ARKANSAS
ENERGY & ENVIRONMENT

January 4, 2021

Mr. Daniel Christensen
CNWA Properties, LLC
PO Box 775
Tontitown, AR 72770

Re: Issuance of Final Permit - Central Arkansas Recycling and Disposal Services (CARDS) NWA Transfer Station
Proposed Permit No.: 0124-STSW; AFIN: 72-02511
Document ID: 81142; Reference Document ID: 80154, 80297, & 80541

Dear Mr. Christensen:

The Division of Environmental Quality Office of Land Resources (DEQ) has made a decision to issue a final permit associated with the above referenced facility authorizing for the construction, operation, and maintenance of CARDS NWA Transfer Station facility as described in your application submitted on May 13, 2021. The permit number for the facility is 0124-STSW. The decision to issue the permit is based upon 1) the information contained in the permit application; 2) other materials submitted by the applicant, 3) written comments received during the designated 30-day public comment period (no comments received).

The permit is granted subject to the terms and conditions specified in the permit. The initial amount of financial assurance required is $320,625 for the facility. Acceptable mechanisms for financial assurance include a surety bond, collateral bond (supported by a letter of credit, securities or cash), or other mechanisms as set forth in Chapter Fourteen of Regulation Number 22. The instruments used must be in the exact form set forth in Regulation Number 22 and must be filed with the Division before the permit can become effective. The purpose of the financial assurance is to ensure an environmentally sound closure of the site upon conclusion of disposal operations and acceptable post closure care. Please review all terms and conditions of the permit to ensure compliance with all applicable requirements. Any person with legal standing in this matter may appeal the Division's final decision to the Arkansas Pollution Control and Ecology Commission. Appeals must be in writing, must be filed within thirty (30) days of the Division's final decision, and must conform to all applicable laws and regulations. General information on appeal procedures may be obtained by contacting the Legal Division of the Department, at 501-682-0892.

Please contact Annette Cusher at 501-682-0841 or cusher@adeq.state.ar.us if there are any questions or if she can be of assistance in any way.

Sincerely,



Jarrod Zweifel, P.G.
Associate Director
Division of Environmental Quality
5301 Northshore Drive, North Little Rock, Arkansas, 72118-5317

Enclosures: Final Permit and Permit Application Summary and Rationale

cc: DEQ – Cusher, Krou, Goheen, Jones, Witherow, and Daniels
Mr. Phillip Fields, P.E., Fields & Associates LLC

FINAL PERMIT

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

Type TS – Transfer Station

Permit Number	0124-STSW
AFIN	72-002511
Effective Date	January 4, 2022
Expiration Date	January 4, 2032
Permit Owner & Address	CNWA Properties, LLC PO Box 775 Tontitown, AR 72770
Facility Site Name & Address	CARDS NWA Transfer Station 1513 N. Old Missouri Road Springdale, Arkansas 72764
Location	Section 30, Township 18 North, Range 26 West Washington County, Arkansas
Financial Assurance	$ 320,625.00
Latitude/Longitude	N 36° 11' 55.47" / W 94° 7' 0.78"

This permit authorizes the construction and operation of the solid waste transfer station as set forth in the permit application submitted by CNWA Properties, LLC, hereinafter called "owner" or "permittee," and received by the Division of Environmental Quality on June 17, 2021. The application was completed through a series of documents furnished by the applicant beginning on May 3, 2021 and Document ID 80028, and a follow-up document received on May 13, 2021 and Document ID 80154. 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 Code, as adopted by the Arkansas Pollution Control and Ecology Commission (APC&EC), hereinafter called Regulation No. 22; and all other applicable rules and regulations of the Division of Environmental Quality (DEQ), hereinafter called "Division," and the following terms and conditions:

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 APC&EC 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 APC&EC Regulation No. 8. 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 Division 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 Division 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 Division 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 Division 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 Division.

8. The Facility shall be constructed in accordance with the Design Narrative and Permit Plans and Specifications as approved by the Division. Any changes to the approved design for the facility must be approved in writing by the Division prior to implementation.

9. Coverage under this permit may be terminated if construction of the facility has not commenced within one hundred and eighty (180) days and completed within three hundred and sixty five (365) days from issuance of this permit. This permit may be terminated if the facility fails to operate for sixty (60) consecutive calendar days. If the facility does not operate for sixty (60) consecutive calendar days the facility shall implement the procedures of the approved closure plan and APC&EC 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 Certificate of Need for the Facility.

        (iv) Any required location restriction demonstrations of the permitted facility.

        (v) Approved Operating Plan.

        (vi) Approved Design Narrative.

        (vii) Approved Closure Plan.

        (viii) Waste Receipt and Disposal records.

        (ix) Records of any periodic inspections required by this Regulation or by permit conditions.

        (x) Any cost estimates and financial assurance documentation required 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 Division or be made available at all reasonable times for inspection by the Division.

    c. Waste Receipt Records - All owners 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 Permit is terminated unless otherwise stated.

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 Division. Solid waste shall not be stored at the facility for more than one (1) day and the amount of solid waste stored on site shall not exceed 80 tons at any time.

12. Annual Reporting - The facility owner or operator shall prepare and file with the Division annual reports by March 31 covering the period from the previous January through December on a form provided by or acceptable to the Division. 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 permit is no longer necessary. The Division 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 solid waste. All closure activities shall be completed no later than 45 days after the termination date of facility operations unless otherwise approved by DEQ.

SITE SPECIFIC CONDITIONS

1. The approved application document is filed under the Solid Waste Management Division Document Identification Number 80154. The approved Operating Plan and Closure Plan are under Document Identification Number 80326.

2. The Owner/Operator shall provide to the Division financial assurance for this facility in the amount of $320,625.00. 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 No. Regulation No. 22 or as otherwise approved by the Division.

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

c. A portion or all of the financial assurance may be held by the Division 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.

3. This site is limited to 375,000 tons of total waste received annually.

APPROVED BY: **Division of Environmental Quality**
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317



_____
Jarrod Zweifel, P.G.

_____
Date

CERTIFICATE OF SERVICE

I, _____hereby certify that a copy of this permit has been mailed by first-class mail to Mr. Daniel Christensen, P.O. Box 775, Tontitown, AR 72770, on or before this _____day of _____, 2021.

PERMIT APPLICATION SUMMARY AND RATIONALE

CENTRAL ARKANSAS RECYCLING AND DISPOSAL SERVICES NWA TRANSFER STATION
PERMIT NO. 0124-STSW;
AFIN: 72-02511

PERMIT APPLICATION SUMMARY

This summary form consists of information submitted during the permitting process. It represents basic information from the administrative record utilized in forming recommendations from the Solid Waste Management Division. The entire file for the solid waste permit application specified below should be reviewed for complete details on the proposed facility.

Permit Application Summary	
Name and mailing address of Applicant:	CNWA Properties, LLC PO Box 775 Tontitown, AR 72770
Type of Facility:	Transfer Station
Engineering Firm:	Fields & Associates, LLC
Application Date:	May 3, 2021
Site Location	General: 1513 N. Old Missouri Road, Springdale, Arkansas 72764 Specific: Section 30, Township 18 North, Range 26 West.
RSWMD	Washington County, Arkansas
Certificate of Need (CON)? If not, why not?	Yes
Site meets Regulation No. 22.902 siting requirements?	Yes
Site meets Regulation No. 22.903 application requirements?	Yes
Operating Plan meets Regulation No. 22.905? Engineering notes on plans?	Yes
Closure Plan on file?	Yes

Permit Application Summary	
Initial financial assurance amount	$320,625.00

Rationale for Permit No. 0124-STSW; General Permit Conditions	
Condition No.	**General Conditions**
1	Lists applicable APC&EC Regulations. The list is not all inclusive.
2	Permit may be modified or revoked. [§22.308(f), §22.309(e)]
3	Annual fee required. [§9.604]
4	Details transfer provisions. [§22.307]
5	Division is not responsible for adequacy, operation, or proper functionality. Licensed operators required. [A.C.A. 8-6-201 et seq., APC&EC Regulation No. 8, §22.904(h)]
6	Division representatives have right to entry. [§22.1501]
7	Site must comply with the approved operating plan. [§22.904(p)]
8	Site must be constructed according to approved plans and designs. [§22.901]
9	Timeframes are applicable to this permit. [§22.309(d)]
10	SWRF records are required. [§22.907]
11	Storage requirements are in effect. [§22.904(f)]
12	Annual reports are required. [§22.904(n)]
13 and 14	Timeframes are applicable to this permit. [§22.906(d)]

Rationale For Permit No. 0124-STSW; Site Specific Conditions	
Condition No.	**Site Specific Conditions**
1	Site must operate in accordance with approved application materials. [§22.901]
2	Site must maintain $320,625.00 in financial assurance. [§22.906, §22.1401]
3	Waste receipt is limited. Increases in capacity may require site design changes that would necessarily require review. Increases may be performed through the minor modification process at the sole discretion of the Director. Tonnage is based on operating plan and permit application form – plan and form lists 1250 tons per day 6 days per week 50 weeks per year = 375,000 tons/year [§22.901]