ADEQ
ARKANSAS
Department of Environmental Quality

July 20, 2017

Mr. Darrin Kempker
American Disposal - Bella Vista
36 Bella Vista Way
Bella Vista, AR 72714

**Re: Approval of Permit Minor Modification and Transmittal of Permit**
**American Disposal - Bella Vista Transfer Station**
**Permit No. 0051-STSW; AFIN: 04-00453**
**Document ID: 72245; Reference Document ID: 71754, 71763 and 72026**

Dear Mr. Kempker:

The Arkansas Department of Environmental Quality Office of Land Resources (ADEQ) Regulated Waste Operations staff has received and reviewed a minor permit modification application associated with American Disposal – Bella Vista Transfer Station. This minor modification increases the permitted capacity accepted at the facility to 500 tons/day and updates the facility Operation Plan. The ADEQ hereby approves the minor permit modification and transmits the attached permit.

This approval 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 process facility. The Department also reserves the right to request additional information if deemed necessary. This approval shall not remove any liability nor hold American Disposal – Bella Vista Transfer Station harmless in the event of any adverse environmental or public health conditions resulting from this authorization. American Disposal – Bella Vista Transfer Station shall be solely and fully responsible for implementing any corrective action necessary to remediate any adverse condition at the site based on this authorization.

If you have any questions or need additional information, please contact Cristina Coker of my staff at (501) 682-0603 or email coker@adeq.state.ar.us.

Sincerely,

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

cc: ADEQ – Hynum, Rich, Cusher, Speake. S. McWilliams, Love, Wallace, and Coker
Mr. Darrin Kempker, Republic Services, Inc.

# PERMIT
# FOR THE CONSTRUCTION AND OPERATION OF A SOLID WASTE TRANSFER STATION
# ISSUED BY
# STATE OF ARKANSAS
# DEPARTMENT OF ENVIRONMENTAL QUALITY
# OFFICE OF LAND RESOURCES

## Type TS – Transfer Station

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|---|---|
| Permit Number | 0051-STSW |
| AFIN | 04-00453 |
| Effective Date | March 8, 2013 |
| Expiration Date | March 8, 2023 |
| Permit Owner & Address | Allied Services of Arkansas, LLC<br>36 Bella Vista Way<br>Bella Vista, AR 72714 |
| Facility Site Name & Address | American Disposal - Bella Vista Transfer Station<br>36 Bella Vista Way<br>Bella Vista, AR 72714 |
| Location | Section 15 T 21 North R 31 West<br>Benton County, Arkansas |
| Financial Assurance | $46,588.50 |
| Latitude/Longitude | 36°30'24.75" / 94°17'53.37" |

This permit authorizes the construction and operation of the solid waste transfer station as set forth in the permit application submitted by Allied Services of Arkansas, LLC for American Disposal - Bella Vista Transfer Station, hereinafter called "owner" or "permittee," and received by the Arkansas Department of Environmental Quality on June 21, 2010. The application was completed through a series of documents furnished by the applicant beginning on June 21, 2010 with DOC # 57806, revised on July 29, 2011 with DOC ID # 60585 and May 9, 2012 with DOC # 62373, and a follow-up document received on July 26, 2012 with DOC # 62866. This permit is issued pursuant to the provisions of the Arkansas Solid Waste Management Act (Arkansas Code Annotated § 8-6-201 et seq.) as amended, hereinafter called the "Act"; Regulation No. 22, Arkansas Solid Waste Management Code, as adopted by the Pollution Control and Ecology Commission (APC&EC), 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:

## DESCRIPTION OF THIS PERMIT ACTION

This minor modification increases the permitted capacity accepted at the facility to 500 tons/day and updates the facility Operation Plan.

## GENERAL CONDITIONS FOR TYPE TS – SOLID WASTE TRANSFER STATION

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 No. 22, and all other applicable rules and regulations.

2. This 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 APC&EC Regulation No. 9.

4. Any change in ownership or control of the operation of the facility will require submittal of a disclosure statement in accordance with Arkansas Code Annotated § 8-1-106 and Regulation No. 8 of the Arkansas Pollution Control and Ecology Commission. Transfer of this permit will require submittal of a request for permit transfer in accordance with APC&EC Regulation No. 22.307. 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 permit.

5. 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.

6. 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.

7. The Facility shall be operated in accordance with the provisions of the site specific Operating Plan as approved by the Department and the requirements of APC&EC Regulation No. 22.904. All changes to the site specific Operations Plans must be approved in writing by the Department.

8. 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.

9. Coverage under this permit may be terminated if construction of the facility has not commenced within 180 days and completed within 365 days from issuance of this permit. This permit may be 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 shall implement the procedures of the approved closure plan and Regulation No. 22.

10. 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 No. 22.

        (ii) This 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.

        (x) Any cost estimates and financial assurance documentation requires by Chapter Fourteen of APC&EC Regulation No. 22.

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 permanently maintained by the owner or operator unless destruction of the records is authorized by the Director following the completion of the post closure monitoring period.

11. 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 24 hours and the amount of solid waste stored on site not excluding source separated recyclables shall not exceed 739.5 tons at any time. This facility is limited to 500 tons per day of solid waste accepted at the site.

12. 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 on a form provided by or acceptable to the Department. 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.

13. 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.

14. 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 source-separated organic waste or 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.

## SITE SPECIFIC CONDITIONS

15. The approved application document is filed under the SWMD Document Identification Number DOC # 57806, 60585, 62373, and 62866. The approved minor modification application is filed under the SWMD Document Identification Number DOC# 71754, 71763, and 72026. The Operating Plan in Document No. 71754 replaces the previously approved Operating Plan in Document No. 60585.

16. The Owner/Operator shall provide to the Department financial assurance for this facility in the amount of $46,588.50. The amount may be reviewed by the Director or Owner/Operator for adequacy and may be adjusted in accordance with the provisions of APC&EC Regulation No. 22.906. An acceptable financial assurance mechanism in accordance with Chapter Fourteen of APC&EC Regulation No. 22 will be maintained by the Owner/Operator at all times for the full amount.

    a. The instruments used must be in one of the forms set forth in APC&EC Regulation No. 22 or as otherwise approved by the Department.

    b. Operations allowed under this permit shall not commence until all financial assurance is satisfactorily filed with the Department.

    c. 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.

17. This site is limited to 130,000 tons of total waste received annually. Also refer to General Condition 11 regarding handling and storage limits.

# ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY
# PERMIT
# FOR SOLID WASTE TRANSFER STATION FACILITY

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|---|---|
| PERMITTEE: | American Disposal – Bella Vista Transfer Station |
| OWNER: | Allied Services, LLC |
| OPERATOR: | Allied Services, LLC |
| FACILITY LOCATION: | 36 Bella Vista Way<br>Bella Vista, AR 72714 |
| DOCUMENTS ID NUMBER: | 71754, 71763, and 72026 |
| ACTIVITY: | Minor Modification |
| AFIN: | 04-00453 |
| PERMIT NUMBER: | 0051-STSW |

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 American Disposal – Bella Vista Transfer Station (Permittee), to operate a solid waste transfer station facility located in Benton County, Arkansas.

The Permittee's location is summarily described as follows:

In portions of Section 15, Township 21 North, Range 31 West, Benton 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 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).

This minor modification increases the permitted capacity accepted at the facility to 500 tons/day and updates the facility Operation Plan.

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; Permit Conditions/standards specific to activities, and the Permit Modification Application(s).

Issued this day of July 20, 2017

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: July 20, 2017
END OF PERMIT SIGN-OFF SHEET

CERTIFICATE OF SERVICE

I hereby certify that a copy of aforementioned permit has been mailed by first-class mail to Mr. Darrin Kempker, 36 Bella Vista Way, Bella Vista, AR 72714.

Certified by _____ on or before this 28th day of July, 2017.