

# ADEQ

A R K A N S A S  
Department of Environmental Quality

Document ID # 008151-comp

February 20, 2009

Tom and Joy Eldridge  
2487 Road Runner Lane  
Harrison, AR 72601

Dear Mr. and Mrs. Eldridge:

On February 18, 2009, I performed an investigation of an illegal dump site located on your property next to the motor cross tract at the end of Road Runner Lane in Boone County, AR. This investigation was in response to a complaint for the open dumping and burning of solid waste. Be advised that you are in violation of the Arkansas Air Pollution Control Code A.C.A. §8-4-310, and the Arkansas Solid Waste Management Act, A.C.A. §8-6-205. Specifically, the following violations were noted:

1. Operation of an unpermitted solid waste dump site or disposal facility, which is in violation of §8-6-205 (a)(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."
2. Open burning of this waste which is in violation of the Arkansas Air Pollution Control Code, A.C.A. § 8-4-310(a)(1)(2), and (3).

By law anyone who violates any provision of the Solid Waste Management Act may be subject to criminal, administrative and civil penalties up to **\$10,000.** You should immediately cease the activities described and undertake measures to correct the above solid waste violation. You must notify me, in writing, at PO Box 442, Mountain Home, AR 72654, or call 870-424-3322, within 20 days of the date of this letter, **when all the waste has been cleaned up and disposed of properly at a permitted landfill or disposal facility. Copies of your waste disposal receipts will be required.**

Please be advised, that failure to correct this violation and contact with me in regard to this notification will warrant formal enforcement action. Your cooperation is appreciated.

Sincerely,



Gary Meador, Inspector  
Solid Waste Division



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



County	Boone	PDS ID	008151	AFIN	05-00000	Page 1 of 2
Date Received	01/13/2009			Received By	Janice Lewis	
Complainant Name / Address / Phone						<input checked="" type="checkbox"/> <input type="checkbox"/> Anonymous
Complaint Lodged Against / Address / Phone						
Tom and Joy Eldridge, 2487 Road Runner Lane, Harrison, AR. 72601 Frank and Dean Philyaw Waylon Eldridge (All 3 own different parts of the 30 acres this dump and motocross track sit on)						
Location Description			Complaint Description of Waste			
2487 Road Runner Lane, Harrison, AR. Take Hwy 7 N towards Bergman...when coming into Bergman take Zinc Road to the right, you will turn beside the White Oak Station to the right.....follow Zinc Road a few miles and on the right is White Oak Road - turn on White Oak Road and follow the dirt road to the top. Once you are at the top of the dirt road, you will see a sign for the motocross track - turn in the motocross drive and to the right go through a gate which stands open - as soon as you are through the gate, there will be a pond on the left and right behind the pond is the dump.			Dumping trash such as burned trash, shingles off of houses, building material from houses that was left over, old carpet, old appliances such as stoves, refrigerators, washer and dryers, tires....this is placed in a ravine behind a pond on the property and when it rains the water and trash run down to the lower part of the property and then runs into a ditch and then runs into a small creek just a couple of miles down the dirt road....this dump has had loads of dirt dumped on it to cover some of the trash over the years....especially the shingles. Also on the property there is a motocross dirt track with the jumps made out of buried tires with dirt covering them...the tires are used so they didn't have to use as much dirt to build up the jumps.			
<b>Investigation Section</b>						
Date Investigated	2-13-09		Time Investigated	1400		
<b>SECTION 1</b>		<b>Size of Waste Mass</b>		<b>Violation Ranking</b>	<b>Points</b>	
Length		>640 yd <sup>3</sup>		5		
Width		320 yd <sup>3</sup> to 640 yd <sup>3</sup>	= 16 roll offs	5		
Height		160 yd <sup>3</sup> to 320 yd <sup>3</sup>	= 8 roll offs	4		
Total		80 yd <sup>3</sup> to 160 yd <sup>3</sup>	= 4 roll offs	3	3	
~yd <sup>3</sup>		40 yd <sup>3</sup> to 80 yd <sup>3</sup>	= 2 roll offs	2		
		40 yd <sup>3</sup> or <	= 1 roll off	1		
<b>Size of Waste Mass Score</b>					3	
<b>SECTION 2</b>		<b>Contents of Waste Mass</b>		<b>Violation Ranking</b>	<b>Points</b>	
Household Waste				5	5	
Hazardous items {i.e. paint thinner, cleaning chemicals, oil cans, herbicides, medical waste, asbestos}				5	5	
White Waste {i.e. Refrigerators and appliances that may contain Freon}				3	3	
Construction/Demolition Waste				3		
Approximate Number of Tires:				3	3	
Abandoned Vehicles /Auto Parts: {May contain gasoline, oil, antifreeze or other automotive fluids}				2		
Other Bulky Waste: {i.e. TV's, Furniture, Mattresses, etc.}				2	2	
Yard Waste				1		
Dead Animals				4		
Other						
<b>Contents of Waste Mass Score</b>					18	

## SECTION 3

## Site Assessment

## Violation Ranking Points

Air Pollution	Open Burning	5	
Air Pollution	Evidence of Open Burning	4	4
Air Pollution	Strong; Foul Order Present	3	
Water Pollution	Waste in or near standing or flowing water	5	
Water Pollution	Probability of leachate (run-off) into ground/surface water	5	5
Public Health Risk Assessment	Vectors sighted	5	
Public Health Risk Assessment	Evidence of Vectors {i.e. rats, flies, mosquitoes, snakes, scavengers}	4	
Site Usage Assessment	Site attended or maintained for a fee	5	
Site Usage Assessment	History of previous complaints	5	
Site Usage Assessment	Active, attractive nuisance; evidence of recent dumping	5	5
Site Usage Assessment	Dumping resumed at cleaned up or closed site	4	
Site Usage Assessment	Old Site; no evidence of recent dumping; overgrown	2	
Site Assessment Score			14

\*Violation Ranking: 1 (Least Serious Violation) to 5 (Most Serious Violation)

TOTAL SCORE 35

GPS Reading 36° 17.247 93° 00.386

## SECTION 4 Violations

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

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

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

x	5)(a) No person shall cause or permit the open burning of refuse, garbage, trade wastes or other waste material, or shall conduct a salvage operation by open burning
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## Investigation Comments

I investigated the site with Eddie Trece, Solid Waste Management Dist. Inspector, on this date. We observed solid waste dumped at the head of a drainage ravine.

## Final Disposition

INVALID COMPLAINT	x	VALID COMPLAINT
No evidence found	x	Letter Sent
No illegal disposal occurring		Follow-up Investigation
Salvageable materials		Response Received
8-6-205(a)(3) exemption		No further action
Unknown violator – No further action		Complaint Forwarded To



2/18/2009



2/18/2009



From: web.site@adeqinternal.state.ar.us  
Sent: Monday, January 12, 2009 5:52 PM  
To: Complaint-SW  
Subject: Solid Waste Online Concern/Complaint Form Submission

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County: Boone

Name:

Address:

City\_State\_Zip:

Phone:

E\_email:

H\_Division: SolWaste

Date: 1/12/2009

Time: 17:34:45

Description:

dumping trash such as burned trash, shingles off of houses, building material from houses that was left over, old carpet, old appliances such as stoves, refrigerators, washer and dryers, tires...this is placed in a ravene behind a pond on the property and when it rains the water and trash run down to the lower part of the property and then runs into a ditch and then runs into a small creek just a couple of miles down the dirt road....this dump has had loads of dirt dumped on it to cover some of the trash over the years..especially the shingles...Also on the property there is a motocross dirt track with the jumps made out of buried tires with dirt covering them...the tires are used so they didn't have to use as much dirt to build up the jumps..

Directions:

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Owner:

Tom & Joy Eldridge Frank & Dean Philyaw Waylon Eldridge (all 3 own different parts of the 30 acres this dump and motocross track sit on)