

Kacy Murillo (adpce.ad)

Subject: RE: Eco-Vista C1 public comment

From: Jami Morgan [<mailto:jmorgan3592@gmail.com>]

Sent: Tuesday, May 30, 2023 1:30 PM

To: Nicholas Jones (adpce.ad) <Nicholas.Jones@adeq.state.ar.us>

Subject: Just Say No to Waste Management Eco Vista

Please find the letter attached indicating several reasons Waste Management Eco Vista should not receive their requested class 1 permit.

Regards,

Jami Morgan

To Whom It May Concern:

There are several reasons that the Class 1 landfill at Waste Management Eco Vista in Tontitown should not be allowed to expand.

Under Regulation 22:

22.204 - The host community must approve the location for a new landfill or an expansion via resolution. Tontitown unanimously voted to pass a resolution that they DO NOT support the expansion for the landfill.

22.407 - Mentions additional considerations for Karst terrain due to its unstable nature. The expansion area will place 1000s of tons of trash onto the slope of the old, unlined, closed landfill. This fails to take into consideration conditions that may result in significant differential settling, on-site geologic features, and human made features both surface and subsurface.

As trash breaks down, gasses and leachate are produced. Landfills are constantly settling and decomposing. Considering this and that the old landfill has NO liner, and is over unstable ground (Karst terrain) the location chosen within the boundaries of the Eco-Vista is a terrible idea. The weight of the new trash, although lined, will surely "wring" the leachate and gasses out of the old UNLINED trash hill and force out the byproducts of the decomposition process and thereby causing events which can harm both the environment and residents within an unknown radius. The underground water system is not entirely mapped and known, as evidenced in the dye test that resulted in dye from the class 4 landfill flowing to Wildcat Creek.

22.410 Within the Karst system, an entire ecosystem exists. Endangered blind cavefish have been found within just a few miles of the EcoVista landfill. As evidenced by the dye test, much is left unknown about the waterways under and around EcoVista. The presence of leachate into this environment would potentially contribute to the destruction of habitat and killing of endangered species. The Arkansas Game and Fish responded to WMEV's request for verification that no endangered species were on site by telling them to "just use the website to verify." To me this does not do due diligence.

22.411 (c) Working face should be kept to as small an area as possible. In the past neighbors have seen and reported multiple working face areas and just yesterday (5/29) the working face extended from on top of the northeast corner (which I thought was closed and capped?) and down the north slope.

(g) Litter control measures are not maintained as promised in the expansion documents. Neighbors deal with blown trash constantly. Cattle have been seen eating plastic bags. WM issued a "newsletter" requesting residents bag their trash better. Due to the compactors ripping the bags open, this statement does nothing but place blame on the residents of NWA.

(j) Concerns over the lack of equipment were brought up by Chief Ramsey of Tontitown Fire Department. Section J dictates that the landfill must adequately maintain their equipment and have access to replacements within 24 hours. This is obviously not happening. Multiple pieces of equipment have caught fire this year and not been replaced. Due to the large number of fires WMEV is experiencing this is incredibly negligent of WMEV as well as ADEQ.

(m) Nuisance avoidance is not adhered to in the form of odor, hazardous gasses, vectors, blown trash, noise, dust, smoke, etc. causing the public to experience both annoyance and health issues. The conditions created at WMEV also prevent neighbors from utilizing their properties, such simple tasks such as opening windows for fresh air, preparing and having a meal on your patio, hosting a party, or swimming in a pool are routinely avoided due to odors, dust, birds, blowing trash, and vapors.

(o) Multiple photos and complaints from the last 3 years have been submitted showing lack of proper cover. In early citizens' meetings Blake Small admitted that they had not been the best about covering the working face but that they would try to do better. There have been instances varying from ZERO to partial cover recorded and submitted to ADEQ.

22.413 The numerous complaints and photos submitted by neighbors proves the nuisance factor, as well as cover protocol not being met, yet permits are routinely given by ADEQ for alternative daily cover that contribute to the odors. Proper daily cover is outlined in this section but despite numerous photos of lack of coverage, not enforced. The approved alternative daily covers do not control the odors and vectors. Intermediate cover has not been mandated despite the number of complaints.

22.415 I believe this facility poses a hazard to the safety of both employees and neighbors as evidenced by the lack of available equipment on site as well as the numerous fires that we have been made aware of over the last 3 years. I can recall at least 8 fires in 3 years, 3 already this year. The fire reports reference hot spots, and hazardous materials that have made their way into the landfill, such as lithium batteries. This, along with the rapid settling of the north slope could be indicative of a subsurface fire which could pose major health risks to the employees and surrounding neighbors. At least one driver has come forward stating that the ground "rumbles" and has personally witnessed multiple smoke pop ups while dropping off loads.

22.420 (c) The landfill has been accepting wastewater sludge for quite some time but it wasn't until within the last year that a basin appeared on the working face to accept and bulk the sludge, meaning that it was being improperly disposed of potentially since the permit to accept the sludge was issued. There were multiple inspections done during this time yet no issues of this matter noted or cited.

22.424 I don't believe that the criteria set forth in this regulation have been acknowledged. Placing a tremendous amount of weight on the slope of an unlined class one landfill does not take into consideration the hydrogeologic characteristics of the facility and land, or the

components of the leachate. The groundwater testing has indicated higher than recommended amounts of cobalt since 2016. Other items that make up leachate have been high as well, although not as consistently. Errors prohibiting one or more samples within these routine tests seems to be a consistent issue. Having even the most state of the art liner in the expansion area does not negate the fact that THERE IS NO LINER UNDER THE ORIGINAL CLOSED CLASS 1 AREA.

Has there ever been another unlined landfill over Karst that has had an expansion placed on top of it? If so, what were the findings? Was there an increase in leachate and gasses released from the old landfill? If not, why is this highly residential landfill placed on top of a highly porous and cavernous aquifer the appropriate place to be a guinea pig?

22.425 (b)(3) All fill structures should be ABOVE the 100 year flood elevation. WMEV is currently implementing these measures. Regulation 22 has not been updated in several years. How many expansions has EMEV had since this Karst section was added? How was this missed? WM purchased a property to their Southeast because of the massive amounts of runoff and erosion on the property. Runoff is an issue in other parts of the property as well.

Additionally under 22.425, self reporting is mandated for liner leaks and daily fluid checks. With the other blatant disregard to stay within guidelines, how can we trust that these numbers are not being tampered with and reported when need be?

Final cover is discussed under this section as well. It seems as though there may be some discrepancies within the capping of the closed cells within the currently active class 1 space, since there has been a tremendous amount of erosion and reworking of the north cells, or perhaps this is excessive settling due to another reason such as a subsurface fire?

22.427 Surface water control seems to be lacking as evidenced by erosion on the current class 1 slopes, reports of sinking in the working face, erosion on neighboring properties, and lack of adherence to the required elevation of fill structures. Seeding and vegetation have not been maintained, during the times when some planting has taken place, vegetation doesn't seem to last long on the hill. Trees planted within the last few years also seem to not want to grow in the vicinity of the landfill.

WMEV was without a working washout bay for years without reprimand and recently has been without working washout over winter by failing to have the foresight that its water lines might freeze in the winter weather. They boasted of this grand new state of the art wheel wash but seem to have barely used it since it's instillation. Drivers have mentioned that when they have been able to have their trucks washed out the water is visibly dirty.

The current process of expansion in regards to notifying the public is outdated. The newspaper is only available in print one day a week and even then, next to nobody reads the public notice

section. A new means to notify the public needs to be implemented and utilized at every step of the process.

The current complaint process for environmental concerns is not conducive to helping the public or the environment. The complaints can be monitored by the companies they are concerning, the department has 10 days to inspect, photographic evidence is disregarded, and certain conditions contributing to the complaints are not taken into consideration upon inspection (time of day, barometric pressure, wind direction). An overhaul of the complaints process is needed to protect the environment and the public. In relation to this, the department should revise the recourse for entities not adhering to their regulations, allowing for larger fines and a more strict write up policy.

It does not appear that due diligence has been completed when considering the location of this expansion. The placement of lateral expansion onto the unlined landfill could have detrimental effects. The area is highly residential and does not deserve to be an experiment with ramifications that could last generations.

Additionally, fugitive gasses and vapors that have been reportedly making residents sick have still not been identified. Air testing has not occurred despite several requests by the city and neighbors. What is giving us headaches, dizziness, nausea, shortness of breath? What are the long term effects going to be? Is it safe to drink from our well? Is it safe to have a garden? What is in the dust that blows all over our plants? How quickly does gas and contaminants spread through the ground? The water? The air? Residents have a right to be able to use their properties. My grandparents were stuck in their homes a majority of the time with closed windows at the end of their lives unable to simply sit outside and enjoy the surroundings because of dust, odors, and gas/vapors. We have been unable to have a family dinner outside in years. We have been unable to open our windows. This is not just our life but the life of several of our neighbors as well. Our current and future generations deserve a life where we can let them freely run around outside without concerns of illness, acute or chronic, where they can play in the water, and dig in the dirt, and forage for plants and not be concerned about whether or not they have absorbed something toxic from the soil or air or water. Our lives, our health, and our environment are worth more than all the money made off this landfill.

I ask that you do not allow the permit to be issued. Let NWA figure out a temporary trash solution while another landfill is secured in a less delicate and more appropriate area. In the meantime, a revision of policies is needed to protect our Natural State and its residents, along with additional testing to identify fugitive gasses and vapors, dye testing to understand better the flow of water under the landfill, and a full inspection of the property and surrounding properties to investigate any underlying damage would be appropriate. Concurrently, the inspection of the landfill for signs of a subsurface fire in both class 1 and class 4 is needed, as well as additional machinery to assist in the daily functions and control of fires as needed.

Jami Morgan and Family