

# MID-SOUTH RECLAMATION INDUSTRIES

## STATE PRIORITY LIST SITE SMACKOVER, ARKANSAS



ADEQ  
5301 Northshore Drive  
North Little Rock, Arkansas 72118



EPA RCRA ID No: N/A  
EPA CERCLA ID No: N/A  
AFIN: 70-00446  
County: Union  
Arkansas Senate District: 25  
Arkansas House District: 7  
US Congressional District: 4

### **Current Status**

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In 2003, the Arkansas Department of Environmental Quality -Solid Waste Management Division (ADEQ) wrote a letter to Mid-South Reclamation Industries stating that all the activities the ADEQ deemed necessary to properly mitigate potential hazardous conditions at the site have been completed. This site was removed from the State Priority List in January 2009.

### **State Priority List History**

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The Arkansas Department of Environmental Quality (ADEQ) conducted a site investigation at the Mid-South facility in April, 2001 to determine continuing risks posed by the conditions on the site. Toxic

metals and cyanide compounds were detected in surface soil and sediment samples during the April 2001 investigation, as well as elevated levels of arsenic, barium, cadmium, chromium, cobalt, copper, iron, lead, manganese, nickel, sodium, thallium, zinc, and cyanide at approximately three times background levels.

As of January 2, 2002, little or no clean-up had been accomplished since the 1998 fires were extinguished. Access to the site was uncontrolled. Approximately 36,000 cubic yards of shredded tire and rubber material and nearly 8,000 intact tires remaining at the site continued to pose an imminent risk for another tire fire. Such a fire would endanger human health and the environment by releasing hazardous substances from the tire residues to the soil and surface waters as well as emitting air pollutants from the burning tire material.

Preliminary costs for cleaning up the site were estimated at approximately \$1.03 million, which greatly exceeds the amount of financial assurance posted by Mid-South. The ADEQ placed the site on the State Priority List of the Arkansas Remedial Action Trust Fund Act (RATFA) in order to address site cleanup.

Provisions of RATFA (Arkansas Code, Annotated, § 8-7-5 and APC&EC Regulation No. 23, § 26(b)) require that before any moneys from the Remedial Action Trust Fund are expended on a hazardous substance site, that site must be listed on the State Priority List in Arkansas Pollution Control and Ecology Commission (APC&EC) Regulation No. 30. The Mid-South Reclamation Industries facility was added to the State Priority List in May 2002 in order to fund a timely response to the hazard posed by conditions at the site. This site was removed from the State Priority List in January 2009.

## **Site Description**

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**Location:** Mid-South Reclamation is located at 2 Kenova Road in Smackover, Arkansas.

**Population:** The population of Smackover, Arkansas is 1, 929.

**Setting:** Mid-South Reclamation Industries, Inc. (hereinafter "Mid-South") is an inactive tire reclamation facility located at 2 Kenova Road in Smackover, Union County, Arkansas. Waste tires were brought to the site and stored until they could be de-beaded and shredded. The shredded tires were then sold for fuel, or reduced further and sold as rubber turf. The facility is privately owned by Drew Sheppard and Courtney Sheppard via a parent company, Sheppard Land and Timber Company. Sheppard Land and Timber owns 85% of Mid-South stock. The company is currently in bankruptcy.

**Hydrology:** The terrain in the Smackover area is gently rolling. Most of the flat-lying land surface is located on the flood plains of the larger streams like Smackover Creek. The area is underlain by a great thickness of relatively young and unconsolidated sedimentary rocks. The main rock formation present in the Smackover area is alluvium and terrace deposits of Quaternary age. The terrace deposits are composed of unconsolidated gravel and sand with clay in the upper portion. This is overlain by recent alluvium, clay silt and sand, in the floodplains of the streams. The Quaternary deposits range considerably in thickness but the maximum is probably less than 100 feet.

Site Photos: Current conditions of the Site (October 2007)



## **Waste and Volumes**

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The facility experienced a fire in 1992 and another in 1998. Little or no clean-up was accomplished between the time the 1998 fires was extinguished and January 2002. Access to the site was uncontrolled. Approximately 36,000 cubic yards of shredded tire and rubber material and nearly 8,000 intact tires remaining at the site continue to pose an imminent risk for another tire fire. Such a fire would endanger human health and the environment by releasing hazardous substances from the tire residues to the soil and surface waters as well as emitting air pollutants from the burning tire material.

## **Health Considerations**

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Toxic metals and cyanide compounds were detected in surface soil and sediment samples during the April 2001 investigation, as well as elevated levels of arsenic, barium, cadmium, chromium, cobalt, copper, iron, lead, manganese, nickel, sodium, thallium, zinc, and cyanide at approximately three times background levels.

## **ADEQ Response Actions**

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In April 1992, Mid-South experienced a fire in an unpermitted storage area used for tires and shredded rubber. This fire burned for several weeks before going out. A subsequent ADEQ Solid Waste Division inspection revealed that Mid-South was operating without the necessary permits for the burning storage area. ADEQ staff then began work to attempt to bring the facility into compliance.

ADEQ conducted routine compliance inspections at Mid-South beginning in June 1992. Mid-South operated in continuing noncompliance with the requirements of APC&EC Regulation No. 22 (Solid Waste Management) throughout the operating history of the facility, from approximately 1992 until the facility ceased active operations in 1998. The company submitted a Corrective Action Plan to ADEQ in October 1997, with a suspense of April 30, 1998 to complete the actions called for in the plan.

On April 30, 1998, Mid-South experienced another fire in its permitted unit. This fire spread to the unpermitted area on May 1, 1998. The Smackover and Norphlet fire departments responded to these fires, but Mid-South was unable to pay the costs of extinguishing the fires. ADEQ officials were notified and retained personnel and equipment to extinguish the fire, however ADEQ soon exhausted its budget for the response and it was decided to let the fires burn themselves out.

ADEQ took enforcement action against Mid-South by issuing a Notice of Violation (NOV) on May 14, 1998. This NOV found reasonable grounds that Mid-South had violated the provisions of APC&EC Regulation No. 22, and sought civil penalties in the amount of \$150,200. Mid-South began negotiations with ADEQ to resolve this NOV.

On July 14, 1998, the U.S. Environmental Protection Agency (U.S. EPA) Region VI was notified by concerned citizens in the Smackover area that the April fire at the Mid-South site was still burning. EPA tasked its Superfund Technical Assistance and Response Team to conduct an emergency response to extinguish the fires. The Mid-South site was added to EPA's CERCLIS list on July 16, 1998 and

emergency removal activities were initiated in order to extinguish the smoldering fire. All emergency response activities at the site were completed by July 24, 1998.

ADEQ and Mid-South entered into a Consent Administrative Order (CAO), LIS No. 98-066 as a compromise to resolve the issues charged in the May 1998 NOV. Mid-South agreed to cease receipt and storage of tires at their facility, to submit a corrective action plan to ADEQ for approval within 60 days, and to clean up the site within 120 days of approval of the corrective action plan. Mid-South also agreed to pay a civil penalty of \$25,000, clean up the site within 90 days, and sell the property with the proceeds of the sale to be used to implement a Supplemental Environmental Project designed to advance environmental interests.

Failure to comply with the corrective action plan would cause Mid-South to forfeit a letter of credit issued by the First National Bank of El Dorado, Arkansas, in the amount of \$100,000 at which time ADEQ would apply these funds for cost recovery of remediation at the facility. Mid-South signed the corrective action plan on or about October 28, 1998, with an effective date of December 12, 1999.

Mid-South defaulted on the conditions of the CAO, and on April 1, 1999, ADEQ filed suit in civil court to compel Mid-South to comply with the conditions of the order. In May 2002, ADEQ listed Mid-South on the State Priority List to aid in timely response actions. Mid-South completed remedial activities abating the potential harm that warranted listing of the site on the SPL.

## **ADEQ Anticipated Future Activities**

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On September 18, 2003 the Solid Waste Management Division wrote a letter to Mid-South Reclamation Industries stating that all the activities the Agency deemed necessary to properly mitigate potential hazardous conditions at the site had been completed.

## **Site Contacts**

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Information Repository:	None Officially Required	