of recording the amount of waste that is received by the facility.
- d. Retention Period - The records required under this section shall be maintained by the owner or operator until coverage under this General Permit is terminated.

12. Construction And Demolition Debris - If the facility handles only construction and demolition debris, each load must be inspected before receipt to insure that the waste meets that definition. If the facility handles solid waste in addition to construction and demolition debris, separate areas must be provided for the storing of the construction and demolition debris and no mixing with other wastes shall be allowed to occur.

13. Storage of Solid Waste - All solid waste passing through the facility must ultimately be recycled or disposed of at a solid waste management facility properly licensed or permitted by the Department. Solid Waste shall not be stored at the facility for more than 3 days and the amount of solid waste stored on site not excluding source separated recyclables shall not exceed 150 tons at any time.

14. Annual Reporting - The facility owner or operator shall prepare and file with the Department annual reports by March 31 covering the period from the previous January through December. Contents of the reports shall at a minimum include the:

- a. Source, volume or weight, and class of solid waste received at the facility;
- b. The volume or weight and type of recyclables recovered, if any; and
- c. The volume or weight of solid waste removed from the facility and the disposal location.