



**Arkansas Department of Environmental Quality  
Solid Waste Management Division  
Complaint/Illegal Dump Investigation Worksheet**



**Complaint Lodged Against:**  
Steve Gilmore  
21209 Arch St.  
Little Rock, AR 72206

Page 1 of 2

County: Saline

AFIN: 63-00000

PDS ID: 2547

Access ID:

**Complainant Name & Address:**  
Unknown

Valid

Invalid

Phone:

Unknown

**Location Description:** Take Arch St. into East End. Shell station will be on the right, site is approximately one block farther down on the right.

**Complaint Description of Waste:** Construction waste.

**Complaint Received by:** Ken Burks

**Date Received:** 04/04/05

Section 1: Size of Waste Mass			Pts	Points	Total
Length		>640 yd <sup>3</sup>	5		0
Width		320 yd <sup>3</sup> to 640 yd <sup>3</sup> = 16 roll offs	5		0
Height		160 yd <sup>3</sup> to 320 yd <sup>3</sup> = 8 roll offs	4	4	20
Total		80 yd <sup>3</sup> to 160 yd <sup>3</sup> = 4 roll offs	3		0
Approx. Cyd		40 yd <sup>3</sup> to 80 yd <sup>3</sup> = 2 roll offs	2		0
		40 yd <sup>3</sup> or < = 1 roll off	1		0
{Section 1 Multiplier=5}			Size of Waste Mass Score		20

Section 2: Contents of Waste Mass			Pts	Points	Total
<b>Household Waste</b>			5		0
<b>Hazardous items</b> {i.e. paint thinner, cleaning chemicals, oil cans, herbicides, medical waste, asbestos}			5		0
<b>White Waste</b> {i.e. Refrigerators and appliances that may contain Freon}			3	3	9
<b>Construction/Demolition Waste</b>			3	3	9
<b>Approximate Number of Tires:</b>			3		0
<b>Abandoned Vehicles /Auto Parts:</b> {May contain gasoline, oil, antifreeze or other automotive fluids}			2		0
<b>Other Bulky Waste:</b> {i.e. TV's, Furniture, Mattresses, etc.}			2		0
<b>Yard Waste</b>			1		0
<b>Dead Animals</b>			4		0
<b>Other</b>					0
{Section 2 Multiplier = 3}			Contents of Waste Mass Score		18

*Ken Burks*

Section 3: Site Assessment		Pts	Points	Total
Air Pollution	Open Burning	5		0
Air Pollution	Evidence of Open Burning	4		0
Air Pollution	Strong; Foul Order Present	3		0
Water Pollution	Waste in or near standing or flowing water	5		0
Water Pollution	High probability of leachate (run-off) into ground/surface water	5	5	20
Public Health Risk Assessment	Vectors sighted	5		0
Public Health Risk Assessment	Evidence of Vectors {i.e. rats, flies, mosquitoes, snakes, scavengers}	4		0
Public Health Risk Assessment	Public Nuisance {i.e. feces and/or eggs and/or tunnels}	3		0
Site Usage Assessment	Site attended or maintained for a fee	5		0
Site Usage Assessment	History of previous complaints	5		0
Site Usage Assessment	Active, attractive nuisance; evidence of recent dumping	5	5	20
Site Usage Assessment	Dumping resumed at cleaned up or closed site	4		0
Site Usage Assessment	Old Site; no evidence of recent dumping; overgrown	2		0
{Section 3 Multiplier = 4}		<b>SITE ASSESSMENT SCORE</b>		<b>40</b>
		<b>TOTAL for Section 1 &amp; 2</b>		<b>38</b>
<b>Date Investigated:</b> 04/05/05		<b>Time Investigated:</b> 1250 through 1310		<b>(F9) TOTAL SCORE</b> <b>78</b>

GIS: N 34° 33' 13.5"; WO 92° 20' 14.9"

### Section 4: Violations

#### Solid Waste Management Act §8-6-205

X	(a)(2) To construct, install, alter, modify, use or operate any solid waste processing or disposal facility or disposal site without a permit from the department
X	(a)(3) To dispose of solid wastes at any disposal site or facility other than a disposal site or for which a permit has been issued by the department
	(a)(3) Individual's household disposal that creates a public or private nuisance or a hazard to health and/or violates a city ordinance or other law and/or involves the open dumping of garbage
	(a)(4) To dump, deposit, throw, or in any manner leave or abandon any solid wastes upon property owned by another person without the written permission of the owner or upon public property
X	(a)(5) To sort, collect, transport, process, or dispose of solid waste contrary to the rules, regulations or orders of the department, or create or likely to create a public nuisance or public health hazard or to cause or likely to cause water or air pollution (Ark. Water and Air Pollution Control Act §8-4-101 et seq)
	(a)(5)(b) A rebuttal presumption when one (1) or more items of solid waste bear the name to indicate that the person committed the unlawful act of disposal

#### Waste Tire Regulations #14 §9, Prohibitions:

	Tires disposed unless part of a permitted processing/collection facility
	Caused or permitted the open burning of tires

#### Air Pollution Control Code §8-4-310(a)(1)(2)(3)

	5)(a) No person shall cause or permit the open burning of refuse, garbage, trade wastes or other waste material, or shall conduct a salvage operation by open burning
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#### Litter Act §8-6-406

	Dispose of litter upon any public or private property or into any body of water
	Vehicle is not covered to prevent the contents from departing from vehicle

#### Final Disposition

X	Investigated – Letter Sent	Investigated – No Evidence Found
	No Further Action Required	Complaint Forwarded To:

*Kenneth Banks*

**Complaint Investigation and Illegal Dump Worksheet Attachment**

<b>Location: East End - Arch Street</b>		<b>County: Saline</b>	
<b>Inspector: Ken Burks</b>		<b>Date: 04/05/05</b>	
<b>Follow-Up Investigation</b>	<b>PDS ID: 2547</b>	<b>Access ID:</b>	

**Comments:**  
04/05/05 – I entered the site at 1250 and noted a large amount of construction waste towards the back of the property. It appeared the waste was being used as fill material, although it could not be determined how much had been covered with dirt. The material I noted included lumber concrete, shingles, fixtures, appliances, insulation, metal pipe, and electrical wiring. I then proceeded to the Shell station in East End and contacted Mr. Steve Gilmore’s wife. She stated that they had torn down an old house and were using the material as fill on their lot. I stated that the material, except for the concrete, bricks, rocks, and dirt, must be taken to a permitted solid waste disposal facility and she agreed with this. I gave them 90 days to remove the waste and provide disposal receipts. I exited the area at 1310.

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**FURTHER ACTION TAKEN/TO BE TAKEN:**

I will inspect the property again in approximately 90 days.

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**Inspector Signature** Ken Burks      **Date** 04/05/05  
 Form Revised 12-12-03



ARKANSAS  
Department of Environmental Quality

April 07, 2005

Mr. Steve Gilmore  
21209 Arch Street  
Little Rock, AR 72206

Dear Mr. Gilmore:

On April 05, 2005, I performed an investigation of your property located on Arch Street in Saline County. This investigation was in response to a complaint alleging illegal dumping. My investigation revealed that you are in violation of the Arkansas Solid Waste Management Act, A.C.A. § 8-6-205. Specifically, I found the following violation(s):

Operation of an unpermitted solid waste disposal facility, which is in violation of §8-6-205 (a) (1)(2)(3) and (5). The waste dumped at this site consists of construction/demolition waste. **"No person shall dispose of solid waste at any disposal site or facility other than a disposal site or facility for which a permit has been issued by the Department".**

By law, anyone who violates any provision of the Solid Waste Management Act may be subject to criminal, administrative and civil penalties up to \$10,000.

You should immediately cease the activity described above and undertake measures to correct the violation. You should notify me in writing at the address below or call (501)682-0581 within **20 days** of the date of this letter with a plan of action for correcting the violation.

Please be advised that failure to make contact with me in regard to this notification may warrant formal enforcement. Your cooperation is appreciated.

Sincerely,

Kenneth Burks, Inspector  
Solid Waste Division

cc: Enforcement Branch Files  
Flora Wrather, Illegal Dump Coordinator















