

MEMORANDUM

TO: Cindy Garner, Enforcement Branch

THRU: Eric Fleming, Technical Assistance Manager

FROM: John Lamb, District 8 Field Inspector

DATE: 27 April 2009

SUBJECT: Tucker Lumber Company, LLC

This memorandum is in response to complaints received against Tucker Lumber Company, LLC located on Columbia Road 245 near Welcome, Arkansas, just North of Springhill, Louisiana. The mailing address for Tucker Lumber Company, LLC is P.O. Box 55, Springhill, LA 71705.

On 29 July 2008, I investigated a compliant against Tucker Lumber in response to a complaint which stated the facility was not containing their log storage water. The investigation revealed the following:

1. The facility had an unpermitted discharge of process wastewater from a log storage area.
2. The facility had two unpermitted log storage ponds both with evidence of past discharges.
3. The facility had a large diesel tank without any type of containment.
4. The facility had oil stained soil around the saw mill.
5. The facility had an active construction onsite (>1 acre) but did not have an NPDES Construction Permit, site posting, Storm Water Pollution Prevention Plan or any type of controls onsite to prevent sediment from leaving the site.

A letter of non-compliance was sent to the facility on September 04, 2008. The facility apparently contacted Shane Byrum and requested permit applications which he sent to them.

On 30 March 2009, I investigated another complaint against Tucker Lumber Company, LLC based on a complaint by Ms. Connie Staten. Ms. Staten stated that the facility's log spray wet deck was over spraying constantly onto her property which is located adjacent to the south of the facility. I did not go onto the site this date but observed from Ms. Staten's property and Columbia Road 245, the following:

1. The facility had an unpermitted discharge of process wastewater from a log storage area into the Columbia Road 245 ditch.
2. The facility's pond next to the Columbia Road 245 was discharging.

3. The facility was allowing overspray on Ms. Staten's property. This overspray had been going on for some time and the soil was saturated with this overspray water. Dead trees were observed as a result of this overspray. The sprinkler heads which were causing overspray were within 5 foot of Ms. Staten's property and even with a strong south wind, the sprinklers were still spraying off the property.

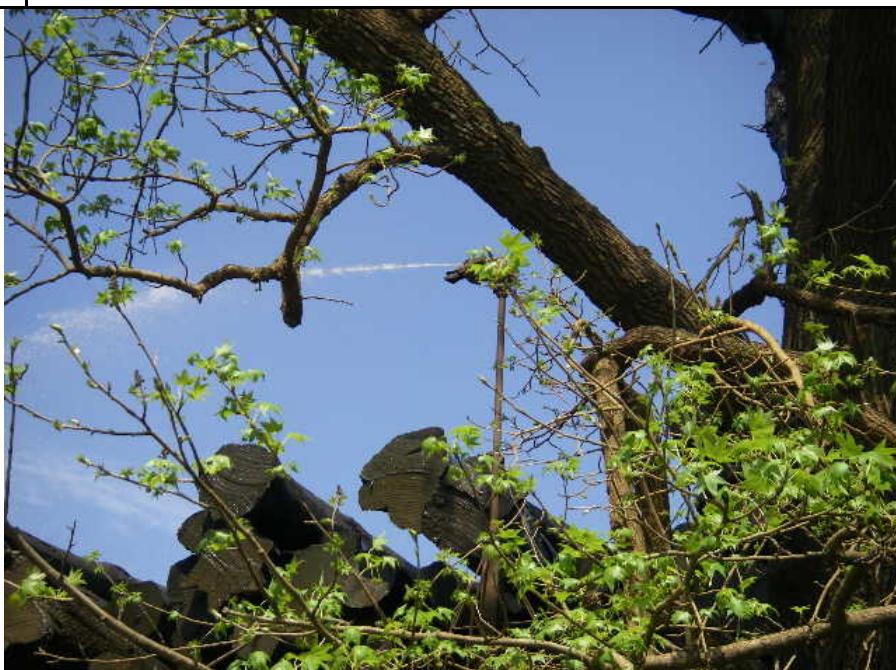
I contacted Shane Byrum, and he stated that the facility has not submitted the permit applications back to the Permits Branch; therefore, this matter is being forwarded to you for your review.

If you have any additional questions please contact me.

Water Division NPDES Photographic Evidence Sheet**Location:** Tucker Lumber Company, LLC**Photographer:** John W. Lamb**Witness:** None**Photo #** 1 **Of** 22**Date:** 3/30/09 **Time:** 12:55**Description:** On Ms. Staten's Property looking onto Tucker Lumber's Wet deck for log storage, sprinkler head within 10 feet of property line.**Photographer:** John W. Lamb**Witness:** None**Photo #** 2 **Of** 22**Date:** 3/30/09 **Time:** 12:55**Description:** On Ms. Staten's property, wet deck overspray running off.

Water Division NPDES Photographic Evidence Sheet**Location:** Tucker Lumber Company, LLC**Photographer:** John W. Lamb**Witness:** None**Photo #** 3 **Of** 22**Date:** 3/30/09 **Time:** 12:55**Description:** On Ms. Staten's Property, looking down to Columbia Road 245, showing run off of Overspray**Photographer:** John W. Lamb**Witness:** None**Photo #** 4 **Of** 22**Date:** 3/30/09 **Time:** 12:55**Description:** Ms. Staten's pine plantation next to Tucker Lumber Company, trees have blown over because of the saturated soil.

Water Division NPDES Photographic Evidence Sheet**Location:** Tucker Lumber Company, LLC**Photographer:** John W. Lamb **Witness:** None**Photo #** 5 **Of** 22 **Date:** 3/30/09 **Time:** 12:56**Description:** An area on Ms. Staten's property that is extremely boggy due to overspray of wet deck**Photographer:** John W. Lamb **Witness:** None**Photo #** 6 **Of** 22 **Date:** 3/30/09 **Time:** 12:56**Description:** Wet deck logs stacked with 5 or so yards of Ms. Staten's property line

Water Division NPDES Photographic Evidence Sheet**Location:** Tucker Lumber Company, LLC**Photographer:** John W. Lamb **Witness:** None**Photo #** 7 **Of** 22 **Date:** 3/30/09 **Time:** 12:58**Description:** Ms. Staten's property next to Tucker Lumber Company Property line and wet deck**Photographer:** John W. Lamb **Witness:** None**Photo #** 8 **Of** 22 **Date:** 3/30/09 **Time:** 12:58**Description:** One of several sprinkler heads next to Ms. Staten's property which allows overspray of wet deck water onto her land.

Water Division NPDES Photographic Evidence Sheet**Location:** Tucker Lumber Company, LLC**Photographer:** John W. Lamb **Witness:** None**Photo #** 9 **Of** 22 **Date:** 3/30/09 **Time:** 12:59**Description:** Pine trees on Ms. Staten's property which have died.**Photographer:** John W. Lamb **Witness:** None**Photo #** 10 **Of** 22 **Date:** 3/30/09 **Time:** 12:59**Description:** Standing on Ms. Staten's property, overspray falling onto inspector on ground, even with a stiff south wind on the date of investigation.

Water Division NPDES Photographic Evidence Sheet**Location:** Tucker Lumber Company, LLC**Photographer:** John W. Lamb **Witness:** None**Photo #** 11 **Of** 22 **Date:** 3/30/09 **Time:** 13:00**Description:** Base of sprinkler platform, some 5 foot from property line.**Photographer:** John W. Lamb **Witness:** None**Photo #** 12 **Of** 22 **Date:** 3/30/09 **Time:** 13:03**Description:** Shed on Ms. Staten's property showing stains from overspray

Water Division NPDES Photographic Evidence Sheet**Location:** Tucker Lumber Company, LLC**Photographer:** John W. Lamb **Witness:** None**Photo #** 13 **Of** 22 **Date:** 3/30/09 **Time:** 13:12**Description:** Standing on Columbia Road 245 in front of Tucker Lumber, process water/storm water discharge into road ditch**Photographer:** John W. Lamb **Witness:** None**Photo #** 14 **Of** 22 **Date:** 3/30/09 **Time:** 13:13**Description:** Standing on Columbia 245, looking up drive way onto property, showing process water discharge from a log wet deck

Water Division NPDES Photographic Evidence Sheet

Location: Tucker Lumber Company, LLC

Photographer:	John W. Lamb		Witness:	None	
Photo # 15	Of	22	Date:	3/30/09	Time: 13:13

Description: Discharge of storm water from second pond onsite, no logs were being stored above this pond at this time.

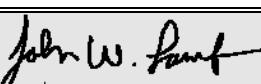
Photographer:	John W. Lamb		Witness:	None	
Photo # 16	Of	22	Date:	3/30/09	Time: 13:13

Description: As above, from Columbia Road 245

Water Division NPDES Photographic Evidence Sheet**Location:** Tucker Lumber Company, LLC**Photographer:** John W. Lamb **Witness:** None**Photo #** 17 **Of** 22 **Date:** 3/30/09 **Time:** 13:14**Description:** Second pond next to Columbia 245, no logs stored on this pond. Has ability to wet logs from this pond.**Photographer:** John W. Lamb **Witness:** None**Photo #** 18 **Of** 22 **Date:** 3/30/09 **Time:** 13:14**Description:** Standing on Columbia Road 245, zoomed into log storage wet deck, showing process water discharging down drive way.

Water Division NPDES Photographic Evidence Sheet**Location:** Tucker Lumber Company, LLC**Photographer:** John W. Lamb **Witness:** None**Photo #** 19 **Of** 22 **Date:** 3/30/09 **Time:** 13:14**Description:** Log storage that is stacked next to Ms. Staten's property.**Photographer:** John W. Lamb **Witness:** None**Photo #** 20 **Of** 22 **Date:** 3/30/09 **Time:** 13:15**Description:** Close up of process water being discharged into Columbia 245 Road ditch

Water Division NPDES Photographic Evidence Sheet**Location:** Tucker Lumber Company, LLC**Photographer:** John W. Lamb **Witness:** None**Photo # 21** Of 22 **Date:** 3/30/09 **Time:** 13:15**Description:** As above**Photographer:** John W. Lamb **Witness:** None**Photo # 22** Of 22 **Date:** 3/30/09 **Time:** 13:15**Description:** Looking onto site of saw mill.

WATER DIVISION NPDES COMPLAINT REPORT			
GPS LOCATION: N 33 02' 49.95" W 93 27' 55.15"	AFIN: No AFIN	PERMIT#: No Permit	COUNTY: Columbia
DATE RECEIVED: 23 March 2009	COMPLAINT AGAINST: Tucker Lumber LLC	ADDRESS: P.O. Box 55, Springhill, LA 71075	
COMPLAINANT NAME: Connie Staten	PHONE: 870-265-5944	PHONE: 870-859-3626	
TRACKING & REFERRAL INFORMATION			
PERSON RECEIVING REPORT: John Lamb	DATE: 3/23/2009	SUPERVISOR REFERRAL:	DATE:
INSPECTOR REFERRAL:	DATE:	MEDIA SUPERVISOR REFERRAL:	DATE:
PHONE REFERRAL CONTACT:	DATE:	RECEIVING INSPECTOR:	DATE:
COMPLAINT RECEIVED BY: <input checked="" type="checkbox"/> PHONE <input type="checkbox"/> LETTER <input type="checkbox"/> VERBAL <input type="checkbox"/> INTERNET <input type="checkbox"/> EMAIL			
DETAILED DESCRIPTION			
Complainant states that Tucker Lumber Company's Log spray deck is overspraying onto her property causing damage to tree and barn. Logs are stacked within 10 yards of her property. The overspray is causing the soil to stay saturated and has killed some of her pine trees.			
LOCATION			
PREVIOUS COMPLAINT: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO DATES: 29 July 2009			
DISCHARGE TO STREAM: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO NAME OF STREAM: unnamed tributary			
INVESTIGATION			
INSPECTOR: John Lamb	DATE: 30 March 2009		
ACTION TAKEN:		PHOTOS TAKEN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
On 3/30/2009, I investigated the complaint. Tucker Lumber has 6 or so sprinkler heads on the South side of their property. These sprinkler heads are for the log wet deck storage piles. These sprinkler heads are within 5 feet of the Ms. Staten's property. On the date of the investigation, overspray was noted on Ms. Staten's property. This overspray was light due to the fact that a south wind was blowing around 20 mph on this date. The soil on Ms. Staten's property was very wet and many small pine trees were dead and or blown over. The barn on Ms. Staten's property was stained a light brown on the North side indicating overspray was hitting the barn. The barn was not stained on the South side. The facility was also discharging wet deck water offsite. Two discharges were observed from the Columbia County Road which runs in front of the property.			
FURTHER ACTION:			
This facility had a complaint filed against it in July 2009. A letter of non-compliance was sent to the facility in September 2009. According to Shane Byrum, Permit Branch, the facility was also sent a permit application, but the Permits Branch has not received the application. This matter is being forwarded to the Enforcement Branch.			
SIGNATURE: 	John W. Lamb	DATE: 27 April 2009	

ADEQ

ARKANSAS
Department of Environmental Quality

XXX phone call
discussion
conference
other:

To:	From: Marilyn Stout Enforcement Branch	Date: 7/23/2009
		Time: 1:19 PM

Subject: phone call with Tucker Lumber Company

Summary of Communication:

Spoke with Mr. Lamar Smith, owner of Tucker Lumber Co. regarding his need to obtain an Industrial SW permit and an NPDES permit. He had me speak with Laura in the office there and walk her through the web-site. I told her to print out the Indus. SW permit, the NOI form and the people to contact in the permit branch. I told Laura that I would give them 2 weeks to submit the NOI or an enforcement action would be proposed which would include a monetary penalty. Attached to PDS #007634 and PDS #008791

Conclusions, Actions Taken or Required:

Information Copies To:	File copy to:	
	Sent By:	
	Date:	7/23/2009