

From: [Cullen, Charles M.](#)
To: [Johnson, Kelli](#); [Witherow, David](#); [Jones, Nicholas](#); [Cusher, Annette](#); [Krou, Christopher](#); [Hayden, Ryan](#); [Kreps, Alexander](#)
Subject: RE: 2021 09 14 Johnson County Class 4 Landfill - Notice of Deficiency of Minor Permit Modification Application
Date: Tuesday, October 19, 2021 11:56:16 AM
Attachments: [image001.png](#)
[2021-10-17 CusherAn Johnson County Landfill Permit Modification Deficiency Responses.pdf](#)
[Johnson County Landfill 2020 Permit Modification - Revised Sheets \(2021-10-17\).pdf](#)
[2021-10-17 Johnson County Landfill - Minor Permit Modification Application.pdf](#)

Attached are our responses to your Notice of Deficiencies letter.

Please let me know if you have any questions.

Charles Cullen, PE
Garver
501-553-9946

| | |
|---|----------------------------|
| Rec'd Digitally | |
| AFIN: <u>36-00089</u> | S W M D |
| PMT#: <u>0278-S4-R1</u> | |
| <div>RECEIVED By Kelli Johnson at 12:04 pm, Oct 19, 2021</div> | |
| DOC ID#: <u>81023</u> | |
| TO: <u>AC> File <KJ</u> | |

From: Cullen, Charles M.

Sent: Friday, October 15, 2021 8:59 AM

To: Johnson, Kelli <johnsonk@adeq.state.ar.us>; Witherow, David <witherowd@adeq.state.ar.us>; Jones, Nicholas <jonesn@adeq.state.ar.us>; Cusher, Annette <Cusher@adeq.state.ar.us>; Krou, Christopher <krou@adeq.state.ar.us>; Hayden, Ryan <hayden@adeq.state.ar.us>; Kreps, Alexander <kreps@adeq.state.ar.us>

Subject: RE: 2021 09 14 Johnson County Class 4 Landfill - Notice of Deficiency of Minor Permit Modification Application

I am only waiting on the Judge's signature. I will forward you our responses as soon as he signs the permit application page.

Charles Cullen, PE
Garver
501-553-9946

From: Johnson, Kelli <johnsonk@adeq.state.ar.us>

Sent: Monday, September 13, 2021 4:28 PM

To: Witherow, David <witherowd@adeq.state.ar.us>; Jones, Nicholas <jonesn@adeq.state.ar.us>; Cusher, Annette <Cusher@adeq.state.ar.us>; Krou, Christopher <krou@adeq.state.ar.us>; Hayden, Ryan <hayden@adeq.state.ar.us>; Kreps, Alexander <kreps@adeq.state.ar.us>

Subject: 2021 09 14 Johnson County Class 4 Landfill - Notice of Deficiency of Minor Permit Modification Application

Attached: Johnson County Class 4 Landfill - Notice of Deficiency of Minor Permit Modification Application

Kelli Johnson | Administrative Analyst
Division of Environmental Quality | Office of Land Resources
Policy & Administration
5301 Northshore Drive | North Little Rock, AR 72118

t: 501.682.0006 | e: johnsonk@adeq.state.ar.us



ARKANSAS
ENERGY & ENVIRONMENT



4701 Northshore Drive
North Little Rock, AR 72118

TEL 501.376.3633
FAX 501.372.8042

www.GarverUSA.com

October 17, 2021

Annette Cusher, P.E.
Arkansas Department of Environmental Quality, Solid Waste Division
5301 Northshore Drive
North Little Rock, Arkansas 72118

Re: Notice of Deficiency of Minor Permit Modification Application
Johnson County Class 4 Landfill – Class 4 Landfill

Dear Ms. Cusher:

In response to your letter dated September 14, 2021 related to the Notice of Deficiency of Minor Permit Modification Application for the Johnson County Landfill, I have addressed each of your comments in the same order.

1. The overfill condition on Area 4 was not noticed when the original request for a permit modification and waiver was requested in May 2020. The overfill was first noticed when the permit drawings for Areas 1 and 2 were being updated for the permit modification application. The Johnson County Landfill would like to request that the overfill in Area 4 be included in the permit modification and waiver from Reg.22.309(c) requiring the development of an overfill management plan and mitigation of the overfill conditions.

The primary reason we believe it is appropriate to include Area 4 with the original request for Area 1 and Area 2 is that the final cover has been in place since 2016 and is stable. The amount of overfill in Area 4 is relatively small and can be seen on the attached exhibits. The demolition of the final cover to relocate the overfill would be detrimental to the integrity of the final cover system. As was the case with Area 1 and Area 2, if the material were removed, since there is no available space in the current landfill, Johnson County would be forced to find a new landfill to haul and dispose of the material at great cost.

Considering the stability of the cell since 2016, the difficulty in maintaining the integrity of the final cover system if material is removed, and that no space exists on site to dispose of any removed material, the Johnson County Landfill would like to request that Area 4 be included in the modification to the Class 4 permit and a waiver of Reg. 22.309(c).

2. The drawings have been updated and are attached to this letter.
3. The proposed final elevations and contours used in the permit request dated May 25, 2020 (Document 78307) are from the current active permit. The drawings that were attached to the permit application (Document 79273) were revisions to the current active permit drawings to account for the existing topographic conditions, which includes the previously discussed

Ms. Cusher
October 17, 2021
Page 2 of 2

overfill and therefore should be different. However, I may be misinterpreting this deficiency comment, please advise on how the drawings should be modified.

Your cooperation and understanding throughout this closure and certification process has been appreciated. If you have any questions or if you wish to discuss, please do not hesitate to contact me.

Please call me if you have any questions.

Sincerely,

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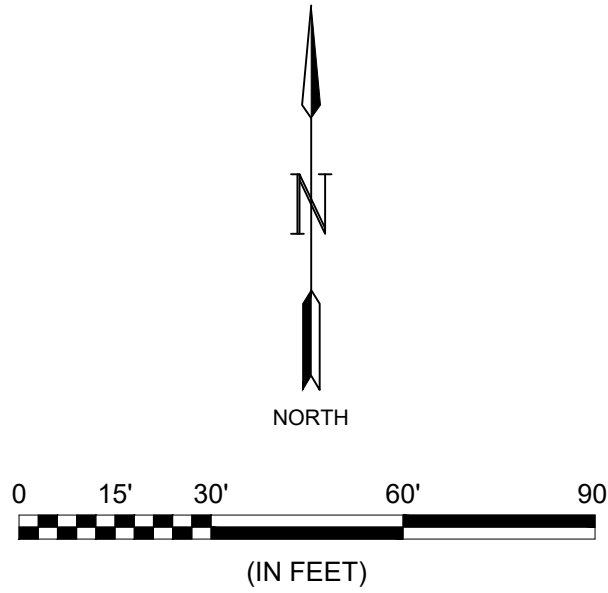
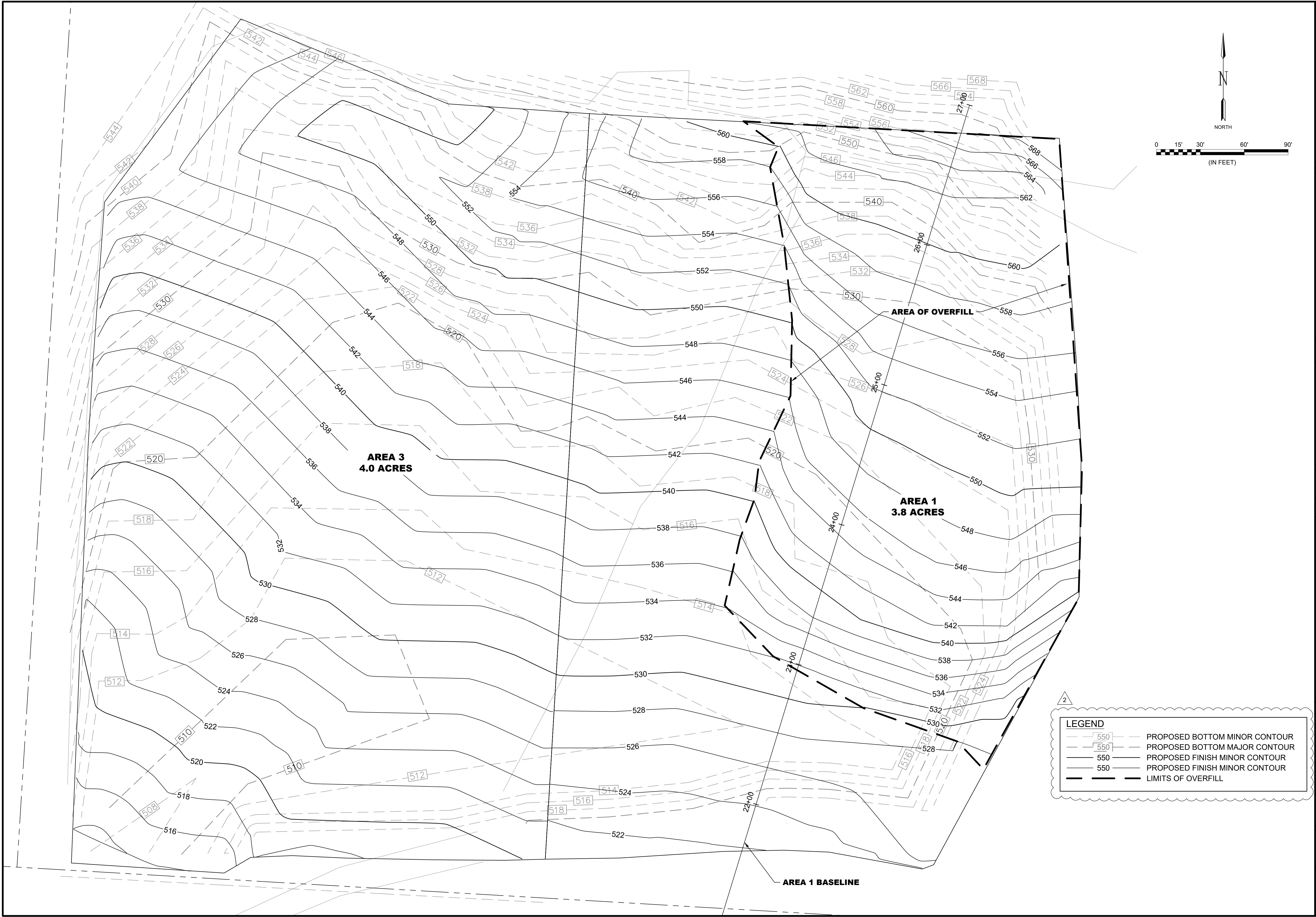
A handwritten signature in blue ink, appearing to read 'Charles Cullen', with a stylized, cursive script.

Charles Cullen, P.E.
Project Manager

Attachments: Johnson County Landfill 2020 Permit Modification – Revised Sheets (2021-10-17)
Johnson County Landfill 2020 Minor Permit Modification Application (2021-10-17)

L:\2008\08059390 - Johnson County Landfill Miscellaneous Services\Design\2020 Permit Revision\2021-10-17 CusherAn
Johnson County Landfill Permit Modification Deficiency Responses.docm

File: L:\2008\08059390 - Johnson County Landfill Miscellaneous Services\025 - Final Closure Class 4 Landfill Drawings\Permit Revision (2020-12)\JCL-Area 1_3_4 Finished Elevations.dwg Last Save: 10/15/2021 8:34 AM Last saved by: CM/Cullen
Last plotted by: Cullen, Charles M Plot Style: AECmono.ctb Plot Scale: 1:2,884.9 Plot Date: 10/15/2021 9:05 AM Plotter used: None



2

LEGEND

550

PROPOSED BOTTOM MINOR CONTOUR

550

PROPOSED BOTTOM MAJOR CONTOUR

550

PROPOSED FINISH MINOR CONTOUR

550

PROPOSED FINISH MINOR CONTOUR

LIMITS OF OVERFILL

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GARVER
LLC
No. 766

ARKANSAS ENGINEER

STATE OF
ARKANSAS

LICENSED
PROFESSIONAL
ENGINEER

No. 16145

CHARLES M. CULLEN

Digitally Signed 10/15/2021

| | | | | |
|-------------|---|--------------|--|--|
| BY | CMC | CMC | | |
| DESCRIPTION | UPDATED FINISH ELEV. TO REFLECT IN PLACE OVERFILL CONDITIONS | ADDED LEGEND | | |
| DATE | 12/04/20 | 10/15/21 | | |
| REV. | 1 | 2 | | |

JOHNSON COUNTY LANDFILL
CLARKSVILLE, ARKANSAS

CLASS 4 LANDFILL
2020 PERMIT MODIFICATION

EXHIBIT 4
AREA 1 AND AREA 3
FINISH ELEVATIONS
(0278-S4)

JOB NO.: 08059390-025
DATE: OCT. 2021
DESIGNED BY: CMC
DRAWN BY: CMC

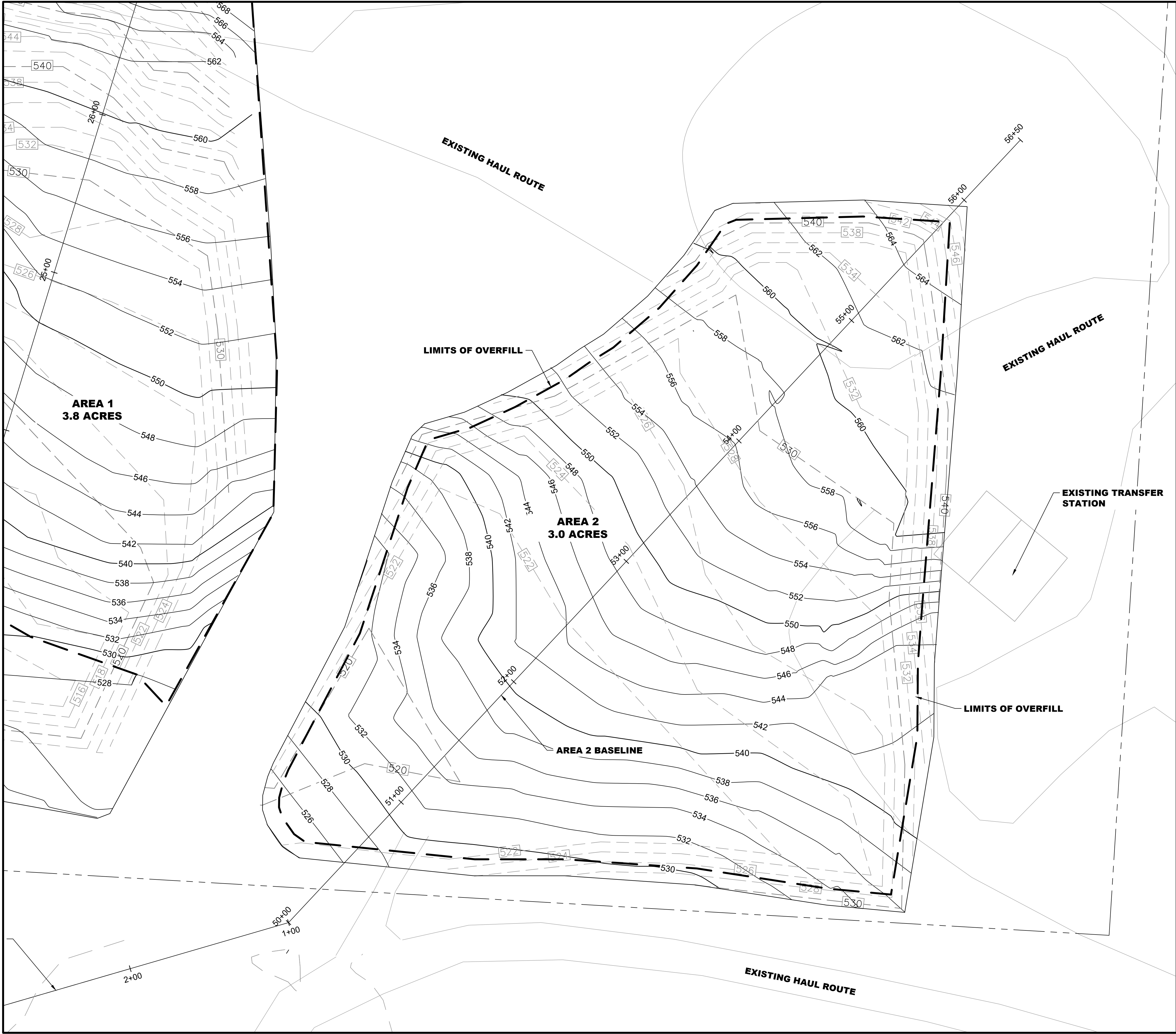
BAR IS ONE INCH ON
ORIGINAL DRAWING

0 1"

IF NOT ONE INCH ON
THIS SHEET, ADJUST
SCALES ACCORDINGLY.

DRAWING NUMBER
4 OF 6

File: L:\2008\08059390 - Johnson County Landfill Miscellaneous Services\025 - Final Closure Class 4 Landfill Drawings\Permit Revision (2020-12)\JCL-Area 1_3_4 Finished Elevations.dwg Last Save: 10/15/2021 8:34 AM Last saved by: CM/Cullen
Last plotted by: Cullen, Charles M Plot Style: AECMono.ctb Plot Date: 10/15/2021 9:06 AM Plotter used: None



2

LEGEND

550

550

550

550

550

550

550

550

PROPOSED BOTTOM MINOR CONTOUR

PROPOSED BOTTOM MAJOR CONTOUR

PROPOSED FINISH MINOR CONTOUR

PROPOSED FINISH MAJOR CONTOUR

LIMITS OF OVERFILL

G

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CERTIFICATE OF AUTHORIZATION

GARVER LLC

No. 766

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STATE OF ARKANSAS

LICENSED PROFESSIONAL ENGINEER

No. 16145

CHARLES M. CULLEN

Digitally Signed 10/15/2021

| REV. | DATE | DESCRIPTION | BY |
|------|----------|---|-----|
| 1 | 12/04/20 | UPDATED FINISH ELEV TO REFLECT IN PLACE OVERFILL CONDITIONS | CMC |
| 2 | 10/15/21 | ADDED LEGEND | CMC |

JOHNSON COUNTY LANDFILL

CLARKSVILLE, ARKANSAS

CLASS 4 LANDFILL

2020 PERMIT MODIFICATION

EXHIBIT 5

AREA 2 FINISH ELEVATIONS

(0278-S4)

JOB NO.:08059390-025

DATE: OCT. 2021

DESIGNED BY: CMC

DRAWN BY: CMC

BAR IS ONE INCH ON ORIGINAL DRAWING

0 1"


IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

DRAWING NUMBER


5 OF 6

File: L:\2008\08059390 - Johnson County Landfill Miscellaneous Services\025 - Final Closure Class 4 Landfill Drawings\Permit Revision (2020-12)\JCL-Area 1_3_4 Finished Elevations.dwg Last Save: 10/15/2021 8:34 AM Last saved by: CMCullen
Last plotted by: Cullen, Charles M Plot Style: AECmono.ctb Plot Scale: 1:2,8849 Plot Date: 10/15/2021 9:06 AM Plotter used: None

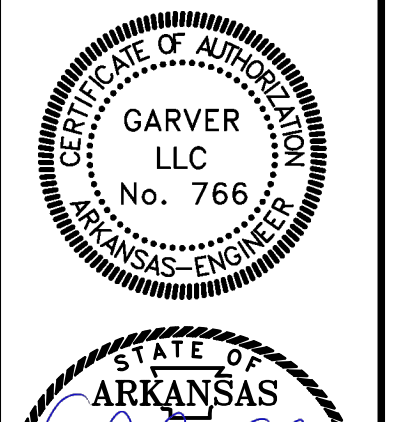




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CERTIFICATE OF AUTHORIZATION
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STATE OF
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PROFESSIONAL
ENGINEER

No. 16145
CHARLES M. CULLEN

Digitally Signed 10/15/2021

| REV. | DATE | DESCRIPTION | BY |
|------|----------|---|-----|
| 1 | 12/04/20 | UPDATED GRADING PLAN TO REFLECT IN PLACE OVERFILL CONDITIONS | CMC |
| 2 | 10/15/21 | ADDED LEGEND | CMC |

JOHNSON COUNTY LANDFILL
CLARKSVILLE, ARKANSAS

CLASS 4 LANDFILL
2020 PERMIT MODIFICATION

GRADING PLAN
AREA 4
(0278-S4-R1)

JOB NO.: 08059390-025
DATE: OCT. 2021
DESIGNED BY: CMC
DRAWN BY: CMC

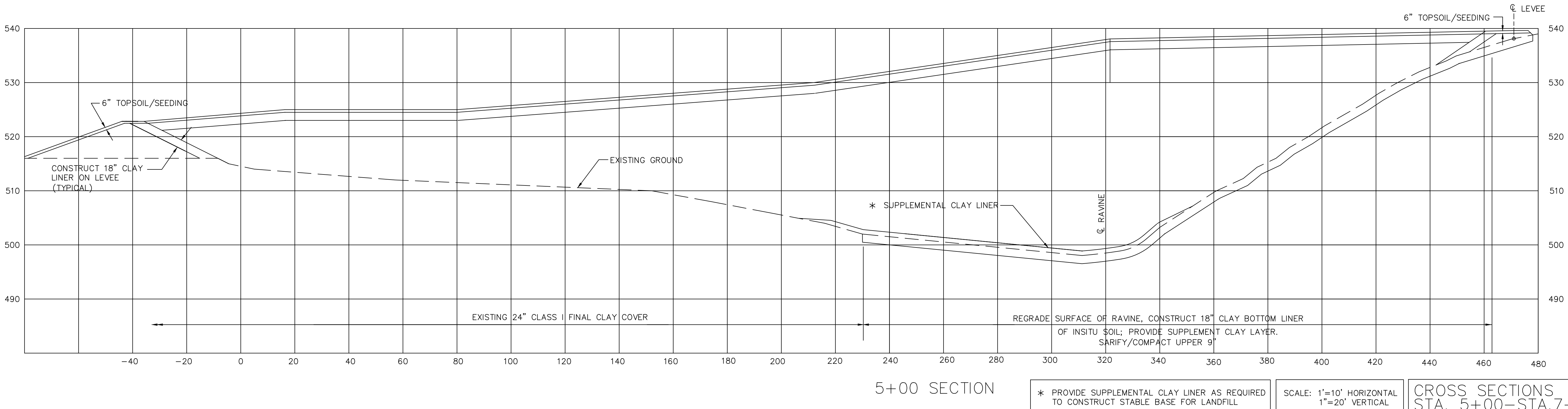
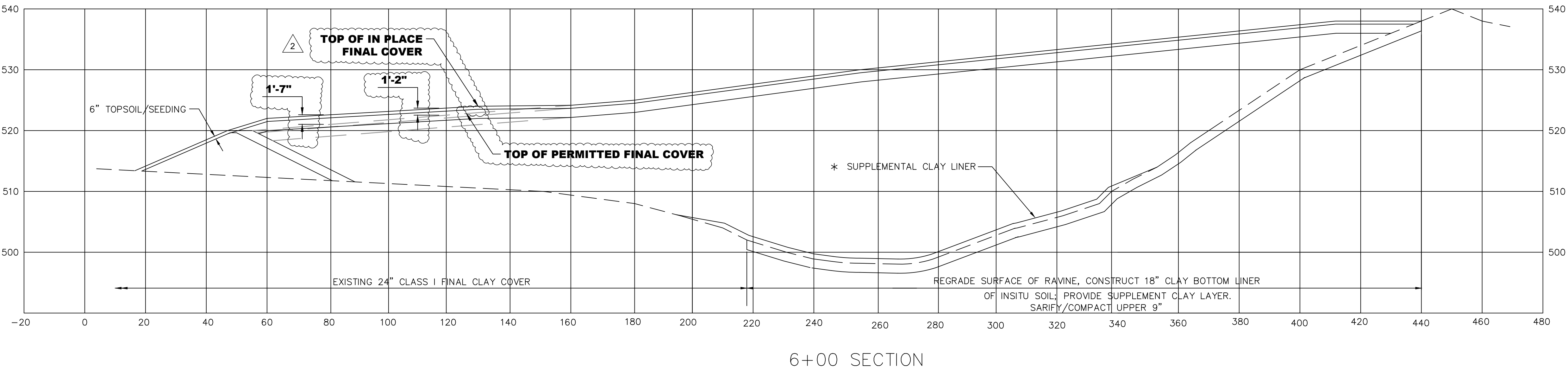
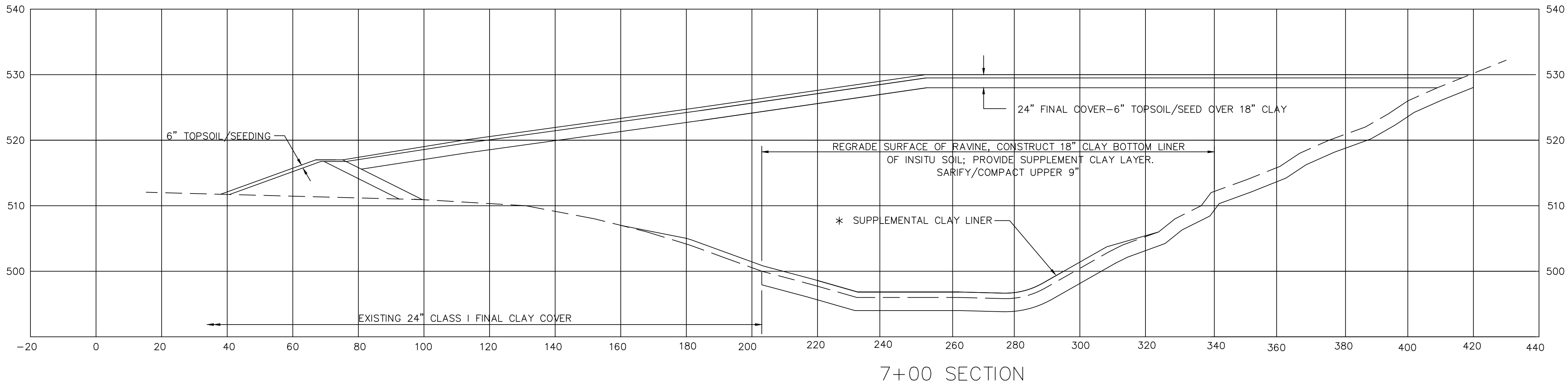
BAR IS ONE INCH ON
ORIGINAL DRAWING
0 1"

IF NOT ONE INCH ON
THIS SHEET, ADJUST
SCALES ACCORDINGLY.

DRAWING NUMBER

3/9

File: L:\2008\08059390 - Johnson County Landfill Miscellaneous Services\025 - Final Closure Class 4 Landfill Drawings\Permit Revision (2020-12)\JCL-Area 4 Cross Section.dwg Last Save: 10/15/2021 8:41 AM Last saved by: CMCullen
Last plotted by: Cullen, Charles M. Plot Style: AECMono.ctb Plot Scale: 1:2,849 Plot Date: 10/15/2021 9:07 AM Plotter used: None



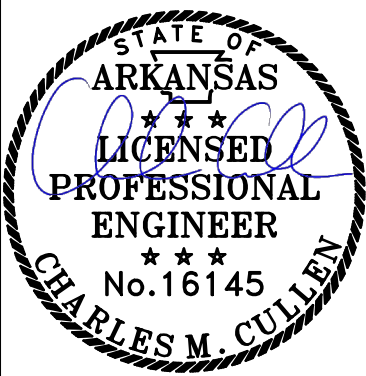
* PROVIDE SUPPLEMENTAL CLAY LINER AS REQUIRED TO CONSTRUCT STABLE BASE FOR LANDFILL

SCALE: 1"=10' HORIZONTAL
1"=20' VERTICAL

CROSS SECTIONS
STA. 5+00-STA.7+00



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Digitally Signed 10/15/2021

| REV. | DATE | DESCRIPTION | BY |
|------|----------|---|-----|
| 1 | 12/04/20 | REVISED STA. 6+00 TO REFLECT OVERFILL CONDITION | CMC |
| 2 | 10/15/21 | ADDED NOTES TO STA. 6+00 TO LABEL AND DIMENSION OVERFILL AREA | CMC |

JOHNSON COUNTY LANDFILL
CLARKSVILLE, ARKANSAS
CLASS 4 LANDFILL
2020 PERMIT MODIFICATION

AREA 4
CROSS SECTIONS
(0278-S4-R1)

JOB NO.:08059390-025
DATE: OCT. 2021
DESIGNED BY: CMC
DRAWN BY: CMC

BAR IS ONE INCH ON ORIGINAL DRAWING
0 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

DRAWING NUMBER
6/9

SOLID WASTE DISPOSAL FACILITY PERMIT MODIFICATION APPLICATION

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT DIVISION
5301 NORTHSORE DRIVE
NORTH LITTLE ROCK, AR 72118

Note: This modification application is to be used for all modifications to solid waste disposal and processing facilities. The Department will classify this modification as major or minor in accordance with the provisions of Section 22.308 of Regulation 22. Major modifications will be subject to the provisions of Regulation 8.

I. FACILITY TYPE

| | |
|--|--|
| <input type="checkbox"/> Class 1 Landfill | <input type="checkbox"/> Transfer Station (TS) |
| <input checked="" type="checkbox"/> Class 4 Landfill | <input type="checkbox"/> Composting Facility (Y, O or S) |
| <input type="checkbox"/> Class 3C Landfill | <input type="checkbox"/> Solid Waste Recovery Facility (WRF) |
| <input type="checkbox"/> Class 3N Landfill | <input type="checkbox"/> Construction and Demolition Recycling Facility (CDRF) |
| <input type="checkbox"/> Class 3T Landfill | |

II. FACILITY IDENTIFICATION

Facility Name: Johnson County Solid Waste Permit Number: 0278-S4-R1 AFIN: 36-00089
Facility Address: 789 County Road 3311
City: Clarksville State: Arkansas Zip: 72830
County: Johnson Telephone Number: 501-754-2175 Fax Number: 501-754-6098

III. APPLICANT

Applicant Name: Judge Herman Houston
Applicant Address: 215 West Main Street
City: Clarksville State: Arkansas Zip: 72830
Contact Person: Judge Herman Houston Phone Number: 501-754-2175

PERMIT HISTORY

(Complete for each permit and modification to date)

| | Number | Date Issued |
|------------------|------------|-------------|
| Permit Number: | 0278-S4 | 10/24/1994 |
| Modification #1: | 0278-S4-R1 | 06/25/2004 |
| Modification #2: | | |
| Modification #3: | | |
| Modification #4: | | |

MODIFICATION DESCRIPTION

(Complete each part below as it applies to this modification - if an item doesn't apply, mark it "N/A")

CHANGE IN PERMITTED CAPACITY (Specify whether yards or tons)

Original Cubic Yards **172,274 Cubic Yards (from 0278-S4-R1)**
(This includes the volume of solid waste and any daily or intermediate soil cover)

Modified Cubic Yards **A1=17,892 A2 = 42,544 A4 = 464, Total = 233,174 Cubic Yards**

Cubic Yards Increase (Decrease) **+60,900 Cubic Yards**

SITE LIFE & SERVICE AREA

Current Service Area **N/A - Site is no longer accepting material**

Current Tons per year through the gate **0** (tons/year)

Current Landfill Utilization Rate **0** (cu. yards/year)

Estimated remaining site life (after this modification) **N/A** years

CHANGE IN PERMITTED DISPOSAL ACREAGE

Original Site Acres **18.6**

Modified Site Acres **18.6**

Site Acres Increase (Decrease) **0**

CHANGE IN OPERATING PROCEDURES (Provide brief description of each proposed modification) N/A

CHANGE IN FACILITY DESIGN (Provide brief description of each proposed modification)
The proposed modification is a result of an overfill condition that was discovered after the final cover was constructed. The plans have been revised to show the areas of overfill.

REASON FOR MODIFICATION (Check one or specify below)

Change in Regulation _____

Additional Site Life _____

Improve Site Operations _____

Correct Past Violation **X**

Other (Specify) _____

DRAWING REVISIONS

(Identify below each drawing that was revised or added as a result of this modification. Each revised or added drawing should be included as an attachment to this application.)

| Drawing Number | Title | Date | Revision Number |
|---------------------|-------------------------------|----------|-----------------|
| 4 of 6 (0278-S4) | Area 1 and 3 Finish Elevation | 10-24-94 | 2 |
| 5 of 6 (0278-S4) | Area 2 Finish Elevation | 10-24-94 | 2 |
| 3 of 9 (0278-S4-R1) | Area 4 Grading Plan | 6-25-04 | 2 |
| 6 of 9 (0278-S4-R1) | Area 4 Cross Sections | 6-25-04 | 2 |
| | | | |
| | | | |
| | | | |
| | | | |

OPERATING NARRATIVE REVISIONS

(Identify below each change to the operating narrative as a result of this modification. Revised narrative pages should be included as an attachment to this application. Deletions from the previous narrative should be indicated by strikeout, additions should be redlined.)

| Page Number | Change Description |
|-------------|--------------------|
| N/A | N/A |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

SUPPLEMENTAL DATA SUBMITTED

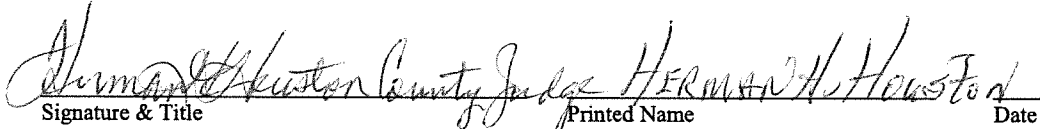
(Any report, study, data, information, etc. that was not part of previous permit documents should be identified below. In addition, any data identified below should be included as an attachment to this application.)

Description

SIGNATURE AND CERTIFICATION

(The application should be signed by an authorized representative of the applicant as well as the Consultant that prepared this application. By signing below, the representatives certify that all the information in this modification is accurate and truthful.)

APPLICANT

 Herman H. Houston County Judge HERMAN H. HOUSTON 10-18-21
Signature & Title Printed Name Date

ENGINEER/CONSULTANT

 Charles Cullen, P.E. October 15, 2021
Signature & Title Printed Name Date

CONFIDENTIALITY: *This application shall be available for public inspection, provided, however, that the Department shall not disclose, except to authorized persons, any information which the Director determines is entitled by law to protection as trade secrets without the consent of the applicant. Trade secrets shall not include the name and address of the applicant, nor any information necessary, as determined by the Director, for the public to evaluate the hazards associated with the proposed operation, nor any other information required by law to be available to the public.*