

VALID? [ ] YES [  ] NO

FOR OFFICE USE ONLY:  
AIR HW RST [ SW ] WATER MINING

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
P. O. BOX 8913, LITTLE ROCK, AR 72219-8913

COMPLAINT REPORT FACILITY ID:

LOG#: 07756	CSN#: 23-0000 PERMIT#:
DATE RECEIVED: Dec 5 1995	COUNTY: Faulkner
COMPLAINANT NAME: Mrs. Mateljan	COMPLAINT AGAINST: Estate of Iva McMahon
ADDRESS: Conway AR	ADDRESS: 1835 Scott St
PHONE: 329-1342	PHONE: FAX: Conway AR

PERSON RECEIVING REPORT: Constance Swinn	DATE: 12/5/95	SUPERVISOR REFERRAL:	DATE:
INSPECTOR REFERRED:	DATE:	MEDIA SUPERVISOR REFERRAL:	DATE:
PHONE REFERRAL CONTACT:	DATE:	RECEIVING INSPECTOR: Heidi Lane	DATE:

DESCRIPTION (IN DETAIL)

Old bldg, practically falling down, is being used to store large quantity of old used tires. She has contacted local authorities & can't get any response except Fire Marshall who declared site a potential fire hazard. Approx 4 yrs ago tractor trailer hauled off tires & now they are accumulating again - vectors a real problem

LOCATION (IN DETAIL) Since its in "City" of Conway I suggested the Code Enforcement officer & Prosecuting Atty.

PREVIOUS COMPLAINT? [ ] YES [ ] NO DATES:

DISCHARGE TO STREAM? [ ] YES [ ] NO NAME OF STREAM:

HOW COMPLAINT WAS RECEIVED:  PHONE [ ] LETTER [ ] VERBAL [ ] FAX

Son's name "Bo" who seems to be in charge now

FOLLOW UP ON COMPLAINT

LOG #: 07756

CSN #: 23

INSPECTOR: SGT McWilliams

DATE: 3/19/96

ACTION TAKEN:

PHOTOS TAKEN:  YES  NO

Contacted Ronnie White, Code Enforcement Officer, on 3/19/96. He said that he had already addressed this complaint. That all materials are stored in the house. There is no illegal dump on the property.

FURTHER ACTION TAKEN/TO BE TAKEN:

INSPECTOR SIGNATURE: SGT McWilliams

DATE: 3/19/96

HOURS WORKED: 0.15

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
P. O. BOX 8913, LITTLE ROCK, AR 72219-8913

COMPLAINT REPORT

FACILITY ID:

LOG#: 07258(23)	CSN#: 23-0000	PERMIT#:
DATE RECEIVED: 8/1/95	COUNTY:	
COMPLAINANT NAME: Jim Bell	COMPLAINT AGAINST:	
ADDRESS: OES - Faulkner County	ADDRESS:	
PHONE: 501-450-4935 FAX: Pager: 450-8223	PHONE:	FAX:
PERSON RECEIVING REPORT: DATE: Jay Rich 8-1-95	SUPERVISOR REFERRAL: DATE: 8/1/95 Tammie Hyatt - Jay Rich	
INSPECTOR REFERRED: DATE: Jay Rich 8-1-95	MEDIA SUPERVISOR REFERRAL: DATE: 8/3/95 SUZANNE STAIR, SWID rec'd	
PHONE REFERRAL CONTACT: DATE: 570-2868 8-1-95	RECEIVING INSPECTOR: DATE: S. Turkington	

DESCRIPTION (IN DETAIL)

The site is in a rural area on a county road in Pickles Gap. Mr. Jim Bell said there was a fire on 7-30-95. Bedard Park Fire Dept. responded to the fire, but had to let it burn out because of numerous <sup>small</sup> explosions ~~and~~ heavy fumes. Mr. Bell said there were a lot of 5 gallon containers & 55 gallon drums on the site. He said the site appeared to be the location of an house that had burned only a chimney is left. The site has an old table that makes metal parts, back hoe present. Mr. Bell also said a court ~~was~~ previously ordered the owner to clean up the "mess" but he refused.

LOCATION (IN DETAIL)

Pickles Gap, on a city road. Travel Hwy 65 N - makes turn right on Pickles Gap road - travel 2.3 miles & turn left on Cornwell lane (a gravel road) there is a sign marked "WELDING" on Cornwell lane. The site is immediately on the left on Cornwell lane. -


PREVIOUS COMPLAINT?  YES  NO DATES: ? court order previously had ordered it to be cleaned up

DISCHARGE TO STREAM?  YES  NO NAME OF STREAM:

HOW COMPLAINT WAS RECEIVED:  PHONE  LETTER  VERBAL  FAX

ARKANSAS DEPARTMENT OF POLLUTION CONTROL & ECOLOGY

MEMORANDUM

TO : Tammie Hynum, Superfund Inspector Supervisor, HWD  
FROM : Jay Rich, Hazardous Waste Inspector, HWD *JR*  
THROUGH : Jean Koeninger   
DATE : 8/8/95  
SUBJECT : Complaint in Pickles Gap

---

On August 1, 1995, Richard McDuffee referred a complaint from Jim Bell of OES in Faulkner County, Arkansas to the Superfund Branch of the Hazardous Waste Division. The complaint was in relation to a fire in Pickles Gap, Arkansas that involved numerous explosions and very heavy fumes.

On August 3, 1995, Lynn Shaw and myself responded to the complaint. We did not find any evidence of hazardous substances on site, although, there was one drum that had been turned over spilling a greasy, oily sludge. The soil around this drum was heavily stained with oil. Two other drums were also observed labeled "Horn Clear Seal 300, 30% solids, Non-Yellowing, Ingredients: styrene acrylate copolymer, aromatic 100, Flamable Liquid". The quantity of these drums are unknown. The rest of the area was littered with a lot of various scrap material, junked cars, an old mobile home, a semi-trailer, refrigerators, water furnaces, ect. that had been

burned in the fire. The site covers approximately two to three acres.

Based on the lack of visual hazardous substances, it is recommended that this site be turned over to the Solid Waste Division for further investigation.

cc: Richard McDuffee, ADPC&E

SOLID WASTE DIVISION

"OTHER" REPORT

Log # 07283 CSN: 23-0000 Permit Nbr: \_\_\_\_\_

County Faulkner (23) Division SW

Incident Nbr: \_\_\_\_\_

Date of Activity 7/10/95 Assigned By SWD

Brief Description of Activity Anonymous complaint received on 7/4/95. Alleged dumping at Cove creek, 3 miles west of Damascus. (10/CG)

Total Hours of Activity 4.0

Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Inspector Scott Tankington



STATE OF ARKANSAS

DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533 FAX: (501) 562-2541



Pg 1813

### Illegal Dump Inspection and Evaluation Form

Date of Complaint <u>6-5-95</u>	Entry Date / Time <u>0904</u>	Exit Date / Time <u>0930</u>
Landmark or Name of Nearest Town	County <u>Faulkner</u>	Log Number <u>07065</u>
Site Location - Section/Township/Range	Landowner/Address <u>Sharron Campbell</u> <u>#21 Fuller Road</u> <u>Conway, AR 72032</u>	
Federal/State/County Road Number	Telephone Number:	
Location Conditions:		
City Limits	<input type="checkbox"/> Yes <input type="checkbox"/> No	Access Control <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ownership	<input checked="" type="checkbox"/> Private <input type="checkbox"/> Public	Heavy Traffic <input type="checkbox"/> Yes <input type="checkbox"/> No
Proximity	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Rural	

#### SECTION I - Size of Waste Mass

2 x 3 = 6

<u>5</u> X <input type="checkbox"/>	>50 by 100 yards	or	>1 acre	Approximate size: _____
<u>5</u> X <input type="checkbox"/>	50 by 100 yards	or	1 acre	{i.e. football field}
<u>4</u> X <input type="checkbox"/>	50 by 50 yards	or	1/2 acre	
<u>3</u> X <input type="checkbox"/>	50 by 20 yards	or	1/4 acre	
<u>2</u> X <input checked="" type="checkbox"/>	5 to 20 yards	or	one dump truck load	
<u>1</u> X <input type="checkbox"/>	5 or less yards	or	one pick up truck load	

#### SECTION II - Contents of Waste Mass

11 x 3 = 33

<u>5</u> X <input checked="" type="checkbox"/>	Household Waste	_____
<u>5</u> X <input type="checkbox"/>	Hazardous items {i.e. paint thinner, cleaning chemicals, oil cans, herbicides, medical waste, asbestos}	_____
<u>3</u> X <input checked="" type="checkbox"/>	White Waste - { i.e. Refrigerators and Appliances}	_____
	<input type="checkbox"/> May contain freon	_____
<u>3</u> X <input checked="" type="checkbox"/>	Construction/Demolition Waste	_____
	<input type="checkbox"/> May contain Asbestos	_____
	<input checked="" type="checkbox"/> May contain Lead-Based Paint <u>Paint cans and house paint chips.</u>	_____
<u>3</u> X <input type="checkbox"/>	Tires	Approximate number of: Truck: _____ Passenger: _____ Other: _____
<u>2</u> X <input type="checkbox"/>	Abandoned Vehicles or Auto Parts	_____
	May contain gasoline, oil, antifreeze or other automotive fluids	_____
<u>2</u> X <input type="checkbox"/>	Other Bulky Waste {i.e. TV's, Furniture, Mattresses, etc.}	_____
<u>1</u> X <input type="checkbox"/>	Yard Waste	_____
<u>4</u> X <input type="checkbox"/>	Dead Animals	_____
	<input type="checkbox"/> Other	Describe: _____

SECTION III - Site Assessment

17 x 4 = 68

<b>Air Pollution</b>	
5 X <input type="checkbox"/>	Open Burning
4 X <input checked="" type="checkbox"/>	Evidence of Open Burning
3 X <input type="checkbox"/>	Strong; Foul Odor Present
<b>Water Pollution</b>	
5 X <input checked="" type="checkbox"/>	Waste in or near standing or flowing water
5 X <input type="checkbox"/>	High probability of leachate (run-off) into ground/surface water
<b>Public Health Risk Assessment</b>	
5 X <input type="checkbox"/>	Vectors sighted (i.e. Rats - flies - mosquitoes - snakes - scavengers)
4 X <input type="checkbox"/>	Evidence of Vectors (i.e. Feces and/or eggs and/or tunnels)
3 X <input checked="" type="checkbox"/>	Public Nuisance
<b>Site Usage Assessment</b>	
5 X <input type="checkbox"/>	Site attended or maintained for a fee
5 X <input type="checkbox"/>	History of previous complaints
5 X <input checked="" type="checkbox"/>	Active, promiscuous site; attractive nuisance; evidence of recent dumping
4 X <input type="checkbox"/>	Dumping resumed at cleaned up or closed site
2 X <input type="checkbox"/>	Old site; no evidence of recent dumping; overgrown

SECTION IV - Violations

<b>Solid Waste Management Act 8-6-205:</b>	
<input checked="" type="checkbox"/>	(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
<input checked="" type="checkbox"/>	(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
<input type="checkbox"/>	(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
<input type="checkbox"/>	(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
<input type="checkbox"/>	(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)
<input type="checkbox"/>	(a)(5)(b) A rebuttable presumption when two (2) or more items of solid waste bear the name to indicate that the person committed the unlawful act of disposal
<b>Waste Tire Regulation #14, Section 9, Prohibitions:</b>	
<input type="checkbox"/>	Tires disposed unless part of a permitted processing/collection facility
<input type="checkbox"/>	Caused or permitted the open burning of tires
<b>Air Pollution Control Code 8-4-310(a)(1)(2)(3)</b>	
<input checked="" type="checkbox"/>	(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>	
<input type="checkbox"/>	Dispose of litter upon any public or private property or into any body of water
<input type="checkbox"/>	Vehicle is not covered to prevent the contents from departing the vehicle

Inspector Signature

Scott Tankington

Person Interviewed

Total Score

107

Photos  Yes

Revision Date:

05/02/95

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
P. O. BOX 8913, LITTLE ROCK, AR 72219-8913

COMPLAINT REPORT

FACILITY ID:

LOG#: 07065	CSN#: 230000 PERMIT#:
DATE RECEIVED: 6/5/95	COUNTY: Faulkner
COMPLAINANT NAME: Debra Bradley	COMPLAINT AGAINST: Sharron Campbell
ADDRESS: #20 Fuller Road, Conway, AR 72032	ADDRESS: #21 Fuller Road, Conway, AR 72032
PHONE: 470-1416 FAX: —	PHONE: FAX:
PERSON RECEIVING REPORT: DATE: JST - From Tom Hudson 5/30/95	SUPERVISOR REFERRAL: DATE:
INSPECTOR REFERRED: DATE: JST 6/5/95	MEDIA SUPERVISOR REFERRAL: DATE:
PHONE REFERRAL CONTACT: DATE:	RECEIVING INSPECTOR: DATE: JST 6/5/95

DESCRIPTION (IN DETAIL)

Open dumping & burning at #21 Fuller Road

LOCATION (IN DETAIL)

See Attached Maps

PREVIOUS COMPLAINT?  YES  NO DATES:

DISCHARGE TO STREAM?  YES  NO NAME OF STREAM:

HOW COMPLAINT WAS RECEIVED:  PHONE  LETTER  VERBAL  FAX

Pg 4 of 13 FOLLOW UP ON COMPLAINT

COMPLAINT #: 07065

CSN #: 23 0000

INSPECTOR: Scott Tarkington

DATE: 6-5-95

ACTION TAKEN:

PHOTOS TAKEN:  N

On June 5, 1995 Tom Hudson, Air Inspector, and I investigated the complaint site at #21 Fuller Road. We observed an abandoned house that had a pit dug into the front yard. The pit contained the following materials that are in violation of Reg 22: Household waste, appliances, metal brackets and construction and demolition waste and evidence of burning.

FURTHER ACTION TAKEN/TO BE TAKEN:

Send regular open dump/burn letter to Sharon Campbell and copy Debra Bradley (complainant)  
- Also will send copy to Tom Hudson, Air Inspector Russellville, AR

INSPECTOR SIGNATURE:

Scott Tarkington

DATE: 6/5/95

HOURS WORKED: 4.0

Handwritten notes on the right margin, including a circled '0' at the top and a vertical line with a wavy pattern below it.

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STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-7444  
FAX: (501) 562-4632



June 13, 1995

Ms. Sharon Campbell  
#21 Fuller Road  
Conway, Arkansas 72032

Re: Open Burning

Dear Ms. Campbell:

On June 5, 1995, Solid Waste Inspector Scott Tarkington and I investigated a citizen's complaint which alleged that open burning was occurring on your property. The alleged activity was in progress at the time of our investigation. Photographs taken by us, as well as those taken by the complainants, clearly document the activity.

Open burning is a violation of Section 5(a) of the Arkansas Air Pollution Control Code and is punishable by civil penalties. The activity must be halted immediately. Failure to do so will result in the immediate referral of the matter to our Enforcement Administrator and the possible assessment of monetary penalties.

If you have any questions, or if I may be of assistance, please feel free to contact me at 501/968-7778.

Sincerely,

Pam Shook

JK  
Tom Hudson  
Air Inspector

TH/pms

cc: Scott Tarkington, Inspector, SWD

Pg leg B

FOR OFFICE USE ONLY:  
AIR IIW RST SW WATER MINING

JDm

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
P. O. BOX 8913, LITTLE ROCK, AR 72219-8913

COMPLAINT REPORT

FACILITY ID:

LOG#:	CSN#: N/A	PERMIT#: N/A
DATE RECEIVED: 5-30-95	COUNTY: Faulkner	
COMPLAINANT NAME: Mr. & Mrs. Floyd Bradley	COMPLAINT AGAINST: Sharon Campbell	
ADDRESS: #20 Fuller Road; Conway, AR	ADDRESS: 21 Fuller Road; Conway, AR	
PHONE: 470-1416 FAX:	PHONE:	FAX:
PERSON RECEIVING REPORT: Tom Hudson	DATE: 5-30-95	SUPERVISOR REFERRAL: DATE:
INSPECTOR REFERRED: Tom Hudson	DATE: 5-30-95	MEDIA SUPERVISOR REFERRAL: DATE:
PHONE REFERRAL CONTACT: DATE:	RECEIVING INSPECTOR: Tom Hudson	DATE: 5-30-95

DESCRIPTION (IN DETAIL)

Open dumping + burning at #21 Fuller Road.  
Complainant states that a pit has been dug at this location + roofing materials + other waste are being burned on a regular basis.

LOCATION (IN DETAIL)

see attached map

PREVIOUS COMPLAINT?  YES  NO DATES:

DISCHARGE TO STREAM?  YES  NO NAME OF STREAM:

HOW COMPLAINT WAS RECEIVED:  PHONE  LETTER  VERBAL  FAX

**FOLLOW UP ON COMPLAINT**

**COMPLAINT #:**

**CSN #:**

**INSPECTOR:** Tom Hudson, Scott Tarkington

**DATE:** 6-5-95

**ACTION TAKEN:**

**PHOTOS TAKEN:**  Y  N

On 6-5-95 Solid Waste Inspector Scott Tarkington and I visited the site in question. No one was present at the time of the inspection. The home at the location had been destroyed by fire. A pit had been dug, apparently with an on site backhoe, and various debris (household waste, roofing material, construction material) had been burned in the pit. The material was burning at the time of the investigation. Photographs were taken by both inspectors. The complainant sent photographs to the Russellville field office. These were received on 6-5-95.

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

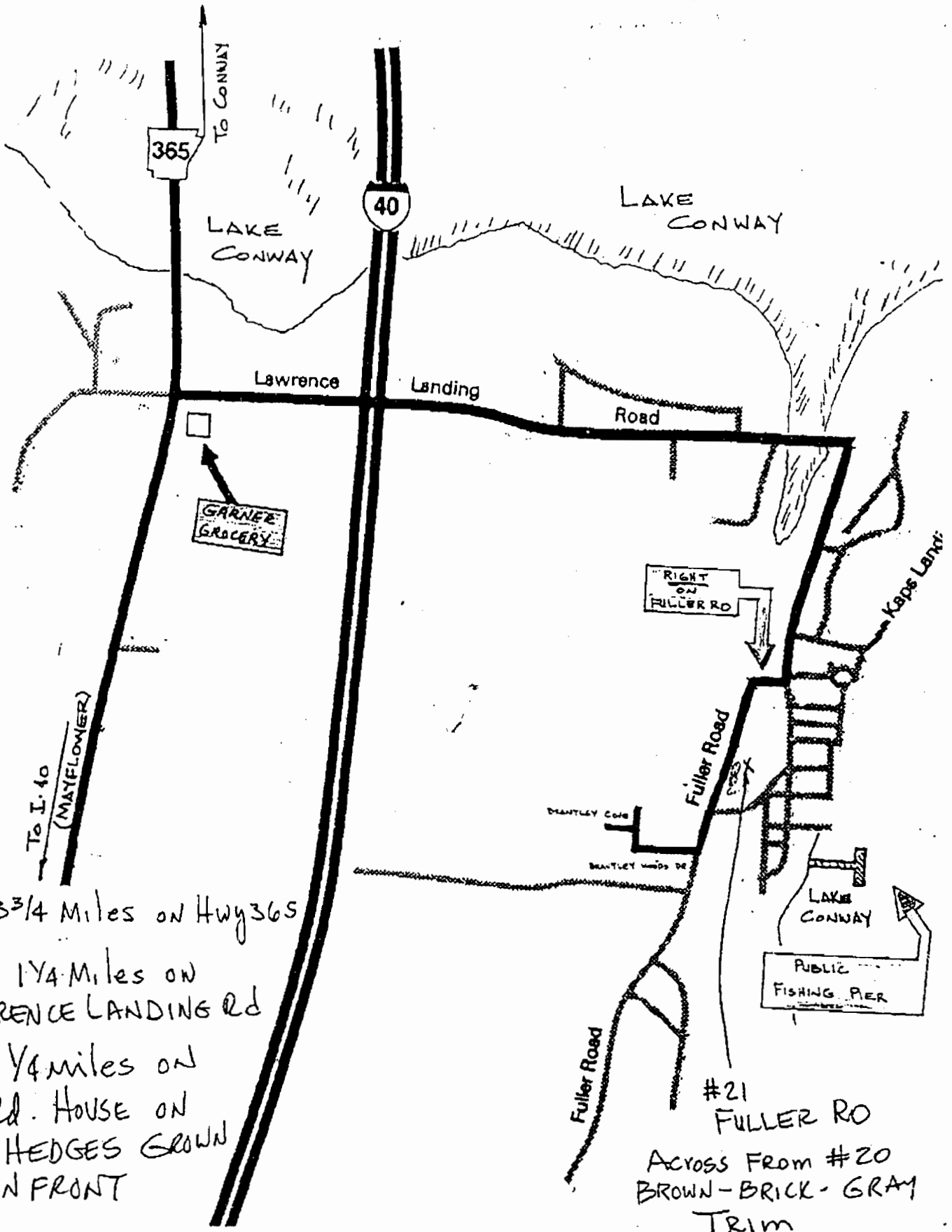
Letter to Ms. Campbell. Contacted complainant & informed them of action taken.

**INSPECTOR SIGNATURE:** Thomas P. Hudson

**DATE:** 6-6-95

**HOURS WORKED:** 2.5

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South 3 3/4 Miles on Hwy 365

LEFT 1 1/4 Miles ON LAWRENCE LANDING Rd

Right 1/4 miles ON Fuller Rd. HOUSE ON LEFT. HEDGES GROWN UP IN FRONT

#21 FULLER RO  
ACROSS FROM #20 BROWN-BRICK-GRAY TRIM

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STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



July 10, 1995

Floyd and Debra Bradley  
20 Fuller Road  
Conway, AR 72032

Dear Mr. and Mrs. Bradley:

This is in response to your complaint alleging illegal dumping and burning, which was received by our department. A site investigation was performed by one of our solid waste field inspectors. The results of this investigation are enclosed as you requested.

Thank you for taking the time to report this matter to the Department. We appreciate the concern you have shown for the public health and environment in your area.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Stair".

Suzanne Stair, Inspector Supervisor  
Solid Waste Division

cc: Constance Gwinn, Illegal Dump Program Coordinator  
Scott Tarkington, Inspector, Solid Waste Division  
Tom Hudson, Inspector, Air Division

Log #07065(23)

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STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



CERTIFIED MAIL

RETURN RECEIPT REQUESTED

P 136 272 295

July 10, 1995

Ms. Sharon Campbell  
21 Fuller Road  
Conway, AR 72032

Dear Ms. Campbell:

On June 5, 1995, Tom Hudson, Air Inspector and I performed an investigation of your property located at the above address. This investigation was in response to a complaint alleging open dumping and burning at this location. 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 the site consists of household waste, appliances, construction and demolition waste, and metal buckets. **"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."**

You should immediately cease the activity described and undertake measures to correct the above violation. You should notify me, in writing, at the above address, **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 will result in the escalation of enforcement action.

Sincerely,

A handwritten signature in cursive script that reads "Scott Tarkington".

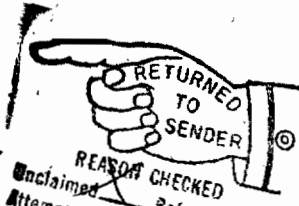
Scott Tarkington, Inspector  
Solid Waste Division

cc: Suzanne Stair, S.W.D.  
Tom Hudson, Air Division

Log #07065(23)

STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

POST OFFICE BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913



REASON CHECKED  
 Unclaimed  
 Refused  
 Attempted-Not known  
 Insufficient Address  
 No such street number  
 No such office in state  
Do not remain in this envelope

Pg 11 of 13

Ms. Sharon Campbell  
21 Fuller Road  
Conway, AR 72032

Fold at line over top of envelope to the right of the return address

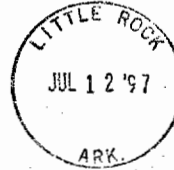
CERTIFIED

P 136 272 295

MAIL

Name \_\_\_\_\_  
+ No. \_\_\_\_\_  
Date 7-28-97  
return 7-29-97

*Post*  
7-24-97



72032-8018 06



Pg 12 of 13



STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-7444  
FAX: (501) 562-4632



June 13, 1995

Ms. Sharon Campbell  
#21 Fuller Road  
Conway, Arkansas 72032

Re: Open Burning

Dear Ms. Campbell:

On June 5, 1995, Solid Waste Inspector Scott Tarkington and I investigated a citizen's complaint which alleged that open burning was occurring on your property. The alleged activity was in progress at the time of our investigation. Photographs taken by us, as well as those taken by the complainants, clearly document the activity.

Open burning is a violation of Section 5(a) of the Arkansas Air Pollution Control Code and is punishable by civil penalties. The activity must be halted immediately. Failure to do so will result in the immediate referral of the matter to our Enforcement Administrator and the possible assessment of monetary penalties.

If you have any questions, or if I may be of assistance, please feel free to contact me at 501/968-7778.

Sincerely,

Pam Shook

or  
Tom Hudson  
Air Inspector

TH/pms

cc: Scott Tarkington, Inspector, SWD

**Official Photographs**

Arkansas Department of Pollution  
Control & Ecology

Subject: Sharon Campbell Co  
Tag Number: ( )  
Location: #21 Fuller Road,  
Franklin County  
City/State: Conway /AR County #: ( )  
Date: 6/5/95 Time: (24Hr) \_\_\_\_\_  
Weather: (Sunny) (Hazy) (Cloudy) (Rainy)  
Photographer: Scott Tarkington  
Witness: Tom Hudson  
Camera: Canon Film Used: 35 mm  
Negative Location: Inspector's Files  
Processed By: Wal-Mart, Baseline Road  
Number of Photographs: ( )



pg  
130813

Pg 18 14



STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



May 4, 1995

Mr. Danny Mallett  
610 West Republican Rd.  
Greenbrier, AR 72058

Dear Mr. Mallett:

On March 23, 1995, I performed an investigation of your property located off Hwy 25 N past Wooster, 1/2 mile west on Union Road. This investigation was in response to a complaint alleging that you are dumping waste tires and scrap rubber at this location. My investigation revealed that you are in violation of the Arkansas Solid Waste Management Act 237 of 1971 as amended, and Regulation 14. Specifically, I found the following violations(s):

1. Operation of an unpermitted solid waste disposal facility, which is in violation of §8-6-205 (a)(1),(2),(3),(4) and (5). The waste dumped at this site consists of tires and scrap rubber. "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."
2. The property mentioned above is not a permitted waste tire processing facility or a permitted waste tire collection center, please be advised that you are in violation of Act 749 of 1991, (c)(2), "It is unlawful for any person to dispose of used or waste tires or portions of used or waste tires in the state, unless such tires are disposed of for processing, or collected for processing, at a permitted waste tire processing facility, at a waste tire collection center, or at a permitted solid waste disposal facility."

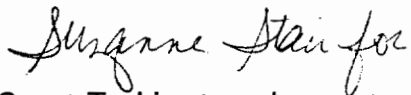
Regulation 14, Section 15 (Waste Tire Collector Requirements), "After July 1, 1992 any person engaged in collecting or transporting waste tires (25 or more tires) for the purpose of storage, disposal, or processing shall display a current decal with their waste tire collector registration number obtained from the Department."

Pg 2 of 14

You should immediately cease the activity described and undertake measures to correct the above violations. You should notify me, in writing, at the above address, **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 will result in the escalation of enforcement action.

Sincerely,



Scott Tarkington, Inspector  
Solid Waste Division

cc: Suzanne Stair, Inspector Supervisor SWD  
Susan Speake, Waste Tire Program SWD

Log #06447 (23)

VALID?  YES  NO

FOR AIR

Tom Statton  
310 Hwy 285N  
Damascus, AR  
679-2256  
keeper 450-4300

ARKANSAS DEPARTMENT OF POLLUTION CONTROL  
P. O. BOX 8913, LITTLE ROCK, AR 72219-

COMPLAINT REPORT

FACILITY ID:

LOG#: 06447 (23)	CSN#: 23-0000 PERMIT#:
DATE RECEIVED: 27 Feb 95	COUNTY: Faulkner
COMPLAINANT NAME: Anon by request	COMPLAINT AGAINST: Kirkpatrick Rubber <sup>Danny Mallett</sup>
ADDRESS:	ADDRESS: Greenbrier
PHONE: FAX:	PHONE: FAX:

PERSON RECEIVING REPORT: S. Stair	DATE: 27 Feb 95	SUPERVISOR REFERRAL:	DATE:
INSPECTOR REFERRED:	DATE:	MEDIA SUPERVISOR REFERRAL:	DATE:
PHONE REFERRAL CONTACT:	DATE:	RECEIVING INSPECTOR: H. Love	DATE: 3-2-95

DESCRIPTION (IN DETAIL)

Kirkpatrick Rubber hauling 1-2 dump truck loads/day to property owned by Mr. Mallett in Mallettville. Rubber is dumped & covered. Kirkpatrick says Mallett to dump there. Kirkpatrick sometimes hauls to Conway LF but mostly to ~~road~~ Mallett's.

I advised complainant to call also call the county judge. He said he wouldn't call the judge that it wouldn't do any good because the judge had been bought off - that's the way things operate in Arkansas he said.

LOCATION (IN DETAIL)

The only direction he gave me was that it was in Mallettville. He said that we could watch Kirkpatrick's place, then follow the truck to see where it dumps.

\*Called back: Take Hwy 25N to Wooster - from Hwy 285 go 3 miles from Country Store - 1st gravel road on left - milk truck parked out front - look for pine trees in curve - cannot access - complainant can show site on Tue or Th.

PREVIOUS COMPLAINT?  YES  NO DATES:

DISCHARGE TO STREAM?  YES  NO NAME OF STREAM:

HOW COMPLAINT WAS RECEIVED:  PHONE  LETTER  VERBAL  FAX

## FOLLOW UP ON COMPLAINT

LOG #: D6447

CSN #: 23-0000

INSPECTOR: Scott Tarkington

DATE: 3-23-95

ACTION TAKEN:

PHOTOS TAKEN:  YES  NO

I arrived at the illegal dump site off Hwy 25 N just west of  
 1/2 mile down Union Road (going west). I observed the following materials  
 dumped in a pond: Scrap rubber material and rubber belts of some type.  
 The size of the dump site was  $\approx$  1/2 ACRES. The complainant's brother was  
 at the site with me and said that Danny Mallett owns the property  
 and Mr. Kirk Patrick (owns Kirk Patrick Rubber in Spring Hill) is paying Mr.  
 Mallett \$500.00 a week to take the above mentioned scrap rubber.  
 Pictures were taken and I left the site at 1115 HRS.

Date worked: 3/23/95

Time: 1045

FURTHER ACTION TAKEN/TO BE TAKEN:

Danny Mallett's Address:

610 West Republican Road  
 Greenbrier, AR 72058

INSPECTOR SIGNATURE:

Scott Tarkington

DATE: 3/23/95

HOURS WORKED: 2.0



STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
P.O. BOX 8913, LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533 FAX: (501) 562-2541



ILLEGAL DUMP INSPECTION AND EVALUATION FORM

Date 3/23/95	Entry Time 1045	Exit Time 1115
Landmark or Name of Nearest Town	County Faulkner	Log Number 06447
Legal Description Section/Range/Township	Landowner/Address	Within City Limits Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private <input checked="" type="checkbox"/>
Federal/State/County Road Number	Stream Name or Number Stream to the west	

SECTION I - Size of Waste Mass

<input type="checkbox"/>	500+ yards	or	1 acre or greater
<input checked="" type="checkbox"/>	50 to 200 yards	or	1/2 acre
<input type="checkbox"/>	20 to 50 yards	or	1/4 acre
<input type="checkbox"/>	5 to 20 yards	or	one dump truck load
<input type="checkbox"/>	5 or less yards	or	one pick up truck load

SECTION II - Contents of Waste Mass

Multiplier of 3 x 3 = 9

5 X	<input type="checkbox"/>	Household Waste	<input type="checkbox"/>	Hazardous items including: paint thinner, cleaning chemicals, oil cans, herbicides, medical waste, asbestos
3 X	<input type="checkbox"/>	White Waste - Refrigerator and Appliances		Refrigerators and Appliances
	<input type="checkbox"/>			May contain freon
3 X	<input type="checkbox"/>	Construction/Demolition Waste		May contain Asbestos
3 X	<input checked="" type="checkbox"/>	Tires		Approximate Number _____
2 X	<input type="checkbox"/>	Abandoned Vehicles		May contain gasoline, oil, antifreeze or other automotive fluids
2 X	<input type="checkbox"/>	Other Bulky Waste		TVs, Furniture, Mattress, etc.
1 X	<input type="checkbox"/>	Yard Waste		
4 X	<input type="checkbox"/>	Dead Animals		
	<input checked="" type="checkbox"/>	Other		Describe: - Scrap Rubber Pile / Rubber belts

SECTION III - Site Assessment

Multiplier of 4 x 18 = 72

<b>Air Pollution</b>	
5 X <input type="checkbox"/>	Open Burning
4 X <input type="checkbox"/>	Evidence of Open Burning
3 X <input type="checkbox"/>	Strong; Foul Odor Present
<b>Water Pollution</b>	
5 X <input checked="" type="checkbox"/>	Waste in or near standing or flowing water
5 X <input type="checkbox"/>	High probability of leachate (run-off) into ground/surface water
4 X <input checked="" type="checkbox"/>	Waste less than five (5) miles from water source
2 X <input type="checkbox"/>	Waste more than five (5) miles from water source
2 X <input checked="" type="checkbox"/>	Erosion
<b>Public Health Risk Assessment</b>	
5 X <input type="checkbox"/>	Vectors sighted Rats - flies - mosquitoes - snakes - scavengers
4 X <input type="checkbox"/>	Evidence of Vectors Feces and/or eggs and/or tunnels
3 X <input checked="" type="checkbox"/>	Public Nuisance
	More than _____ residences within 5 miles
	Less than _____ residences within 5 miles
<b>Site Usage Assessment</b>	
5 X <input type="checkbox"/>	An operator is present and/or evidence that waste is being accepted for a fee and/or history of previous complaints
4 X <input checked="" type="checkbox"/>	Active, promiscuous site; evidence of recent dumping and/or dumping has resumed at a previously cleaned-up or closed site
2 X <input type="checkbox"/>	Old site; no evidence of recent dumping; overgrown
<b>Access Control</b>	
Road	
<input type="checkbox"/>	Paved
<input checked="" type="checkbox"/>	Unpaved
Can access be limited/prohibited	
<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	No
<b>Site Conditions</b>	
Description	
<input checked="" type="checkbox"/>	Flat
<input type="checkbox"/>	Mountains
<input type="checkbox"/>	Rolling Hills
<input type="checkbox"/>	Forest
<input checked="" type="checkbox"/>	Grassland/Pasture
<input type="checkbox"/>	Stream Bank
Soil Type	
<input checked="" type="checkbox"/>	Rocky
<input type="checkbox"/>	Soil
<input type="checkbox"/>	Sandy
Condition	
<input type="checkbox"/>	Wet
<input checked="" type="checkbox"/>	Dry

Signature of Inspector Scott Talyth Total Score 81

Photos  Yes  No

Pg 7914

COMPLAINT REPORT

Log No. 01873

CSN: 23-0000 Permit No: N/A

Valid / Invalid

Media: Solid Waste

Sort: Permit, Compliance

Date Complaint Received 16 Mar 92

Person Receiving Report S. Spake

Complainant Name anon

Telephone Number \_\_\_\_\_

Address \_\_\_\_\_

Complaint Against alvin kirpatrick  
kirkpatrick Lubber

Telephone Number 679-3527

Address 276 S. Broadview, Greer AR 72058

County Faulkner Location \_\_\_\_\_

Description of Complaint Cut truck bed liners out of old  
conveyor belts. Is it legal to dump tire  
waste (shredded rubber, etc.) on private property

Previous Complaint? Ukn Dates \_\_\_\_\_

Complainant willing to have name used? No

Has complainant talked with violator? Ukn

Comments \_\_\_\_\_

How received: Telephone  Letter \_\_\_\_\_ Verbal \_\_\_\_\_

Referred To: H. Love Date 3-16-92

## NARRATIVE

Log # 01873

ACTION TAKEN On 4-17-92, I investigated the complaint.  
I talked with the owner of the property, Mr. Alvin Kirkpatrick. He gave me a full tour of the Kirkpatrick Rubber site. There is rubber piled all over the site but he is not dumping or covering any rubber. I told him that I would talk to Harry Elliott and Suzanne Stain to see if there were any problems with his operation. Mr. Kirkpatrick told me that Danny Mallett was hauling some of the rubber to his farm and using it as fill material. I told Mr. Kirkpatrick that it is not legitimate fill and what could not be used or recycled must be disposed at a permitted landfill.

On 4-29-92 I talked to Mr. Kirkpatrick and told him that Harry and Suzanne did not see a problem as long as he is not dumping the waste. I told him that he should not let the rubber pile up too much to prevent any fire hazard. I told him that any material that could not be used should be disposed at a permitted landfill.

Sent letter to Danny Mallett.

INSPECTOR

Heidi Love

DATE

4-29-92

Pg 90814

OFFICIAL PHOTOGRAPH

ARKANSAS DEPARTMENT OF POLLUTION CONTROL & ECOLOGY

\*\*\*\*\*

SUBJECT: Unpermitted Dumping

LOG NUMBER: 01873

LOCATION: Kirkpatrick Rubber Co.  
276 S. Broadview

CITY/STATE: Greenbrier / AR COUNTY: Faulkner

DATE: 4-17-92 TIME: 2:00

WEATHER: (SUN)(HAZE)(CLOUDY)(RAIN)

PHOTOGRAPHER: Heidi Love HL

WITNESS: N/A

CAMERA: Vivitar 35mm FILM: Kodak 200

NEGATIVE LOCATION: Heidi's files

PROCESSED BY: Wal-Mart

NUMBER OF PHOTOGRAPHS: 1 of 2



OFFICIAL PHOTOGRAPH

ARKANSAS DEPARTMENT OF POLLUTION CONTROL & ECOLOGY

\*\*\*\*\*

SUBJECT: Unpermitted Dumping

LOG NUMBER: 01873

LOCATION: Kirkpatrick Rubber Co.  
276 S. Broadview

CITY/STATE: Greenbrier / AR COUNTY: Faulkner

DATE: 4-17-92 TIME: 2:02

WEATHER: (SUN)(HAZE)(CLOUDY)(RAIN)

PHOTOGRAPHER: Heidi Love HL

WITNESS: N/A

CAMERA: Vivitar 35mm FILM: Kodak 200

NEGATIVE LOCATION: Heidi's files

PROCESSED BY: Wal-Mart

NUMBER OF PHOTOGRAPHS: 2 of 2



OFFICIAL PHOTOGRAPH

ARKANSAS DEPARTMENT OF POLLUTION CONTROL & ECOLOGY

\*\*\*\*\*

SUBJECT: Unpermitted Dumping

LOG NUMBER: \_\_\_\_\_

LOCATION: \_\_\_\_\_

CITY/STATE: \_\_\_\_\_ / AR COUNTY: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

WEATHER: (SUN)(HAZE)(CLOUDY)(RAIN)

PHOTOGRAPHER: Heidi Love

WITNESS: \_\_\_\_\_

CAMERA: Vivitar 35mm FILM: Kodak 200

NEGATIVE LOCATION: Heidi's files

PROCESSED BY: Wal-Mart

NUMBER OF PHOTOGRAPHS: \_\_\_\_\_

Pg 10 of 14

ation

Control & Ecology

Subject: Stanton Complaint  
 Number: (06477)  
 Location: Hwy 25 North outside of Wooster  
 State: Wooster /AR County #: (23)  
3/22/95 Time: (24Hr)  
 Weather: (Sunny) (Hazy) (Cloudy) (Rainy)  
 Photographer: Scott Tarkington  
 Camera: Canon Film Used: 35 mm  
 Subjective Location: Inspector's Files  
 Accessed By: Wal-Mart, Baseline Road  
 Number of Photographs: (5)  
 Description: \_\_\_\_\_



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STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



May 18, 1992

Mr. Danny Mallett  
Mallett Brothers Farm  
613 W. Republican Road  
Greenbrier, AR 72058

Dear Mr. Mallett:

On April 17, 1992, I investigated a complaint at the Kirkpatrick Rubber site. During the investigation Mr. Alvin Kirkpatrick told me that you were hauling this material to your farm and using it as fill material. The Arkansas Solid Waste Management Code does not list rubber as a legitimate fill material. You should immediately cease using this material for fill.

If I can be of any further assistance, do not hesitate to contact me.

Sincerely,

*Heidi Love*

Heidi Love, Inspector  
Solid Waste Division

HL:fmw

ex: Mr. Alvin Kirkpatrick

Log #01873  
hl-mallett272

*B*

amended, it is the intent of the parties that dispute resolution proceedings shall be conducted pursuant to any amended version of Regulation No. 8 so long as the amendments or revisions do not substantially impair any material procedural or substantive right which either party may have under Regulation No. 8 as it exists as of the Effective Date of this Consent Administrative Order.

7. The parties agree that this settlement is a global resolution of all existing claims ADPC&E has against Western Waste, including the "Bad Actor" determination which is the subject of a pending appeal, LIS No. 93-037.

8. This Consent Administrative Order is subject to a thirty (30) day public review and comment in accordance with A.C.A. § 8-4-103(d), as amended by Act 163 of 1993. ADPC&E retains the right, for a period of fifteen days following the close of public comment period, to rescind this Consent Administrative Order based upon comments received during the public comment period. In accordance with Section 2.3.8 of Regulation No. 8, the Effective Date of this Consent Administrative Order shall be the day following the close of the public comment period.

9. In accordance with Subsection 2.5.15 of Regulation No. 8, Western Waste's Request for Commission Review and Adjudicatory Hearing in this matter is hereby withdrawn. The withdrawal of Western Waste's Request for Commission Review and Adjudicatory Hearing shall not prevent ADPC&E or Western Waste from requesting that this proceeding be reopened for the purpose of enforcing



DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

Tennessee Mattins  
Georgia Duck  
Boston Dana - Paragould  
Scandun Rubber Co - Ohio

DATE 6-8-95 SHEET \_\_\_\_\_ of \_\_\_\_\_  
BY \_\_\_\_\_  
PROJECT \_\_\_\_\_

Elvin Kirkpatrick

6 mos }  
90 day } advance notice to close down

3 loads/week  
6 mos

Conway LF will take 1 load per week

— trims of rubber —

Mallet - letter - tires

buying trailers  
to put rubber in

July - insp.

most material  
stored

Pg 149/14



Arkansas Department of Pollution Control  
and Ecology  
Solid Waste Division - Enforcement Branch  
8017 Interstate I-30  
P.O. Box 8913  
Little Rock, Arkansas 72219-8913

INFORMATION TRANSMITTAL SLIP

Date: November 12, 1996

To: Mr. Mike Chastain  
Component Sales  
P O Box 191918  
Little Rock, AR 72219-1918

From: Heidi Love, Inspector Supervisor SWD  
Telephone #: 501/682-0590

Subject: Complaint file on Danny Mallett,  
Kirkpatrick Rubber, Greenbrier, AR

For: Information  
 As You Requested  
Review and Comment  
Other:

Invalid

Pg 1 of 2

FOR OFFICE USE ONLY:  
AIR HW RST SW WATER MINING

**ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY**  
**P. O. BOX 8913, LITTLE ROCK, AR 72219-8913**

**COMPLAINT REPORT**

**FACILITY ID:**

LOG#: 06598	CSN#: 230000 PERMIT#:
DATE RECEIVED: 3-21-95	COUNTY: Faulkner
COMPLAINANT NAME: anon. by request	COMPLAINT AGAINST: Fred Bass
ADDRESS:	ADDRESS: 110 Crestview - Rt 2 Conway AR
PHONE: FAX:	PHONE: FAX:
PERSON RECEIVING REPORT: Heidi Love DATE: 3-21-95	SUPERVISOR REFERRAL: DATE:
INSPECTOR REFERRED: DATE:	MEDIA SUPERVISOR REFERRAL: DATE:
PHONE REFERRAL CONTACT: DATE:	RECEIVING INSPECTOR: DATE:

**DESCRIPTION (IN DETAIL)**

Open dumping garbage

Note: Residents are on well water - concerned about water quality.  
Please call after investigation

**LOCATION (IN DETAIL)**

Take Mayflower exit go over the interstate to Hwy 365 turn (R) go into Mayflower turn (R) on Hwy 89 go over RR tracks turn (R) - Pine Village follow the road up the mountain at the Y go to (L) go up the mountain, on top of the ridge go straight (not left), the road make a 90° turn - (keep making lefts) turn (L) on Pine Valley - go by Fire Dept. turn (R) on Crestview turns to gravel go up incline - site is on (L) at 110 Crestview - there are junk cars at site.

PREVIOUS COMPLAINT?  YES  NO DATES:

DISCHARGE TO STREAM?  YES  NO NAME OF STREAM:

HOW COMPLAINT WAS RECEIVED:  PHONE  LETTER  VERBAL  FAX

Pg 2 of 2

FOLLOW UP ON COMPLAINT

COMPLAINT #: 06598

CSN #: 23-0000

INSPECTOR: Scott Tarkington

DATE: 3-23-95

ACTION TAKEN:

PHOTOS TAKEN:  Y  N

Date Worked: 3/23/95 (INVALID)

Time 1745 HRS

- There is no 110 Custonis. I did find a subway yard at 87  
Custonis but there wasn't any illegal dumping activity. I left the area at  
1800.

The Post-It note was no longer attached to the original complaint.  
Could not call back after the investigation. Will have to wait for  
the complainant to call back to get better directions. (anon. by request)

FURTHER ACTION TAKEN/TO BE TAKEN:

INSPECTOR SIGNATURE: Scott Tarkington

DATE: 3/23/95

HOURS WORKED: 2.0



Pg 1027  
fill copy

STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



March 16, 1995

Mr. Bob Gentry  
Assistant Attorney General  
200 Tower Building  
323 Center Street  
Little Rock, AR 72201

Dear Bob:

I am sending you copies of the letters I wrote regarding the dump sites in Faulkner County we spoke about this morning. This may well be our first "test case" but I strongly feel that we need to send out the message that there will be penalties enforced for individuals who choose to dump illegally.

I appreciate the support of your office on this program. I will keep you updated on the response to these letters.

Sincerely,

*Constance*

Constance Gwinn  
"The DumpBuster"

Enclosures

Pg 2027

3-5-2

11-1-2

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file copy

STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



March 16, 1995

Mr. & Mrs. Fred Hargens  
1313 McNutt Road, Apt. 37  
Conway, AR 72032-9397

Dear Mr. & Mrs. Hargens:

On December 1, 1994, you were sent a letter by Heidi Love, Inspector Solid Waste Division. She reported that she had conducted an investigation regarding a complaint about unpermitted dumping on the property located on Donnell Ridge Road across from the Apartments in Faulkner County. Her investigation revealed that this site is in violation of the Arkansas Solid Waste Code and is an illegal dump site.

She also informed you that there were "several" pieces of waste found at this site containing your name and directed you to submit a plan to her to clean up the waste which was dumped at this site. Follow up actions regarding this site indicate that, to date, this has not been done.

According to Arkansas Code Act 547, Section 3, 8-6-205(b) "There is hereby created a rebuttable presumption that shall arise in any administrative, civil, or criminal actions under this subchapter, to the effect that, if it can be proved that two (2) or more items of solid waste bear the name or names of one (1) or more persons in such a form as to indicate that the person or persons are or were the owners of those items and those items were unlawfully disposed of, the person or persons are presumed to have committed the unlawful act of disposal."

Pg 4927

Page Two  
Mr. & Mrs. Hargens  
March 15, 1995

In order to avoid enforcement of these penalties, it is necessary for you to take the appropriate measures to remove the waste. Please notify inspector Heidi Love of your plan of action within 10 days of receipt of this letter. Failure to respond will result in referral of this situation to the Office of the Attorney General.

Very truly yours,

Constance Gwinn  
Illegal Dump Program

cc: Mr. Bob Gentry, Assistant Attorney General



Pg 50227  
STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



March 16, 1995

Ms. Edith E. Helfer  
83 Simpson  
Vilonia, AR 72173

Dear Ms. Helfer:

On December 1, 1994, you were sent a letter by Heidi Love, Inspector Solid Waste Division. She reported that she had conducted an investigation regarding a complaint about unpermitted dumping on the property located on Donnell Ridge Road across from the Apartments in Faulkner County. Her investigation revealed that this site is in violation of the Arkansas Solid Waste Code and is an illegal dump site.

She also informed you that there were "several" pieces of waste found at this site containing your name and directed you to submit a plan to her to clean up the waste which was dumped at this site. Follow up actions regarding this site indicate that, to date, this has not been done.

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Pg leg 27

Page Two  
Ms. Edith E. Helfer  
March 15, 1995

In order to avoid enforcement of these penalties, it is necessary for you to take the appropriate measures to remove the waste. Please notify inspector Heidi Love of your plan of action within 10 days of receipt of this letter. Failure to respond will result in referral of this situation to the Office of the Attorney General.

Very truly yours,

Constance Gwinn  
Illegal Dump Program

cc: Mr. Bob Gentry, Assistant Attorney General



125 7827

**STATE OF ARKANSAS**  
**DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY**

8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



February 7, 1995

The Honorable John Wayne Carter  
Faulkner County Judge  
801 Locust Street  
Conway, AR 72032

Dear Judge Carter:

I am writing in response to our previous telephone conversations regarding the complaint investigation that I performed on October 27, 1994 on Donnell Ridge Road in Faulkner County. This investigation was in response to a complaint alleging open dumping along the road right-of-way and on private property. My investigation revealed that these sites are in violation of the Arkansas Solid Waste Management Act, A.C.A. §8-6-205. Specifically, I found the following violations:

Disposal of solid waste at unpermitted sites, which is in violation of §8-6-205 (a)(1),(2),(3),(4) and (5). "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."

The property owners have been notified and confirmed that they are not condoning the dumping. The Solid Waste Management Act, A.C.A. §8-6-205(c) does not hold a property owner liable for violations resulting solely from the act or omission of a third party.

The Arkansas Solid Waste Management Code requires city, town, and county governments to provide for an adequate solid waste management system for all areas within their respective jurisdictions. The solid waste management system shall show the location, size and method of intended closure, to include a time frame for closure, of all open dumps located within the area of the government of jurisdiction.

You should immediately undertake measures to correct the above violation. You should notify me, in writing, at the above address, **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 will result in the escalation of enforcement action.

Pg 8927

Sincerely,

Heidi Love, Inspector  
Solid Waste Division

cc: Suzanne Stair, Inspector Supervisor, S.W.D.  
Harry Elliott, Enforcement Branch Manager, S.W.D.  
Constance Gwinn, Open Dump Program Coordinator, S.W.D.  
Bob Gentry, Attorney General's Office, 323 Center, Suite 200 Tower Building,  
Little Rock, AR 72201

Log #05938(23)

Pg 9927



ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
Solid Waste Division - Enforcement Branch

Information Transmittal Slip

Date: 2-7-95

To: Cathy Hendrickson  
5177 Donnell Ridge Rd.  
Conway, AR 72032

From: Heidi Love, Solid Waste Inspector

Address: ARKANSAS DEPARTMENT of  
POLLUTION CONTROL and ECOLOGY  
8001 National Drive  
P. O. Box 8913  
Little Rock, Arkansas 72219-8913

Telephone #: 570-2845

Subject: Complaint Log No. 05938

For:  Information  Review and Comment  
 As You Requested  Other: \_\_\_\_\_

COMPLAINT REPORT

Log No. 05938

CSN: 23-0000 Permit No: N/A

Valid / Invalid

Media: Solid Waste  
Sort: Permit, Compliance

Date Complaint Received 9-6-94 Person Receiving Report JH

Complainant Name Cathy Hendricks Telephone Number 327-6172

Address 177 Donnell Ridge, Conway AR 72032

Complaint Against Bill Bell Telephone Number \_\_\_\_\_

Address 2200 Prince St, Conway AR

County Faulkner Location Take Hwy 286 turn @ on McNutt go

7 tenths of a mile turn @ on Donnell Ridge Rd. go 2 tenths of a mile  
turn @ on dirt path access from apartments.

Description of Complaint Open dumping garbage, white goods, furniture  
and tires

Previous Complaint? \_\_\_\_\_ Dates \_\_\_\_\_

Complainant willing to have name used? \_\_\_\_\_

Has complainant talked with violator? \_\_\_\_\_

Comments \_\_\_\_\_

*A Blind Copy  
was sent to  
Cathy Hendricks*

How received: Telephone  Letter \_\_\_\_\_ Verbal \_\_\_\_\_

Referred To: Heidi Love Date 9-6-94

Log # 05938

HRS

Action Taken On October 27, 1994 at 10:30, I investigated  
the complaint off Donnell Ridge Rd. There is waste  
dumped at the bottom of the hill in a shale pit.  
The waste dumped consists of demolition waste  
(shingles, foam pad, carpet), furniture, tires, appliances,  
household waste, oil containers and filters, televisions,  
mattresses, paint cans, paper and plastic. I took  
several photographs of the site. I found mail  
at the site with names and addresses.

(Edith Helfer and Fred + Melissa Hargens)

INSPECTOR

Heidi Love

TOTAL HOURS



Pg 12927  
STATE OF ARKANSAS  
**DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY**  
8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



January 3, 1995

CERTIFIED MAIL Z 415 798 001  
RETURN RECEIPT REQUESTED

Mr. Bill Bell  
2200 Prince Street  
Conway , AR 72032

Dear Mr. Bell:

On December 1, 1994, I wrote to you regarding an investigation that I performed on October 27, 1994. A copy of the letter is enclosed for your review. You will note that the letter required immediate action be taken to correct the violations noted. You were to advise me, in writing, within 20 days of the date of the letter with a plan of action for correcting of the violations.

The Solid Waste Management Code states that any person who violated any provision of Act 237 of 1971, as amended by Act 1057 of 1991, or this Code, shall be subject to assessment of civil penalties after opportunity for hearing by the Department, of up to \$10,000. Each day or part of a day during which such violation is repeated may constitute a separate offense.

Please be advised that you have 10 days from receipt of this letter to contact me, in writing regarding this matter. Failure to do so will result in this matter being recommended for further enforcement action.

Sincerely,

*Heidi Love*

Heidi Love, Inspector  
Solid Waste Division

cc: Harry Elliott, Enforcement Administrator, SWD  
Suzanne Stair, Inspector Supervisor, SWD

Log #05938 (23)

Pg 13027



STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



December 1, 1994

Mr. Bill Bell  
2200 Prince Street  
Conway, AR 72032

Dear Mr. Bell:

On October 27, 1994, I performed an investigation of your property located on Donnell Ridge Road in Faulkner County. This investigation was in response to a complaint alleging open dumping of garbage, tires, furniture and appliances. 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),(4), and (5). The waste dumped at this site consists of demolition waste (shingles), foam pads, carpet, furniture, tires, appliances, household waste, oil containers and filters, televisions, mattresses, paint cans, paper and plastic. **"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."**

You should immediately cease the activity described and undertake measures to correct the above violation. You should notify me, in writing, at the above address, **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 will result in the escalation of enforcement action.

Sincerely,

*Heidi Love*

Heidi Love, Inspector  
Solid Waste Division

cc: Suzanne Stair, Inspector Supervisor, S.W.D.  
The Honorable John W. Carter, Faulkner County Judge

Log # 05938 (23)

Pg 14927

Photograph  
of Pollution  
Ecology

Subject: Bill Bell property  
Log Number: (05938)  
Location: Ormul Ridge Rd  
City/State: \_\_\_\_\_/AR County #: (23)  
Date: 10/27/94 Time: (24Hr) \_\_\_\_\_  
Weather: (Sunny) (Hazy) (Cloudy) (Rainy)  
Photographer: Heidi Love, HZ  
Witness: \_\_\_\_\_  
Camera: Canon Film Used: 35 mm  
Negative Location: Inspector's Files  
Processed By: Wal-Mart, Baseline Road  
Number of Photographs: (13)  
Description: open dump





Pg 15827





Pg 16 of 27



Pg 17927



STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



December 1, 1994

Mr. & Mrs. Melissa Hargens  
1313 McNutt Rd, Apt 37  
Conway, AR 72032-9397

Dear Mr. & Mrs. Hargens:

On October 27, 1994, I investigated a complaint concerning unpermitted dumping on the property located on Donnell Ridge Road across from the Apartments in Faulkner County. My investigation revealed that this site is in violation of the Arkansas Solid Waste Management Act, A.C.A. §8-6-205.

There were several pieces of waste found at this site containing your name which indicates that you are the owner and have unlawfully disposed of them. You are in violation of the Solid Waste Management Act, A.C.A. §8-6-205 which makes it unlawful to dispose of solid wastes at any disposal site that does not have a permit which has been issued by the Department. You must clean up all the waste dumped at this site and dispose of it at a permitted landfill. You must notify me, in writing, when this has been completed and submit copies of your landfill receipts but no later than December 5, 1994.

Your cooperation and prompt response is suggested to avoid further enforcement action from this Department. If I can be of assistance, feel free to contact me.

Sincerely,

*Heidi Love*

Heidi Love, Inspector  
Solid Waste Division

cc: Suzanne Stair, Inspector Supervisor, SWD  
Bill Bell  
The Honorable John W. Carter, Faulkner County Judge  
Log #05938 (23)

Pg 18927



STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



December 1, 1994

Ms. Edith E. Helfer  
83 Simpson  
Vilonia, AR 72173

Dear Ms. Helfer:

On October 27, 1994, I investigated a complaint concerning unpermitted dumping on the property located on Donnell Ridge Road across from the Apartments in Faulkner County. My investigation revealed that this site is in violation of the Arkansas Solid Waste Management Act, A.C.A. §8-6-205.

There were several pieces of waste found at this site containing your name which indicates that you are the owner and have unlawfully disposed of them. You are in violation of the Solid Waste Management Act, A.C.A. §8-6-205 which makes it unlawful to dispose of solid wastes at any disposal site that does not have a permit which has been issued by the Department. You must clean up all the waste dumped at this site and dispose of it at a permitted landfill. You must notify me, in writing, when this has been completed and submit copies of your landfill receipts but no later than December 5, 1994.

Your cooperation and prompt response is suggested to avoid further enforcement action from this Department. If I can be of assistance, feel free to contact me.

Sincerely,

*Heidi Love*

Heidi Love, Inspector  
Solid Waste Division

cc: Suzanne Stair, Inspector Supervisor, SWD  
Bill Bell  
The Honorable John W. Carter, Faulkner County Judge  
Log #05938 (23)



Pg 20927

ARKANSAS WAFFLES, INC.

PAYROLL ACCOUNT

EMPLOYEE NO.	EMPLOYEE NAME			PAY PERIOD	SOCIAL SECURITY NO.	PERIOD ENDING	CHECK NO.	
1750-57-3	EDITH E. HELFER			10	43--40-745	07/25/78	10574	
EARNINGS		HOURS	CURRENT	YEAR-TO-DATE	DEDUCTIONS		CURRENT	YEAR-TO-DATE
REGULAR EARNING				1029.88	FEDERAL		.00	407.1
OVERTIME				107.58	STATE		82.4	82.4
TIP				1723.01	F.I.C.A.		1.21	359.4
TIP				27.10	TIPS			1279.5
RETIREMENT			26.91	177.60	HEALTH			393.1
				1279.50				
				393.12				
				3.40				
				107.59				
			26.91	3109.00				
			15.4	1583.20	<b>TOTAL DEDUCT</b>		1.91	2526.73

DETACH BEFORE DEPOSITING

ARTHUR MEDIC AND SPORTS CLINIC  
 1000 W. MAIN ST. SUITE 202  
 ARKANSAS CITY, MO 64111-4926

CARRIER PRESENT  
 OCT 4 1978

POSTAL ADDRESS CORRECTION REQUESTED



TURN ENVELOPE OVER FOR OPENING INSTRUCTIONS

**FIRST CLASS**  
**IMPORTANT-STATE**

EDITH E HELFER  
 83 SIMPSON  
 VILONIA AR  
 72173

Pg 21927

COMPLAINT REPORT

Log No. 05937

CSN: 23000 Permit No: N/A

Valid / Invalid

Media: Solid Waste  
Sort: Permit, Compliance

Date Complaint Received 9-6-94 Person Receiving Report HH

Complainant Name Cathy Hendrickson Telephone Number 327-6172

Address \_\_\_\_\_

Complaint Against Horton Spotts Telephone Number \_\_\_\_\_

Address Jackson Co. Health Dept., Conway AR

County Jackson Location Take Hwy 286 turn @ on McNitt go  
7 tenths of a mile turn (R) on Council Ridge Rd. go 1.75 miles dumping  
on (R) then go .15 tenths of a mile further before the bridge dumping  
on (R)

Description of Complaint open dumping

Previous Complaint? \_\_\_\_\_ Dates \_\_\_\_\_

Complainant willing to have name used? \_\_\_\_\_

Has complainant talked with violator? \_\_\_\_\_

Comments \_\_\_\_\_

How received: Telephone  Letter \_\_\_\_\_ Verbal \_\_\_\_\_

Referred To: Heidi Love Date 9-6-94

Log # 05937

HRS

Action Taken On October 27, 1994 at 11:30, I investigated  
the two complaint sites off Dorell Ridge Rd. The  
waste is dumped on the road right of way and on  
private property. The waste dumped consists of  
household waste, demolition waste (shingles and  
other material possibly containing asbestos), oil containers,  
auto parts, plastic, cardboard, metal and appliances.  
I took several photographs of the sites. I

found mail with a name and address. (Tammy Cantrell)

A man pulled up while I was taking photographs.

He introduced himself as Jerry Pearson (102 Elliott Rd.,  
Greenbrier AR 679-2272) He told me that he leases

the property from Horton Spatts, who oversees the  
estate owned by his mother and others listed  
as Horton and Staple Farms. Mr. Pearson told

me that he works for the Sheriff's Office and  
has had a constant problem with dumping

at this location. He said he has called people  
and turned names over to the Sheriff's Dept. He

told me that he has cleaned up the site many  
times. I told him that I would contact the

County Judge since it is on the road right of way.

He said he would bring prisoners to clean it  
up if the county would provide a truck.

On 12-1-94, I contacted Horton Spatts about the  
complaint. He told me that he has posted the

INSPECTOR

Heidi Love

TOTAL HOURS

Pg 23 of 27

NARRATIVE

Log # 15937

HRS

Action Taken property. He said he hauled off approximately 150 tires during the amnesty period. He said he has cleaned the site up many times and has contacted people whose waste he found in his official capacity as a Sanitarian. He said he would contact the County Judge for assistance in the clean-up.

I contacted the County Judge about the complaint. He said he had talked to Horton Spatts. He told me that he would provide the county trucks for the clean-up.

I called Larry Pearson at the Faulkner County Sheriff's Office to see if he would still provide the inmates for clean-up. He said he would call the Judge and try to set it up for next week.

I also called Bill Bell and talked to his wife and told her to have Bill call the County Judge for assistance in the clean-up. I also mentioned that the access should be controlled after the clean-up.

I called Cathy Hendrickson and left a message.

INSPECTOR

Heidi Love

TOTAL HOURS

NARRATIVE

Log # 05937

HRS

Action Taken Cathy Hendrickson called me back. I told her the status of the complaint. I told her I would call back after I heard back when the cleanup would be completed.

INSPECTOR

Shidi Love

TOTAL HOURS

5

Pg 25 of 27



P.O. Box 16450  
North Little Rock, Arkansas 72231-6450  
(501) 835-3400 \* (800) 462-5410

### EXPLANATION OF DELTA DENTAL BENEFITS

Subscriber

TAMMY CANTRELL  
10 TOWERING OAKS  
CONWAY AR 72032

CHECK No.	P-0801
Patient	DAVIS CANTRELL
Claim No.	422905774
Soc. Sec. No.	534-62-3033
Group No.	5942-2001
Payment Date	09/13/94
Relationship	SPOUSE
Patient Date of Birth	11/17/66
Dentist's License No.	0002904

Tooth	Surface	Date of Service	Procedure Submitted	Approved		Deductible Applied	Copey %	M A X	Patient Payment	DELTA Payment	Processing Policies
				Amount	Code						



P.O. Box 16450  
North Little Rock, Arkansas 72231-6450  
(501) 835-3400 \* (800) 462-5410

### EXPLANATION OF DELTA DENTAL BENEFITS

Subscriber

TAMMY CANTRELL  
10 TOWERING OAKS  
CONWAY AR 72032

CHECK No.	
Patient	DAVIS CA
Claim No.	424
Soc. Sec. No.	534-62-3
Group No.	5942-200
Payment Date	09/13/94
Relationship	SPOUSE
Patient Date of Birth	11/17/66
Dentist's License No.	0002904

Tooth	Surface	Date of Service	Procedure Submitted	Approved		Deductible Applied	Copey %	M A X	Patient Payment	DELTA Payment	Processing Policies
				Amount	Code						

19 26927

Photograph of Pollution Control & Ecology

Subject: Horton Spotts property  
Log Number: ( 059137 )  
Location: \_\_\_\_\_  
City/State: Cowdrey /AR County #: ( 623 )  
Date: 10/27/94 Time: ( 24Hr )  
Weather: ( Sunny ) ( Hazy ) ( Cloudy ) ( Rainy )  
Photographer: Heidi Love, #  
Witness: \_\_\_\_\_  
Camera: Canon Film Used: 35 mm  
Negative Location: Inspector's Files  
Processed By: Wal-Mart, Baseline Road  
Number of Photographs: ( 8 )  
Description: open dumping - some on road right-of-way





Pg 27827



175 1078  
STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



March 14, 1995

Danny and Joyce Thorn  
13 Foxhill Road  
Greenbrier, AR 72058

Dear Mr. & Mrs. Thorn:

On February 21, 1995, Sam Clardy and I performed an investigation of your property located at Langley Trailer Court off Highway 365 in Faulkner County. This investigation was in response to a complaint alleging unpermitted dumping. Our investigation revealed that you are in violation of the Arkansas Solid Waste Management Act, A.C.A §8-6-205. Specifically, we found the following violation(s).

1. 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 tires, carpet, mattresses, foam, cardboard, furniture, appliances, metal, wood, 55 gallon drum, and 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 "**.
2. **The property mentioned above is not a permitted waste tire processing facility or a permitted waste tire collection center**, please be advised that you are in violation of Act 749 of 1991, (c)(2), "It is unlawful for any person to dispose of used or waste tires or portions of used or waste tires in the state, unless such tires are disposed of for processing, or collected for processing, at a permitted waste tire processing facility, at a waste tire collection center, or at a permitted solid waste disposal facility."

You should immediately cease the activity described and undertake measures to correct the above violations. You should notify me, in writing, at the above address, **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 will result in the escalation of enforcement action.

Sincerely,

*Heidi Love*

Heidi Love, Inspector  
Solid Waste Division

cc: Suzanne Stair, Inspector Supervisor SWD  
Susan Speake, Waste Tire Program SWD  
Log #06411 (23)

VALID?  YES  NO

Pg 2 of 8

FOR OFFICE USE ONLY:  
AIR HW RST  SW  WATER MINING

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
P. O. BOX 8913, LITTLE ROCK, AR 72219-8913

COMPLAINT REPORT

FACILITY ID:

LOG#: 06411

CSN#: 23-0000

PERMIT#:

DATE RECEIVED: 2-16-95

COUNTY: Faulkner

COMPLAINANT NAME: Richard Hptex

COMPLAINT AGAINST: Langley trailer #7

ADDRESS: Housing Authority

ADDRESS: Danny + Joyce Thorn  
13 Foxhill Rd, Greenbrier AR

PHONE: 327-0156 FAX:

PHONE: FAX:

PERSON RECEIVING REPORT: DATE:  
Heidi Love 2-16-95

SUPERVISOR REFERRAL: DATE:

INSPECTOR REFERRED: DATE:

MEDIA SUPERVISOR REFERRAL: DATE:

PHONE REFERRAL CONTACT: DATE:

RECEIVING INSPECTOR: DATE:  
Heidi Love 2-16-95

DESCRIPTION (IN DETAIL)

Unpermitted dump at trailer park.

LOCATION (IN DETAIL)

Take the Mayflower exit turn (R) on Hwy 365 turn (R) at orange sign  
(Langley Trailer Pt.) - between Conway and Mayflower

PREVIOUS COMPLAINT?  YES  NO DATES: unknown

DISCHARGE TO STREAM?  YES  NO NAME OF STREAM: pond flows into lake Conway

HOW COMPLAINT WAS RECEIVED:  PHONE  LETTER  VERBAL  FAX

FOLLOW UP ON COMPLAINT

LOG #: 06411

CSN #: 23-0000

INSPECTOR: Heidi Love

DATE: 2-21-95

ACTION TAKEN:

PHOTOS TAKEN: [  ] YES [  ] NO

On February 21, 1995 at 17:25, Sam Clardy and I investigated the complaint. There was waste dumped in a pond. The waste consists of tires, mattresses, iron, cardboard, paper, furniture, appliances, metal, wood a 55 gallon drum and demolition waste. A large amount of waste at the site has been there for a long time. Sam Clardy took several photographs of the site. While we were performing the investigation, Joyce Thom came over to talk to us. She told us that her and her husband, Danny own the property. She said that they were trying to clean up the site. I told her that I would send a letter. She gave me their address. Sent letter.

FURTHER ACTION TAKEN/TO BE TAKEN:

INSPECTOR SIGNATURE: Heidi Love

DATE: 3-10-95

HOURS WORKED: 1.0



**ILLEGAL DUMP INSPECTION AND EVALUATION FORM**

Date <i>2-21-95</i>	Entry Time <i>17:25</i>	Exit Time <i>18:00</i>
Landmark or Name of Nearest Town <i>Between Conway and Mayflower Langley Mail Ct</i>	County <i>Faulkner</i>	Log Number <i>06411</i>
Legal Description Section/Range/Township	Landowner/Address <i>Danny and Joyce Thorn 13 Foxhill Rd Greenbrier, AR 72058</i>	Within City Limits Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private <input checked="" type="checkbox"/>
Federal/State/County Road Number <i>off Hwy 365</i>	Stream Name or Number <i>Near Lake Conway</i>	

**SECTION I - Size of Waste Mass**

<input type="checkbox"/>	500+ yards	<u>or</u>	1 acre or greater
<input type="checkbox"/>	50 to 200 yards	<u>or</u>	1/2 acre
<input checked="" type="checkbox"/>	20 to 50 yards	<u>or</u>	1/4 acre
<input type="checkbox"/>	5 to 20 yards	<u>or</u>	one dump truck load
<input type="checkbox"/>	5 or less yards	<u>or</u>	one pick up truck load

**SECTION II - Contents of Waste Mass**

Multipier of 3 x 11 = 33

5 X	<input type="checkbox"/>	Household Waste	<input type="checkbox"/> Hazardous items including: paint thinner, cleaning chemicals, oil cans, herbicides, medical waste, asbestos
3 X	<input checked="" type="checkbox"/>	White Waste - Refrigerator and Appliances	<input checked="" type="checkbox"/> Refrigerators and Appliances <input checked="" type="checkbox"/> May contain freon
3 X	<input checked="" type="checkbox"/>	Construction/Demolition Waste	<input type="checkbox"/> May contain Asbestos
3 X	<input checked="" type="checkbox"/>	Tires	Approximate Number <u>15</u>
2 X	<input type="checkbox"/>	Abandoned Vehicles	May contain gasoline, oil, antifreeze or other automotive fluids
2 X	<input checked="" type="checkbox"/>	Other Bulky Waste	TVs, Furniture, Mattress, etc.
1 X	<input type="checkbox"/>	Yard Waste	
4 X	<input type="checkbox"/>	Dead Animals	
	<input checked="" type="checkbox"/>	Other	Describe: <u>Cleaned out inside of trailers. 1 Drum which does have a hole in it.</u>

SECTION III - Site Assessment

Multiplier of 4 x 26 = 104

**Air Pollution**

- 5 X  Open Burning
- 4 X  Evidence of Open Burning
- 3 X  Strong; Foul Odor Present

**Water Pollution**

- 5 X  Waste in or near standing or flowing water
- 5 X  High probability of leachate (run-off) into ground/surface water
- 4 X  Waste less than five (5) miles from water source
- 2 X  Waste more than five (5) miles from water source
- 2 X  Erosion

**Public Health Risk Assessment**

- 5 X  Vectors sighted  
Rats - flies - mosquitoes - snakes - scavengers
- 4 X  Evidence of Vectors  
Feces and/or eggs and/or tunnels
- 3 X  Public Nuisance

More than \_\_\_\_\_ residences within 5 miles  
 Less than \_\_\_\_\_ residences within 5 miles

*Residences in close proximity to Dump*

**Site Usage Assessment**

- 5 X  An operator is present and/or ~~evidence that waste is being accepted for a fee and/or history of previous complaints~~
- 4 X  Active, promiscuous site; evidence of recent dumping and/or dumping has resumed at a previously cleaned-up or closed site
- 2 X  Old site; no evidence of recent dumping; overgrown

**Access Control**

- Road
- Paved
  - Unpaved
- Can access be limited/prohibited
- Yes *possibly*
  - No

**Site Conditions**

- |  |   |
|--|---|
| <p>Description</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Flat</li> <li><input type="checkbox"/> Mountains</li> <li><input type="checkbox"/> Rolling Hills</li> <li><input type="checkbox"/> Forest</li> <li><input type="checkbox"/> Grassland/Pasture</li> <li><input type="checkbox"/> Stream Bank</li> </ul> | <p>Soil Type</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Rocky</li> <li><input type="checkbox"/> Soil</li> <li><input checked="" type="checkbox"/> Sandy</li> </ul> <p>Condition</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Wet</li> <li><input type="checkbox"/> Dry</li> </ul> |
|--|---|

Signature of Inspector *Nendi Love* Total Score *137*

Photos  Yes  No

Pg leg 8

IS  
Pollution

Subject: Sandley trailers / Thom  
Log Number: (06411)  
Location: \_\_\_\_\_

City/State: \_\_\_\_\_/AR County #: (23)  
Date: 2/21/95 Time: (24Hr)  
Weather: (Sunny) (Hazy) (Cloudy) (Rainy)  
Photographer: Sam Clardy  
Witness: Neidi Love  
Camera: Canon Film Used: 35 mm  
Negative Location: Inspector's Files  
Processed By: Wal-Mart, Baseline Road  
Number of Photographs: (7)  
Description: unpermitted dump





Pg 7 of 8

KN

NNN-12 031



<No. 15> 16 22+00 NNNNN+02 031

PAPER Kodak

Heidi  
Thirion  
CAD.

HE (13)  
3-21-95

3-23-95

Dear Mr. Love,

This letter is in regard to our property located at Langley Trailer Court.

We have removed all waste that is in violation of the Arkansas Solid Waste Management Act. We have taken all of it to the city dump and are continuing to clean up around the pond and cover it with dirt.

Sincerely,  
Jaye Thorn

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

MEMORANDUM

TO : Martin Eisele, Attorney, Legal Division

FROM : Laura Mack, Chief, Solid Waste Division  
Harry Elliott, Enforcement Branch Manager, S.W.D. *A*  
Heidi Love, Inspector, S.W.D. *HL*  
Sam Clardy, Inspector, S.W.D.

DATE : March 10, 1995

SUBJECT : Bill Tyler site in Greenbrier

This memorandum is being submitted to apprise you of the status of the Tyler site in Greenbrier. As you know, this site was referred to the Legal Division due to numerous investigations revealing an active illegal solid waste disposal site. Attached is a copy of the most recent site investigation report on February 21, 1995, including photographs. As you can see, the site continues to be in flagrant violation. We are requesting that a NOV be filed or to pursue this case in Faulkner County Chancery Court. Your assistance in this matter is greatly appreciated.

Pg 2032

Greenbrier- Unpermitted dump

-request to Eisele by memo of 8-11-94 to pursue this case in Faulkner Chancery Court, due to numerous investigations at the site with no response.

-Martin advises he is drafting papers today 8-15-94.

-No changes, will check with Eisele for status.

-Eisele advised he has the file and will prepare the case for Faulkner County Court.

-Site inspection by SWD on 2-21-95. Still active illegal solid waste disposal. Will route copy of report to Eisele.

-Memo to Eisele with attached photos, requesting NOV be filed or case prepared for Faulkner County Chancery Court.

FOLLOW UP ON COMPLAINT

COMPLAINT #: 05114 Pg 30 32

CSN #: 23-0000

INSPECTOR: Heidi Love

DATE: 2-21-95

ACTION TAKEN:

PHOTOS TAKEN:  Y  N

On February 21, 1995 at 15:38, Sam Clardy and I performed an investigation of Bill Tyler's property in Greenbrier. The waste dumped at the site consists of household waste, mattresses, tires, subduot, carpet, cardboard, paper, plastic, antifreeze containers, furniture, oil containers and filters, appliances, clothing, air filters, metal, styrofoam, paint cans, foam, hoses, vacuum thinner containers, paint thinner containers, iron and propane containers, automobile parts, televisions, aerosol cans, concrete residue, insulation and there is oil dumped all over the road entering the site. We took several photographs of the site. There is still a sign up for Hathright Concrete and there is now a R & R Welding / Auto Repair and Painting sign. We exited the site at 16:05.

FURTHER ACTION TAKEN/TO BE TAKEN:

INSPECTOR SIGNATURE: Heidi Love

DATE: 2-21-95 HOURS WORKED: 1.0

Pg 4 of 32

Official Photographs

Texas Department of Pollution Control & Ecology

Bill Taylor  
Number: (15114)

Location: Junction/AR County #: (23)  
Date: 1/21/95 Time: (24Hr)  
Weather: (Sunny) (Hazy) (Cloudy) (Rainy)  
Photographer: Heidi Love, HF / Sam Clardy

Camera: Canon Film Used: 35 mm  
Location: Inspector's Files  
By: Wal-Mart, Baseline Road  
Type of Photographs: (E)  
Notes: Active unpermitted dump



Pg 5 of 32



Pg 6 of 32



STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
P.O. BOX 8913, LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533 FAX: (501) 562-2541



ILLEGAL DUMP INSPECTION AND EVALUATION FORM

Date <u>2-21-95</u>	Entry Time <u>15:38</u>	Exit Time <u>16:05</u>
Landmark or Name of Nearest Town <u>Greenbrier - <sup>Dartwright Concrete</sup> R+K Welding / Auto Repair</u>	County <u>Jackson</u>	Log Number <u>05114</u>
Legal Description Section/Range/Township	Landowner/Address	
	Within City Limits	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Public <input checked="" type="checkbox"/> Private
Federal/State/County Road Number <u>Hwy 65</u>	Stream Name or Number	

SECTION I - Size of Waste Mass

<input type="checkbox"/> 500+ yards	or	1 acre or greater
<input checked="" type="checkbox"/> 50 to 200 yards	or	1/2 acre
<input type="checkbox"/> 20 to 50 yards	or	1/4 acre
<input type="checkbox"/> 5 to 20 yards	or	one dump truck load
<input type="checkbox"/> 5 or less yards	or	one pick up truck load

SECTION II - Contents of Waste Mass

Multiplier of 3 x 18 = 54

<u>5</u> X <input checked="" type="checkbox"/> Household Waste	<input checked="" type="checkbox"/> Hazardous items including: paint thinner, cleaning chemicals, oil cans, herbicides, medical waste, asbestos
<u>3</u> X <input checked="" type="checkbox"/> White Waste - Refrigerator and Appliances	Refrigerators and Appliances
	<input type="checkbox"/> May contain freon
<u>3</u> X <input checked="" type="checkbox"/> Construction/Demolition Waste	<input type="checkbox"/> May contain Asbestos
<u>3</u> X <input checked="" type="checkbox"/> Tires	Approximate Number <u>50</u>
<u>2</u> X <input checked="" type="checkbox"/> Abandoned Vehicles - <u>truck cab and many auto parts</u>	May contain gasoline, oil, antifreeze or other automotive fluids
<u>2</u> X <input checked="" type="checkbox"/> Other Bulky Waste	TVs, Furniture, Mattress, etc.
<u>1</u> X <input type="checkbox"/> Yard Waste	
<u>4</u> X <input type="checkbox"/> Dead Animals	
<input type="checkbox"/> Other	Describe: <u>oil dumped all over road</u>

SECTION III - Site Assessment

Multiplier of 4 x 34 = 136

Air Pollution

- 5 X  Open Burning
- 4 X  Evidence of Open Burning *Burnt waste at site*
- 3 X  Strong; Foul Odor Present

Water Pollution

- 5 X  Waste in or near standing or flowing water
- 5 X  High probability of leachate (run-off) into ground/surface water
- 4 X  Waste less than five (5) miles from water source
- 2 X  Waste more than five (5) miles from water source
- 2 X  Erosion

Public Health Risk Assessment

- 5 X  Vectors sighted  
Rats - flies - mosquitoes - snakes - scavengers
- 4 X  Evidence of Vectors  
Feces and/or eggs and/or tunnels
- 3 X  Public Nuisance

More than ~50 residences within 5 miles *surrounded by residences + businesses*  
 Less than \_\_\_\_\_ residences within 5 miles

Site Usage Assessment

- 5 X  An operator is present and/or evidence that waste is being accepted for a fee and/or history of previous complaints *operating concrete plant at site*
- 4 X  Active, promiscuous site; evidence of recent dumping and/or dumping has resumed at a previously cleaned-up or closed site
- 2 X  Old site; no evidence of recent dumping; overgrown

Access Control

Road

- Paved
- Unpaved

Can access be limited/prohibited

- Yes *access is not controlled*
- No

Site Conditions

Description

- Flat
- Mountains
- Rolling Hills
- Forest
- Grassland/Pasture
- Stream Bank

Soil Type

- Rocky
- Soil
- Sandy

Condition

- Wet
- Dry

Signature of Inspector *Spide Love*

Total Score 190

Photos  Yes

No

SOLID WASTE DIVISION

"OTHER" REPORT

Log # 05114 CSN: 230000 Permit Nbr: \_\_\_\_\_

County White Falkner Division Solid Waste Division

ST

Incident Nbr: \_\_\_\_\_

Date of Activity 5/12/95 Assigned By \_\_\_\_\_

Brief Description of Activity Follow up investigation at Redi Mix Concrete which was one of Heidi's old dump sites. This site is closed out, access controlled and covered up with dirt.

Pictures were taken.

FE's  
Bill Tyler  
(Tyler Concrete  
and Septic Tanks)

Total Hours of Activity .5

Comments \_\_\_\_\_

Inspector Scott Tarbington

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

MEMORANDUM

TO : Harry Elliott, Enforcement Branch Manager, S.W.D.  
THROUGH : Suzanne Stair, Inspector Supervisor, S.W.D.  
FROM : Heidi Love, Inspector, S.W.D.  
DATE : July 19, 1995  
SUBJECT : Bill Tyler Dump in Greenbrier

This memorandum is provided as requested to supply an estimate of the costs incurred for services rendered by the Department in accordance with Regulation 7. There is also a cost avoidance estimate included.

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SITE INVESTIGATIONS	INSPECTOR
03-05-91	Lynn Crabill
04-15-91	Lynn Crabill
05-06-91	Lynn Crabill
06-18-91	Lynn Crabill
07-12-91	Lynn Crabill
09-16-92	Heidi Love
02-09-93	Heidi Love
05-19-94	Heidi Love
02-21-95	Heidi Love and Sam Clardy
05-12-95	Scott Tarkington

TOTAL INVESTIGATIONS = 10

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**INSPECTOR SALARIES** {Base Inspector Salary \$21,450 (\$10.31/hr.)

(Site Investigations)

Lynn 5 Site Investigations X 3 Hours Spent (On site + travel) = 15  
\$10.31 X 15 = \$154.65

Heidi 4 Site Investigations X 2 Hours Spent (On site + travel) = 8  
\$10.31 X 8 = \$82.48

Sam 1 Site Investigation X 2 Hours Spent (On site + travel) = 2  
\$10.31 X 2 = \$20.62

Scott 1 Site Investigation X 2 Hours Spent (On site + travel) = 2  
\$10.31 X 2 = \$20.62

(Office Time)

\$10.31 X 10 Office Hours = \$103.10

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**TOTAL INSPECTOR SALARIES: \$381.47**

**SUBTOTAL \$381.47**

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**MILEAGE**

Lynn 120 miles roundtrip (120 X 5 = 600 miles)  
600 X \$0.26/mile = \$156.00

Heidi 90 miles roundtrip (90 X 4 = 360 miles)  
360 X \$0.26/mile = \$93.60

Scott 90 miles roundtrip  
90 X \$0.26/mile = \$23.40

---

**TOTAL MILEAGE COSTS: \$273.00**

**SUBTOTAL \$654.47**

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**SUPERVISORY TIME SPENT** {Base Salary \$24,330 (\$11.69/hr.)}  
\$11.69 X 10 hours = \$116.90  
**TOTAL SUPERVISORY COSTS: \$116.90** **SUBTOTAL \$771.37**

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**ENFORCEMENT ADMINISTRATION** {Base Salary \$24,544 (\$11.80/hr.)}  
\$11.80 X 10 administration hours = \$118.00  
Site visit 09-16-92 (\$11.80 X 2 hours = \$23.60)  
**TOTAL ENFORCEMENT ADMINISTRATION COSTS: \$141.60** **SUBTOTAL \$912.97**

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**LEGAL DIVISION TIME SPENT** {Base Salary \$29,640 (\$14.25/hr.)}  
\$14.25 X 3 hours = \$42.75  
**TOTAL LEGAL COSTS: \$42.75** **SUBTOTAL \$955.72**

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**SECRETARIAL SALARY** {Base Salary \$13,910 (\$6.68/hr.)}  
\$6.68 X 10 hours = \$66.80  
**TOTAL SECRETARIAL SALARY: \$66.80** **SUBTOTAL \$1022.52**

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**MISCELLANEOUS COSTS**

Office Supplies (letters, coping, and postage fees)	\$40.00
Long Distance Telephone Expenses	\$25.00
Film and Developing Costs	\$25.00
<b>TOTAL MISCELLANEOUS COSTS: \$90.00</b>	<b>SUBTOTAL \$1112.52</b>

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Pg 14 of 32

STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL & ECOLOGY

8001 National Drive, P.O. Box 8913  
Little Rock, Arkansas 72219-8913  
Phone: (501)562-7444 Fax: (501)562-0297  
Legal Division: (501)570-2157

June 2, 1995

Mr. Bill Tyler  
Tyler's Concrete Septic Tanks  
173 S. Broadview  
Greenbrier, AR 72058

Re: Notice of Violation; LIS 95-071

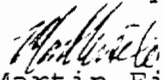
Dear Mr. Tyler:

After a Notice of Violation was served on you, I was informed that you contacted the Solid Waste Division and informed them of the clean-up of your site. Our inspectors have visited the site and have verified that there has been a significant amount of work done. However, we have not received any records showing where the removed material was taken.

Further, since this matter is a formal enforcement proceeding that has been filed with the administrative court, you will need to file a written response to the Notice of Violation. You will need to file the response as per the instructions sent with the Notice.

Since you responded to the Notice by calling the Department, I will extend the normal deadline for the written response until June 15, 1995. Your response should set out in detail the work you have performed to clean the site. As you know, the Department is seeking a penalty for the violations which occurred. Once your written response is received, we will be able to discuss a final resolution of this matter.

Sincerely,

  
Martin Eisele  
Attorney

c: ✓ Harry Elliott, Enforcement Administrator

Pg 15 of 32

STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
8001 NATIONAL DRIVE  
P.O. BOX 8913, LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-7444 FAX: (501) 562-0297

May 9, 1995

Mr. Bill Tyler  
Tyler's Concrete Septic Tanks  
173 S. Broadview  
Greenbrier, Arkansas 72058

CERTIFIED MAIL: P 136 287 392  
RETURN RECEIPT REQUESTED  
RESTRICTED DELIVERY

Re: NOTICE OF VIOLATION Tyler's Concrete Septic Tanks  
LIS 95-071

Dear Mr. Tyler:

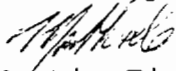
Enclosed is a Notice of Violation issued to Tyler's Concrete Septic Tanks on May 2, 1995, by the Director of the Arkansas Department of Pollution Control and Ecology.

Also enclosed is a copy of Regulation No. 8, Administrative Procedures. Regulation 8 establishes the right of a party to receive an administrative hearing on the alleged violations. Please note that a written response to the Notice of Violation is required within twenty (20) days of its receipt.

The penalties and corrective actions called for in the Notice of Violation are at this stage only proposed penalties and actions. This Notice of Violation is subject to public review and comment in accordance with A.C.A. §8-4-103(d), as amended by Act 163 of 1993. ADPC&E retains the right and discretion to rescind this Notice of Violation based on comments received within the thirty-day public comment period.

The Department is willing to discuss settlement of any or all matters described in the Notice of Violation. If you or your legal counsel desire to discuss settlement of this matter, please feel free to contact me.

Sincerely,

  
Martin Eisele  
Attorney

ME/pn

Enclosures  
cc: ✓ Harry Elliott  
Laura Brown

By 16 of 32

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF:

TYLER'S CONCRETE SEPTIC TANKS  
173 S. Broadview  
Greenbrier, AR 72058

DOCKET NO. 95-071-NOV

NOTICE OF VIOLATION

Notice is hereby given that the Director of the Arkansas Department of Pollution Control and Ecology ("ADPCE") has determined that there are reasonable grounds to believe that Bill Tyler, d/b/a Tyler Concrete Septic Tanks, has committed the following violations of the Arkansas Solid Waste Management Act, Act 237 of 1971, as amended, A.C.A. §8-6-201 et seq., the Arkansas Litter Control Act, Act 883 of 1977, as amended, A.C.A. §8-6-401 et seq., the Arkansas Air and Water Pollution Control Act, Act 472 of 1949, and all other applicable rules and regulations.

ALLEGATIONS AND FINDINGS OF FACT

1. Mr. Bill Tyler, d/b/a Tyler's Concrete Septic Tanks, operates an unpermitted dump site located at 173 S. Broadview, Greenbrier, Arkansas.
2. On September 16, 1992, February 9, 1993, May 19, 1994 and February 21, 1995 inspections were performed at the site. The investigations revealed that violations of law, as set out above, had occurred. The site contained waste that had been dumped, including, but not limited to garbage, cardboard, plastic, used oil, freon and paint containers, carpet, household furniture and appliances, and automobile parts and tires. In addition, oil had been poured over the entire dirt parking lot. There was also evidence that open burning of waste had occurred at the site in violation of the Arkansas Air Code.

3. After each of the first two inspections, Mr. Tyler was notified of the violations and instructed to clean the site and properly dispose of the waste. He was also instructed to refrain from disposing of any more waste, to control the access to the site, and to notify the ADPCE when he had completed the clean up.
4. After numerous notifications, Mr. Tyler continued to ignore ADPCE's instructions and continued to dispose of waste at the site.

ORDER AND CIVIL PENALTY ASSESSMENT

5. For the violations set out in Paragraph 2 herein, Mr. Tyler shall pay to ADPCE the sum of Five Thousand Two Hundred Fifty Dollars (\$5250) as a civil penalty.
6. Mr. Tyler shall present a plan of corrective action to remediate the site and present the plan to ADPCE for approval within thirty (30) days of the entry of this order.
7. Mr. Tyler shall refrain from further disposing any waste at the site and shall control access to the site to prevent any unlawful dumping.

THEREFORE, TAKE NOTICE THAT:

Tyler's Concrete Septic Tanks must file a written response to this Notice of Violation in accordance with Commission Regulation No. 8, with the Secretary, Arkansas Pollution Control and Ecology Commission, 101 East Capitol, Suite 205, Little Rock, AR, 72201, within twenty (20) days of the receipt of this Notice of Violation, or these allegations will be deemed proven. Upon filing a written response within the time

provided, Tyler's Concrete Septic Tanks will be entitled to an adjudicatory hearing upon the allegations and other matters stated in this Notice of Violation. If no timely response is received, the Director may issue an Administrative Order confirming the Allegations and Findings of Fact, assessing civil penalties and ordering the actions stated herein, and all other proper matters.

Randall Mathis  
Randall Mathis, Director

5/2/95  
Date

*Illegal dump - NOV ~~1500~~ 15250.00  
 Tylers Concrete Greenbrier, Ark Pg 19 of 32*

ARKANSAS DEPARTMENT OF POLLUTION CONTROL  
 AND ECOLOGY

SOLID WASTE DIVISION ENFORCEMENT SECTION

GENERAL ROUTE SLIP

	<u>INITIAL</u>	<u>DATE</u>
ENFORCEMENT COORDINATOR	<u>JA</u>	<u>3-28/93</u>
DIVISION CHIEF	<u>[Signature]</u>	<u>3/29</u>
LEGAL REVIEW	<u>ME</u>	<u>4-1-95/4.17</u>
DEPUTY DIRECTOR	<u>[Signature]</u>	<u>4/24/95</u>
DIRECTOR	<u>R.M.</u>	<u>5/1/95</u>
ENFORCEMENT COORDINATOR	_____	_____
TO FACILITY/CERTIFIED MAIL	_____	_____
LEGAL ASSIGN LIS AFTER 10TH DAY	_____	_____

COMMENTS:

*Continued neglect for responding to  
 corrective actions -*

*How did we calculate penalty?  
 LW  
 4-12*

*Martini  
 para 5 needs  
 revision*

*Larry  
 I have attachment for your  
 review. This is going to  
 be further developed in the  
 illegal dump program.  
 H*

*Lab to Martin 8 May 95 H*

Pg 20832

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF:

TYLER'S CONCRETE SEPTIC TANKS  
173 S. Broadview  
Greenbrier, AR 72058

DOCKET NO. 95-\_\_\_\_-NOV

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Randall Mathis  
Randall Mathis, Director

5/2/95  
Date

3. After each of the first two inspections, Mr. Tyler was notified of the violations and instructed to clean the site and properly dispose of the waste. He was also instructed to refrain from disposing of any more waste, to control the access to the site, and to notify the ADPCE when he had completed the clean-up.
4. After numerous notifications, Mr. Tyler continued to ignore ADPCE's instructions and continued to dispose of waste at the site.

ORDER AND CIVIL PENALTY ASSESSMENT

5. For the violations set out in Paragraph 2 herein, Mr. Tyler shall pay to ADPCE the sum of ~~Seven Thousand Five Hundred Dollars (\$7500)~~<sup>5250</sup> as a civil penalty.
6. Mr. Tyler shall present a plan of corrective action to remediate the site and present the plan to ADPCE for approval within thirty (30) days of the entry of this order.
7. Mr. Tyler shall refrain from further disposing any waste at the site and shall control access to the site to prevent any unlawful dumping.

THEREFORE, TAKE NOTICE THAT:

Tyler's Concrete Septic Tanks must file a written response to this Notice of Violation in accordance with Commission Regulation No. 8, with the Secretary, Arkansas Pollution Control and Ecology Commission, 101 East Capitol, Suite 205, Little Rock, AR, 72201, within twenty (20) days of the receipt of this Notice of Violation, or these allegations will be deemed proven. Upon filing a written response within the time

B 24832

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

MEMORANDUM

TO : Martin Eisele, Attorney, Legal Division

FROM : Laura Mack, Chief, Solid Waste Division  
Harry Elliott, Enforcement Branch Manager, S.W.D.  
Heidi Love, Inspector, S.W.D. *HL*  
Sam Clardy, Inspector, S.W.D.

DATE : March 10, 1995

SUBJECT : Bill Tyler site in Greenbrier

This memorandum is being submitted to apprise you of the status of the Tyler site in Greenbrier. As you know, this site was referred to the Legal Division due to numerous investigations revealing an active illegal solid waste disposal site. Attached is a copy of the most recent site investigation report on February 21, 1995, including photographs. As you can see, the site continues to be in flagrant violation. We are requesting that a NOV be filed or to pursue this case in Faulkner County Chancery Court. Your assistance in this matter is greatly appreciated.

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#### Greenbrier- Unpermitted dump

-request to Eisele by memo of 8-11-94 to pursue this case in Faulkner Chancery Court, due to numerous investigations at the site with no response.

-Martin advises he is drafting papers today 8-15-94.

-No changes, will check with Eisele for status.

-Eisele advised he has the file and will prepare the case for Faulkner County Court.

-Site inspection by SWD on 2-21-95. Still active illegal solid waste disposal. Will route copy of report to Eisele.

-Memo to Eisele with attached photos, requesting NOV be filed or case prepared for Faulkner County Chancery Court.

CIVIL PENALTY DETERMINATION  
REGULATION NO. 7

The Solid Waste Enforcement Section utilizes a procedure to rank each potential landfill violation on a scale of 1 (least serious) to 5 (most serious). This same scale is also used to determine penalty amounts for illegal dumps.

FACILITY: Non-permitted; Illegal Dump      DATE: April 13, 1995

OWNER/OPERATOR: Tylers Concrete Septic Tanks

VIOLATION: Disposal of solid waste at a location not permitted by the Department.

CONSIDERED FACTORS:

a. The seriousness of the noncompliance and its effect upon the environment, including degree of risk or harm to public health, caused by the violation.

Comments: This may be classified as most serious violation (5) since the site is not permitted and there has been no permit application process. This particular site is within the boundaries of Greenbrier with residences close by.

b. Whether the cause of the noncompliance was a unavoidable accident.

Comment: The disposal actions were intentional as evidenced by investigations and the evidence of open burning of waste.

c. The violator's cooperativeness and efforts to correct the violation.

Comment: The violator has not responded to letters from the inspector on two separate occasions and has made no effort to clean the site up as evidenced by site visits.

d. The history of the violator in taking all reasonable steps or procedures necessary or appropriate to correct any noncompliance.

Comment: The Department does not have any information from the violator to show efforts for compliance.

e. The violator's history of documented violations within the last six months regardless of whether or not any administrative, civil, or criminal proceedings was commenced therefore.

Comments: The violator continues his operation as evidenced by continued site inspections.

f. Whether the cause of the violation was an intentional act or omission on the part of the violator.

Comments: The violator has been informed as to the nature of the violation so there is no cause to believe the violation is anything other than an intentional act.

g. Whether the noncompliance has resulted in an economic benefit to the violator.

Comments: There is obvious savings or benefit derived from the violation due to the cost avoidance for legal disposal at a permitted facility.

h. Whether the investigation enforcement action has resulted in unusual or extraordinary costs to the Department or the public.

Comments: None at this time.

i. Whether any part of the noncompliance is attributable to the action or inaction of the state government itself.

Comments: The violation is not caused by the State.

**PENALTY DETERMINATION**

VIOLATION RANKING	PENALTY RANGE IN \$
1	0 - 1000
2	0 - 3000
3	0 - 5000
4	0 - 7000
5	0 - 10000

**TOTAL CIVIL PENALTY: \$5250 Total**

- \$750 for the first noted violation
- \$1500 for the second noted violation
- \$1500 for the third noted violation
- \$1500 for the fourth noted violation

The total penalty is well within the range for violation ranking of five above.

PREPARED BY: Harry Elliott, Enforcement Branch Manager *HE*

Pg 28 of 32

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF:

TYLER'S CONCRETE SEPTIC TANKS  
173 S. Broadview  
Greenbrier, AR 72058

DOCKET NO. 95-071-NOV

NOTICE OF VIOLATION

Notice is hereby given that the Director of the Arkansas Department of Pollution Control and Ecology ("ADPCE") has determined that there are reasonable grounds to believe that Bill Tyler, d/b/a Tyler Concrete Septic Tanks, has committed the following violations of the Arkansas Solid Waste Management Act, Act 237 of 1971, as amended, A.C.A. §8-6-201 et seq., the Arkansas Litter Control Act, Act 883 of 1977, as amended, A.C.A. §8-6-401 et seq., the Arkansas Air and Water Pollution Control Act, Act 472 of 1949, and all other applicable rules and regulations.

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1. Mr. Bill Tyler, d/b/a Tyler's Concrete Septic Tanks, operates an unpermitted dump site located at 173 S. Broadview, Greenbrier, Arkansas.
2. On September 16, 1992, February 9, 1993, May 19, 1994 and February 21, 1995 inspections were performed at the site. The investigations revealed that violations of law, as set out above, had occurred. The site contained waste that had been dumped, including, but not limited to garbage, cardboard, plastic, used oil, freon and paint containers, carpet, household furniture and appliances, and automobile parts and tires. In addition, oil had been poured over the entire dirt parking lot. There was also evidence that open burning of waste had occurred at the site in violation of the Arkansas Air Code.

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6. Mr. Tyler shall present a plan of corrective action to remediate the site and present the plan to ADPCE for approval within thirty (30) days of the entry of this order.
7. Mr. Tyler shall refrain from further disposing any waste at the site and shall control access to the site to prevent any unlawful dumping.

THEREFORE, TAKE NOTICE THAT:

Tyler's Concrete Septic Tanks must file a written response to this Notice of Violation in accordance with Commission Regulation No. 8, with the Secretary, Arkansas Pollution Control and Ecology Commission, 101 East Capitol, Suite 205, Little Rock, AR, 72201, within twenty (20) days of the receipt of this Notice of Violation, or these allegations will be deemed proven. Upon filing a written response within the time


19 30 32

provided, Tyler's Concrete Septic Tanks will be entitled to an adjudicatory hearing upon the allegations and other matters stated in this Notice of Violation. If no timely response is received, the Director may issue an Administrative Order confirming the Allegations and Findings of Fact, assessing civil penalties and ordering the actions stated herein, and all other proper matters.

Randall Mathis  
Randall Mathis, Director

5/2/95  
Date

Pg 3/932

ADPC&E-SOLID WASTE DIVISION RECORD OF COMMUNICATION		
		<input checked="" type="checkbox"/> Phone call <input type="checkbox"/> Field trip <input type="checkbox"/> Discussion <input type="checkbox"/> Meeting <input type="checkbox"/> Other:
TO:	DATE: 10 May 95	TIME: 15:30
SUBJECT: Tyler Concrete CSN: PERMIT NBR:		
NARRATIVE: Returned call to Cathy Tyler 679-2300. She had received her copy of the NOV. She said it was sent to 173 Broadview, Greenbrier which was the dump site - Tyler Concrete's address is 230 Cedar Street, Greenbrier. She wanted us to know that this site has been cleaned up and was completed by mid-April. The site was covered with dirt, a steel cable installed to prevent access and the tires are stacked on a truck in their yard. She invited an inspector to check the site to document the clean-up.		
(continue on reverse side if necessary)		
CONCLUSIONS, ACTION TAKEN OR REQUIRED:		
Information copies to: Central Files _____ _____	SENT BY: _____ DATE: _____ LOG _____	

Pg 32932  
STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL & ECOLOGY  
8001 National Drive, P.O. Box 8913  
Little Rock, Arkansas 72219-8913  
Phone: (501)562-7444 Fax: (501)562-0297  
Legal Division: (501)570-2157

~~force~~  
CC Mason  
or Noller  
Thick  
H  
**RECEIVED**

October 18, 1995

OCT 19 1995

Mr. Bill Tyler  
Tyler's Concrete Septic Tanks  
230 Cedar Street  
Greenbrier, AR 72058

Re: Notice of Violation; LIS 95-071

Dear Mr. Tyler:

I have received your check in the amount of \$1500 to settle our case. I have also filed a Motion to Dismiss the case. There is one final matter to be taken care of. ADPC&E Regulation 22, Section 22.1304(b) requires that after closure, all landfills and dump sites be listed with the local county land records as a former solid waste site. You are required to list your site and provide us with documentation of same. A simple form stating that the site was previously used as a dump site and has been closed will suffice. I would ask that you provide that documentation by November 1, 1995.

Sincerely,



Martin Eisele  
Attorney

c: ✓ Harry Elliott, Enforcement Administrator

1996

VALID?  YES  NO

FOR OFFICE USE ONLY:  
AIR HW RST [ SW ] WATER MINING

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
P. O. BOX 8913, LITTLE ROCK, AR 72219-8913

COMPLAINT REPORT FACILITY ID:

LOG#: 06411	CSN#: 23-0000	PERMIT#:
DATE RECEIVED: 2-16-95	COUNTY: Faulkner	
COMPLAINANT NAME: Richard Upton	COMPLAINT AGAINST: Sangley trailer #7	
ADDRESS: Housing Authority	ADDRESS: Danny & Joyce Thorn 13 Foxhill Rd, Greenbrier AR	
PHONE: 327-0156 FAX:	PHONE:	FAX:

PERSON RECEIVING REPORT: Heidi Love	DATE: 2-16-95	SUPERVISOR REFERRAL:	DATE:
INSPECTOR REFERRED:	DATE:	MEDIA SUPERVISOR REFERRAL:	DATE:
PHONE REFERRAL CONTACT:	DATE:	RECEIVING INSPECTOR: Heidi Love	DATE: 2-16-95

DESCRIPTION (IN DETAIL)

Unpermitted dump at trailer park.

LOCATION (IN DETAIL)

Take the Mayflower exit turn (R) on Hwy 3125 turn (R) at orange sign (Sangley Trailer Ct.) - between Conway and Mayflower.

PREVIOUS COMPLAINT?  YES  NO DATES: unknown

DISCHARGE TO STREAM?  YES  NO NAME OF STREAM: pond flows into lake Conway

HOW COMPLAINT WAS RECEIVED:  PHONE  LETTER  VERBAL  FAX

Reviewed 450314 AS

FOLLOW UP ON COMPLAINT

LOG #: 06411

CSN #: 23-0000

INSPECTOR: Heidi Love

DATE: 2-21-95

ACTION TAKEN:

PHOTOS TAKEN: [  YES [ ] NO

On February 21, 1995 at 17:25, Sam Clardy and I investigated the complaint. There was waste dumped in a pond. The waste consists of tires, mattresses, foam, cardboard, carpet, furniture, appliances, metal, wood a 55 gallon drum and demolition waste. A large amount of waste at the site has been there for a long time. Sam Clardy took several photographs of the site. While we were performing the investigation, Joyce Thom came over to talk to us. She told us that her and her husband, Danny own the property. She said that they were trying to clean up the site. I told her that I would send a letter. She gave me their address. Sent letter

FURTHER ACTION TAKEN/TO BE TAKEN:

INSPECTOR SIGNATURE: Heidi Love

DATE: 3-10-95

HOURS WORKED: 1.0



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**STATE OF ARKANSAS**  
**DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY**  
 P.O. BOX 8913, LITTLE ROCK, ARKANSAS 72219-8913  
 PHONE: (501) 562-6533 FAX: (501) 562-2541



**ILLEGAL DUMP INSPECTION AND EVALUATION FORM**

Date <i>2-21-95</i>	Entry Time <i>17:25</i>	Exit Time <i>18:00</i>
Landmark or Name of Nearest Town <i>Between Conway and Mayflower Lansley Trail Ct</i>	County <i>Faulkner</i>	Log Number <i>06411</i>
Legal Description Section/Range/Township	Landowner/Address <i>Danny and Joyce Thom 13 Fokhill Rd Greenbrier, AR 72058</i>	Within City Limits <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Public <input checked="" type="checkbox"/> Private
Federal/State/County Road Number <i>off Hwy 365</i>	Stream Name or Number <i>Near Lake Conway</i>	

**SECTION I - Size of Waste Mass**

<input type="checkbox"/>	500+ yards	<u>or</u>	1 acre or greater
<input type="checkbox"/>	50 to 200 yards	<u>or</u>	1/2 acre
<input checked="" type="checkbox"/>	20 to 50 yards	<u>or</u>	1/4 acre
<input type="checkbox"/>	5 to 20 yards	<u>or</u>	one dump truck load
<input type="checkbox"/>	5 or less yards	<u>or</u>	one pick up truck load

**SECTION II - Contents of Waste Mass**

Multiplier of 3 X 11 = 33

5 X	<input type="checkbox"/>	Household Waste	
	<input type="checkbox"/>	Hazardous items including: paint thinner, cleaning chemicals, oil cans, herbicides, medical waste, asbestos	
3 X	<input checked="" type="checkbox"/>	White Waste - Refrigerator and Appliances	
		Refrigerators and Appliances	
	<input checked="" type="checkbox"/>	May contain freon	
3 X	<input checked="" type="checkbox"/>	Construction/Demolition Waste	
	<input type="checkbox"/>	May contain Asbestos	
3 X	<input checked="" type="checkbox"/>	Tires	
		Approximate Number	<u>15</u>
2 X	<input type="checkbox"/>	Abandoned Vehicles	
		May contain gasoline, oil, antifreeze or other automotive fluids	
2 X	<input checked="" type="checkbox"/>	Other Bulky Waste	
		TVs, Furniture, Mattress, etc.	
1 X	<input type="checkbox"/>	Yard Waste	
4 X	<input type="checkbox"/>	Dead Animals	
	<input checked="" type="checkbox"/>	Other	Describe: <u>Cleaned out inside of trailers. 1 Drum which does have a hole in it.</u>

SECTION III - Site Assessment

Multiplier of 4 x 26 = 104

**Air Pollution**

- 5 X  Open Burning
- 4 X  Evidence of Open Burning
- 3 X  Strong; Foul Odor Present

**Water Pollution**

- 5 X  Waste in or near standing or flowing water
- 5 X  High probability of leachate (run-off) into ground/surface water
- 4 X  Waste less than five (5) miles from water source
- 2 X  Waste more than five (5) miles from water source
- 2 X  Erosion

**Public Health Risk Assessment**

- 5 X  Vectors sighted  
Rats - flies - mosquitoes - snakes - scavengers
- 4 X  Evidence of Vectors  
Feces and/or eggs and/or tunnels
- 3 X  Public Nuisance

More than \_\_\_\_\_ residences within 5 miles  
 Less than \_\_\_\_\_ residences within 5 miles

*Residences in close proximity to Dump*

**Site Usage Assessment**

- 5 X  An operator is present and/or ~~evidence that waste is being accepted for a fee and/or history of previous complaints~~
- 4 X  Active, promiscuous site; evidence of recent dumping and/or dumping has resumed at a previously cleaned-up or closed site
- 2 X  Old site; no evidence of recent dumping; overgrown

**Access Control**

- Road
- Paved
  - Unpaved
- Can access be limited/prohibited
- Yes *possibly*
  - No

**Site Conditions**

- |  |   |
|--|---|
| <p>Description</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Flat</li> <li><input type="checkbox"/> Mountains</li> <li><input type="checkbox"/> Rolling Hills</li> <li><input type="checkbox"/> Forest</li> <li><input type="checkbox"/> Grassland/Pasture</li> <li><input type="checkbox"/> Stream Bank</li> </ul> | <p>Soil Type</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Rocky</li> <li><input type="checkbox"/> Soil</li> <li><input checked="" type="checkbox"/> Sandy</li> </ul> <p>Condition</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Wet</li> <li><input type="checkbox"/> Dry</li> </ul> |
|--|---|

Signature of Inspector Neidi Love Total Score 137

Photos  Yes  No



STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



March 14, 1995

Danny and Joyce Thorn  
13 Foxhill Road  
Greenbrier, AR 72058

Dear Mr. & Mrs. Thorn:

On February 21, 1995, Sam Clardy and I performed an investigation of your property located at Langley Trailer Court off Highway 365 in Faulkner County. This investigation was in response to a complaint alleging unpermitted dumping. Our investigation revealed that you are in violation of the Arkansas Solid Waste Management Act, A.C.A §8-6-205. Specifically, we found the following violation(s).

1. 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 tires, carpet, mattresses, foam, cardboard, furniture, appliances, metal, wood, 55 gallon drum, and 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 "**
2. **The property mentioned above is not a permitted waste tire processing facility or a permitted waste tire collection center**, please be advised that you are in violation of Act 749 of 1991, (c)(2), "It is unlawful for any person to dispose of used or waste tires or portions of used or waste tires in the state, unless such tires are disposed of for processing, or collected for processing, at a permitted waste tire processing facility, at a waste tire collection center, or at a permitted solid waste disposal facility."

You should immediately cease the activity described and undertake measures to correct the above violations. You should notify me, in writing, at the above address, **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 will result in the escalation of enforcement action.

Sincerely,

*Heidi Love*

Heidi Love, Inspector  
Solid Waste Division

cc: Suzanne Stair, Inspector Supervisor SWD  
Susan Speake, Waste Tire Program SWD  
Log #06411 (23)

Log No. 06411(23)

Pg 6046

Heidi  
Thompson  
CAD.

HE (13)  
3-21-95

3-23-95

Dear Ms. Love,

This letter is in regard to our property located at Langley Trailer Court.

We have removed all waste that is in violation of the Arkansas Solid Waste Management Act. We have taken all of it to the city dump and are continuing to clear up around the pond and cover it with dirt.

Sincerely,  
Jaye Thorn

Log # 6411 (23)

pg 1 of 3

VALID? [ ] YES [  ] NO

FOR OFFICE USE ONLY:  
AIR HW RST [ SW ] WATER MINING

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
P. O. BOX 8913, LITTLE ROCK, AR 72219-8913

COMPLAINT REPORT

FACILITY ID:

LOG#: <i>06385</i>	CSN#: <i>23-0000</i>	PERMIT#:
DATE RECEIVED: <i>2-13-95</i>	COUNTY: <i>Faulkner</i>	
COMPLAINANT NAME: <i>anon.</i>	COMPLAINT AGAINST: <i>Jim Creasey</i> <sup>property owner</sup>	
ADDRESS:	ADDRESS: <i>Victoria AR</i>	
PHONE:                      FAX:	PHONE:                      FAX:	

PERSON RECEIVING REPORT:      DATE: <i>2-13-95</i> <i>Scott Jarkington</i>	SUPERVISOR REFERRAL:              DATE:
INSPECTOR REFERRED:              DATE:	MEDIA SUPERVISOR REFERRAL:      DATE:
PHONE REFERRAL CONTACT:        DATE:	RECEIVING INSPECTOR:              DATE: <i>2-14-95</i> <i>Heidi Love</i>

DESCRIPTION (IN DETAIL)

*The street sweeper is dumping materials in a dumpster and then burning the waste.*

LOCATION (IN DETAIL)

*Lake Hwy 164 to Victoria - turn (R) on Hwy 107 go ~5 miles turn (R) on Fortner Rd, then turn (R) on dirt road (Hill top lane) go ~100 yards (at Otto)*

PREVIOUS COMPLAINT? [ ] YES [  ] NO DATES:

DISCHARGE TO STREAM? [ ] YES [  ] NO NAME OF STREAM:

HOW COMPLAINT WAS RECEIVED: [  ] PHONE [ ] LETTER [ ] VERBAL [ ] FAX

FOLLOW UP ON COMPLAINT

LOG #: 06385

CSN #: 23-0000

INSPECTOR: Heidi Love

DATE: 2-21-95

ACTION TAKEN:

PHOTOS TAKEN:  YES  NO

On February 21, 1995 at 16:45 Sam Clardy and I investigated the complaint. There were some aluminum cans in a barrel and some leaves in a dumpster. There was no evidence of burning or open dumping.

FURTHER ACTION TAKEN/TO BE TAKEN:

INSPECTOR SIGNATURE: Heidi Love

DATE: 3-10-95

HOURS WORKED: 1.25

**Official Photographs**

Arkansas Department of Pollution  
Control & Ecology

City: Crescent  
Number: ( 06385 )  
Name: \_\_\_\_\_

Date: Vilonia /AR County #: ( 23 )  
2/21/95 Time: (24Hr) \_\_\_\_\_  
Weather: (Sunny) (Hazy) (Cloudy) (Rainy)  
Photographer: Sam Cleardy  
Inspector: Heidi Love

Camera: Canon Film Used: 35 mm  
Site Location: Inspector's Files  
Used By: Wal-Mart, Baseline Road  
Number of Photographs: ( 2 )  
Reason: Complaint Invalid



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Pg 1 of 2

FOR OFFICE USE ONLY:  
AIR HW RST SW WATER MINING

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY  
P. O. BOX 8913, LITTLE ROCK, AR 72219-8913

COMPLAINT REPORT

FACILITY ID:

LOG#: 06233	CSN#: 230000 PERMIT#:
DATE RECEIVED: 11 JAN 95	COUNTY: Faulkner
COMPLAINANT NAME: Wendell White	COMPLAINT AGAINST: Dale Norman
ADDRESS: 3727 RYAN Rd. - Conway, AR.	ADDRESS:
PHONE: 327-4156 FAX:	PHONE: FAX:

PERSON RECEIVING REPORT: DATE: 11 Jan 95 S.G. N	SUPERVISOR REFERRAL: DATE:
INSPECTOR REFERRED: DATE: mailed 12 JAN 95 Heidi Love	MEDIA SUPERVISOR REFERRAL: DATE: 17 Jan 95 SUZANNE STAIR
PHONE REFERRAL CONTACT: DATE:	RECEIVING INSPECTOR: DATE: 1-17-95 Heidi Love

**DESCRIPTION (IN DETAIL)**

Unpermitted landfilling of Sheet Rock and other construction materials

**LOCATION (IN DETAIL)**

Reedy Rd. approx. 1 mile south of Hwy 60  
Conway, AR.

PREVIOUS COMPLAINT?  YES  NO DATES:

DISCHARGE TO STREAM?  YES  NO NAME OF STREAM:

HOW COMPLAINT WAS RECEIVED:  PHONE  LETTER  VERBAL  FAX

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**FOLLOW UP ON COMPLAINT**

**COMPLAINT #:** 06233

**CSN #:** 23-0000

**INSPECTOR:** Heid Love

**DATE:** 1-17-95

**ACTION TAKEN:**

**PHOTOS TAKEN:** Y/N

On January 17, 1995 at 11:30, I investigated the complaint. I tried contacting the complainant but was unable to reach. I drove up and down Kedy Road twice and did not observe any dumping. There are some new houses under construction and recent dirt work but no dumping. I called back for better directions and left a message on the answering machine. I will wait for better directions when complainant returns my call.

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

**INSPECTOR SIGNATURE:** Heid Love

**DATE:** 1-17-95 **HOURS WORKED:** 2.5



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STATE OF ARKANSAS  
DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

8001 NATIONAL DRIVE, P.O. BOX 8913  
LITTLE ROCK, ARKANSAS 72219-8913  
PHONE: (501) 562-6533  
FAX: (501) 562-2541



January 4, 1995

Mr. Lynn Barker  
12 Goss Lane  
Conway, AR 72032

Dear Mr. Barker:

On December 12, 1994, I performed an investigation of your property located off Skunk Hollow Road on Brister Lane in Faulkner County. This investigation was in response to a complaint alleging open dumping at an unpermitted site. 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 garbage, furniture, tires, clothing and household 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."**

You should immediately cease the activity described and undertake measures to correct the above violation. You should notify me, in writing, at the above address, **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 will result in the escalation of enforcement action.

Sincerely,

*Heidi Love*

Heidi Love, Inspector  
Solid Waste Division

cc: Suzanne Stair, Inspector Supervisor, SWD

Log # 05071 (23)

FOLLOW UP ON COMPLAINT Pg 2 of 3

COMPLAINT #: 05071 (23) CSN #:
INSPECTOR: Heidi Love DATE: 12-12-94

ACTION TAKEN: PHOTOS TAKEN: (Y/N)

The complainant called back to tell me that nothing had been done at the site on Skunk Hollow Rd - Bristle Lane. The complainant said that Lynn Baker (327-2035) owns the property. They asked if I would do a follow-up the next time I was in the area. I performed a follow-up investigation 12-12-94 at 11:35. I did not observe any recent dumping but the waste had not been cleared-up. I took several photographs.
On 1-3-95 at 14:40, I called the Assessor's Office for an address of the property owner. The telephone number listed above has been disconnected. This is a different property owner from the original complaint. Sent letter. reviewed GSD:JA

FURTHER ACTION TAKEN/TO BE TAKEN:

INSPECTOR SIGNATURE: Heidi Love DATE: 12-14-94 HOURS WORKED: 0.5

**Official Photograph**

Arkansas Department of Pollution  
Control & Ecology

Subject: Skunk Hollow site  
Log Number: ( 05071 )  
Location: \_\_\_\_\_  
City/State: Conway /AR County #: (23)  
Date: 12/12/94 Time: ( 24Hr ) \_\_\_\_\_  
Weather: (Sunny) (Hazy) (Cloudy) (Rainy)  
Photographer: Heidi Love, #  
Witness: \_\_\_\_\_  
Camera: Canon Film Used: 35 mm  
Negative Location: Inspector's Files  
Processed By: Wal-Mart, Baseline Road  
Number of Photographs: ( 3 )  
Description: open dumping

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