



## STATE PRIORITY LIST SITE SUMMARY

Arkansas Department of Energy & Environment, Division of Environmental Quality  
5301 Northshore Drive, North Little Rock, AR 72118

**Facility Name:** 49ers Resource Recovery and  
Forty-Niner Metals Management, LLC

**Facility Location:** Paragould, Arkansas

**EPA RCRA ID No:** ARR000021766

**EPA CERCLA ID No:** N/A

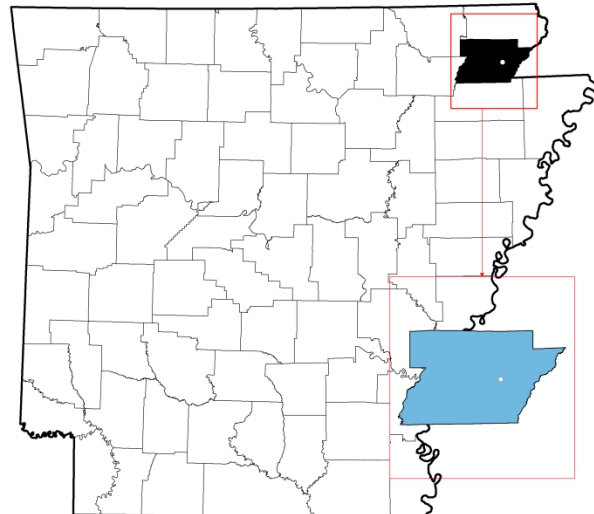
**AFIN:** 28-00471

**County:** Greene

**Arkansas Senate District:** 20

**Arkansas House District:** 57

**US Congressional District:** 1



### CURRENT STATUS

To date, the landowner has not complied with DEQ notices, leaving the property with potential human health risks and environmental effects associated with unknown contaminants from universal waste and used oil activities. A focused soil sampling event in February 2020 showed minimal surface soil contamination. It is unclear whether groundwater has been impacted. In June 2020, DEQ was informed the land had recently been sold and that the new owner had set fire to tires located on the Site.

### STATE PRIORITY LIST HISTORY

The 49ers Site was added to the Investigative and Remediation categories on December 19, 2014 in order to identify the nature and extent of human health risks and other risks associated with the possible presence of lead and unknown contaminants from universal waste.

## SITE DESCRIPTION

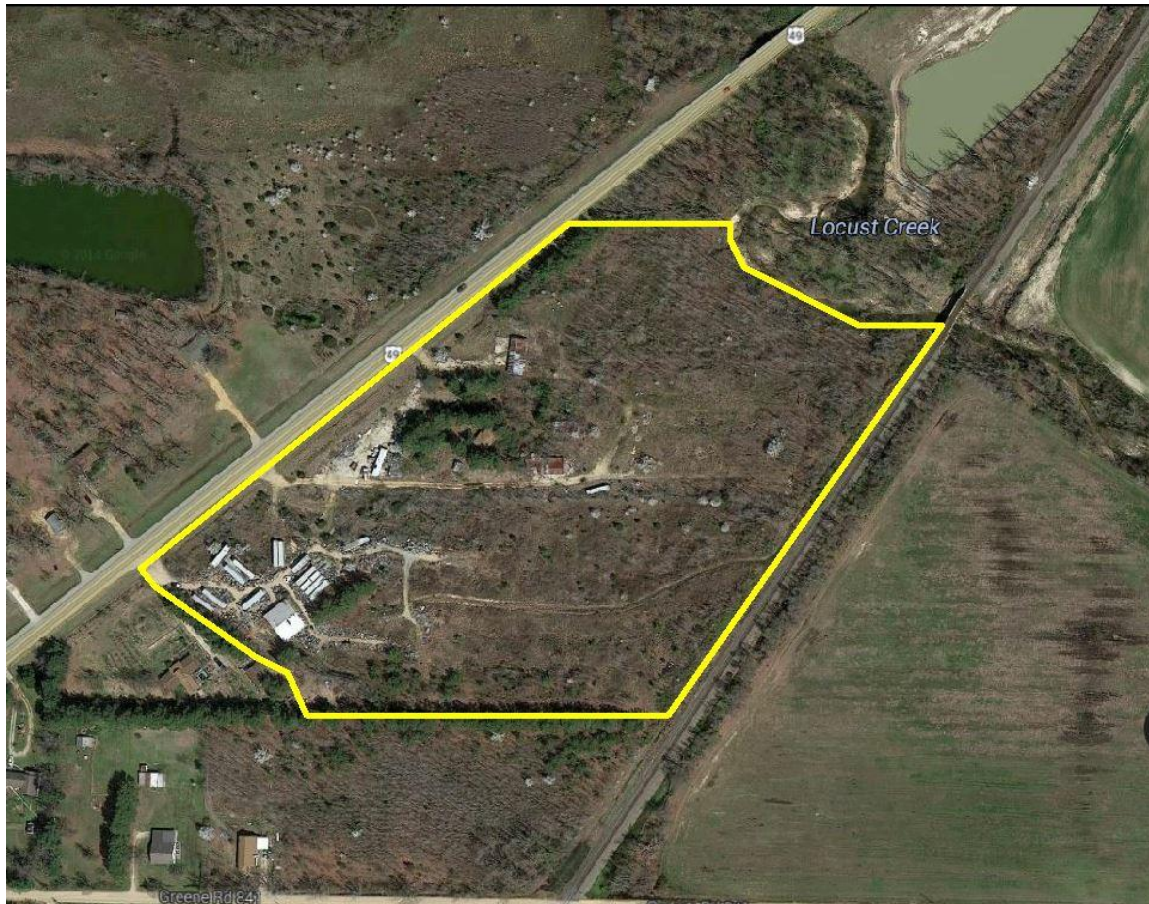
**Location:** The Site is located at 4722 U.S. Highway 49 North or approximately five (5) miles north of Paragould, Arkansas. (36.10525 north latitude, 90.450823 west longitude).

**Population:** The city of Paragould has 26,113 residents according to the Arkansas Municipal League.

**Setting:** The Site is comprised of approximately 17 acres. There is 1 main recycling buildings and multiple over the road (OTR) open trailers. There is a residential dwelling on the Site.

**Hydrology:** The Site is relatively flat and surrounded on the east and south by agricultural farmland and the west by forestry land. There is an unnamed creek at the back of the property.

### Aerial Photo:



**Site Photos:**

Universal Waste Stored in Piles Directly on the Ground



## **WASTE AND VOLUMES**

49ers Resource Recovery is a Large Quantity Handler of universal waste and scrap metal. Mr. Lukashuk, the owner of 49ers, has owned 10 acres since approximately 1996 and has been accumulating consumer products, scrap metal, and tires on this portion since approximately 2001. Mr. Lukashuk purchased another 7 acres adjoining his original property on the east side. Site investigations revealed computer parts were being stored in OTR trailers, open wire and cardboard bins, and in piles directly on the ground. During multiple inspections of the Site, DEQ has observed broken cathode ray tubes (CRTs).

## **HEALTH CONSIDERATIONS**

A focused soil sampling event in February 2020 showed minimal surface soil contamination. However, while these samples were taken as close to the existing piles of waste as possible, they are not considered representative of the Site. It is unclear whether groundwater has been impacted.

## **DEQ RESPONSE ACTIONS**

On October 5, 2010, DEQ Hazardous Waste and Solid Waste Divisions conducted investigations at the Site. The investigations revealed Mr. Lukashuk was handling and managing solid waste and electronic waste. Mr. Lukashuk was also openly burning the waste on his property in violation of Ark. Code Ann. § 8-6-205, APC&EC Regulation 18.602, and Ark. Code Ann. § 8-4-310. A DEQ Water Division National Pollution Elimination System (NPDES) Compliance Investigation observed that the facility was operating without the required NPDES permit.

A subsequent investigation on March 18, 2011, revealed no changes to the property. To date, Mr. Lukashuk has not addressed the hazardous and solid waste violations at the property.

On November 11, 2011, DEQ filed a Complaint in the Circuit Court of Greene County, Arkansas, to eradicate an illegal dump, require removal of hazardous wastes at said dump, to require the removal of solid wastes at said illegal dump, and to seek remedial action for hazardous substances. This case remains open in the Circuit Court of Greene County pending the outcome of a related case.

On May 6, 2014, a follow-up inspection at the Site revealed continuing violations of hazardous and solid waste laws.

On January 21, 2015, DEQ conducted an initial site assessment to evaluate the waste and view the overall condition of the site. This assessment shows that there is a substantial amount of material on site that would hinder future sampling from being performed.

On February 14, 2020, DEQ conducted a focused soil sampling event to evaluate surface soils for contamination. While these samples were taken as close to the existing piles of waste as possible, they are not considered representative of the Site.

In June 2020, DEQ was informed of a tire fire that occurred on the property. The EO who responded to the fire reported that the land had recently sold and the new owner was responsible for the tire fire. The new owner stated that there was an agreement between him and Mr. Lukashuk that Mr. Lukashuk would remain responsible for cleaning up the Site.

## **DEQ ANTICIPATED FUTURE ACTIVITIES**

The next course of action would be the removal and disposal of material on Site to support performing a Comprehensive Site Assessment. Subsurface soils and groundwater will be sampled at that time to determine if there is contamination.

## **SITE CONTACTS**

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