



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



Complaint Lodged Against:

Cecil Tubbs  
861 Sills Peninsula Road  
Shirley, AR 72153

Page 1 of 2

County: Van Buren

AFIN: 71-0000

PDS ID: 2637

Access ID:

Complainant Name & Address:

Martha Treece  
174 Harpers Cove  
Shirley, AR 72153

Valid

X

Invalid

Phone: 800-518-7251

Unknown

Location Description:

From Clinton take Hwy. 65 North to Hwy. 16 East to Burnt Ridge road, turn right, go approx. 2.0 miles and Burnt Ridge road forks or turns to the right. Stay on Burnt Ridge road to Sills Peninsula road, turn right, go approx. 0.5 miles to site on left. The tires can be seen from the road.

Complaint Description of Waste:

Tires stacked all over the property.

Complaint Received by: Gary Meador

Date Received: 6-2-05

Section 1: Size of Waste Mass

|                                                           | Pts                      | Points | Total |
|-----------------------------------------------------------|--------------------------|--------|-------|
| Length                                                    |                          |        |       |
| Width                                                     |                          |        |       |
| Height                                                    |                          |        |       |
| Total                                                     |                          |        |       |
| Approx. Cyd                                               |                          |        |       |
| >640 yd <sup>3</sup>                                      | 5                        |        | 0     |
| 320 yd <sup>3</sup> to 640 yd <sup>3</sup> = 16 roll offs | 5                        |        | 0     |
| 160 yd <sup>3</sup> to 320 yd <sup>3</sup> = 8 roll offs  | 4                        |        | 0     |
| 80 yd <sup>3</sup> to 160 yd <sup>3</sup> = 4 roll offs   | 3                        |        | 0     |
| 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 |        | 0     |

Section 2: Contents of Waste Mass

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

| 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                                  |                         | 0     |
| 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                                  |                         | 0     |
| 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>       |                         | 0     |
|                               |                                                                        | <b>TOTAL for Section 1 &amp; 2</b> |                         | 0     |
| Date Investigated: 6-15-05    |                                                                        | Time Investigated: 1230            | (F9) <b>TOTAL SCORE</b> | 0     |

**GIS:**

| Section 4: Violations                                  |                                                                                                                                                                                                                                                                                                                                 |   |                                                     |
|--------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|-----------------------------------------------------|
| <b>Solid Waste Management Act §8-6-205</b>             |                                                                                                                                                                                                                                                                                                                                 |   |                                                     |
|                                                        | (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                                                                                                                                                               |   |                                                     |
|                                                        | (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                                                                                                                                    |   |                                                     |
|                                                        | (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                                                                                                                                                                     |   |                                                     |
| <b>Waste Tire Regulations #14 §9, Prohibitions:</b>    |                                                                                                                                                                                                                                                                                                                                 |   |                                                     |
|                                                        | Tires disposed unless part of a permitted processing/collection facility                                                                                                                                                                                                                                                        |   |                                                     |
|                                                        | Caused or permitted the open burning of tires                                                                                                                                                                                                                                                                                   |   |                                                     |
| <b>Air Pollution Control Code §8-4-310(a)(1)(2)(3)</b> |                                                                                                                                                                                                                                                                                                                                 |   |                                                     |
|                                                        | 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                                                                                                                                                           |   |                                                     |
| <b>Litter Act §8-6-406</b>                             |                                                                                                                                                                                                                                                                                                                                 |   |                                                     |
|                                                        | 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                                                                                                                                                                                                                                                      |   |                                                     |
| <b>Final Disposition</b>                               |                                                                                                                                                                                                                                                                                                                                 |   |                                                     |
|                                                        | Investigated – Letter Sent                                                                                                                                                                                                                                                                                                      | X | Investigated - No Evidence of illegal tire disposal |
| X                                                      | No Further Action Required                                                                                                                                                                                                                                                                                                      |   | Complaint Forwarded To:                             |



## Complaint Investigation and Illegal Dump Worksheet Attachment

|                                                             |                                |                          |                   |
|-------------------------------------------------------------|--------------------------------|--------------------------|-------------------|
| <b>Location: Tubbs Property</b><br>861 Sills Peninsula Road |                                | <b>County: Van Bruen</b> |                   |
| <b>Inspector: Gary Meador</b>                               |                                | <b>Date: 6-15-05</b>     |                   |
| <input type="checkbox"/>                                    | <b>Follow-Up Investigation</b> | <b>PDS ID: 2637</b>      | <b>Access ID:</b> |

**Comments:**

I inspected the above property on this date and observed waste tires being stored in rows. I spoke with the Tubbs and they were in the process of building a wheel chair ramp by laying the tires flat and filling them with dirt. I informed them that the tires must be stored in a manner that prevents the holding of water for mosquito control. I found no evidence of illegal waste tire disposal.

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

None at this time.

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**Inspector Signature** \_



**Date:** 6/15/05



