

ADEQ

ARKANSAS
Department of Environmental Quality

September 15, 2009

Wallace Andrade
Andrade's Collision Center
734 W. Pridemore Dr.
Lincoln, AR 72744

RE: Complaint

AFIN: NA NPDES Permit No.: NA

Dear Mr. Andrade:

On August 31, 2009, I performed a complaint investigation in accordance with the provisions of the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, and the regulations promulgated there under. This investigation revealed the following violation:

There was evidence of paint and lacquer thinner behind the shop building. By definition, this is considered to be placing waste in a location where it is likely to cause pollution to the waters of the State. This is a violation of Section 8-4-217(a) (2) of the Arkansas Water and Air Pollution Control Act 472. This material must be removed and all contaminated soil must be disposed of properly.

The above item requires your immediate attention. Please submit a written response to this finding to Cindy Garner, Water Division Enforcement Branch Manager. This response should be mailed to the address below. This response should contain documentation, including color photographs, describing the course of action planned to correct/address the items noted. This corrective action should be completed as soon as possible, and the written response is due by September 24, 2009.

For additional information you may contact the Enforcement Branch by telephone at 501-682-0639 or by fax at 501-682-0910.

If I can be any assistance, please contact me at 479-267-0811, ext. 12.

Sincerely,



Alison West
District 1 Field Inspector
Water Division

cc: Water Division Enforcement Branch
 Water Division Permits Branch

WATER DIVISION NPDES COMPLAINT REPORT			
GPS LOCATION:		AFIN: NA	
DATE RECEIVED: 8-25-09		PERMIT#: NA	
COMPLAINANT NAME: Anonymous		COUNTY: Washington	
ADDRESS: NA		COMPLAINT AGAINST: Wallace Andrade Andrade's Collision Center	
PHONE: NA		ADDRESS: 734 W. Pridemore Lincoln, AR 72744	
		PHONE: 479-824-5900	
TRACKING & REFERRAL INFORMATION			
PERSON RECEIVING REPORT: Alison West	DATE: 8-25-09	SUPERVISOR REFERRAL:	DATE:
INSPECTOR REFERRAL:	DATE:	MEDIA SUPERVISOR REFERRAL:	DATE:
PHONE REFERRAL CONTACT:	DATE:	RECEIVING INSPECTOR: Alison West	DATE: 8-25-09
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			
Lacquer thinner along side the building and fence row. Oil on stumps.			
LOCATION			
734 W. Pridemore Lincoln, AR 72744			
PREVIOUS COMPLAINT: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO DATES:			
DISCHARGE TO STREAM: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO NAME OF STREAM:			
INVESTIGATION			
INSPECTOR: Alison West/John Fazio		DATE: 8-31-09	
ACTION TAKEN:		PHOTOS TAKEN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
<p>On August 31, 2009, John Fazio, District Field Inspector, and I conducted a site investigation. At that time, lacquer thinner was observed on the rocks in front of the door at the back of the shop. A small amount of paint was observed near the back door of the shop as well. Mr. Andrade's states that the lacquer thinner is disposed in a drum at Mike Pinkerton's shop. There was no oil observed on the stumps. The stump was burned. Mr. Andrade's employee was shown where the paint and lacquer thinner were on the ground. I spoke to Mr. Andrade's about the site on the employee's cell phone.</p>			
FURTHER ACTION:			
This complaint has been referred to the Water Division Enforcement Branch and the Water Division Permit Branch for review.			
SIGNATURE: Alison West 		DATE: 9-14-09	

Water Division NPDES Photographic Evidence Sheet							
---	--	--	--	--	--	--	--

Location:	Andrade's Collision Center						
------------------	----------------------------	--	--	--	--	--	--

Photographer:	Alison West			Witness:	John Fazio		
----------------------	-------------	--	--	-----------------	------------	--	--

Photo #	1	Of	3	Date:	8-31-09	Time:	3:47 p.m.
----------------	---	-----------	---	--------------	---------	--------------	-----------

Description:	IMGP3401. Paint and lacquer thinner observed on the ground behind the shop.						
---------------------	---	--	--	--	--	--	--



Photographer:	Alison West			Witness:	John Fazio		
----------------------	-------------	--	--	-----------------	------------	--	--

Photo #	2	Of	3	Date:	8-31-09	Time:	3:47 p.m.
----------------	---	-----------	---	--------------	---------	--------------	-----------

Description:	IMGP3400. Paint on the ground next to the building behind the shop.						
---------------------	---	--	--	--	--	--	--



Water Division NPDES Photographic Evidence Sheet

Location:	Andrade's Collision Center
------------------	----------------------------

Photographer:	Alison West	Witness:	John Fazio
----------------------	-------------	-----------------	------------

Photo #	3	Of	3	Date:	8-31-2009	Time:	3:46 p.m.
----------------	---	-----------	---	--------------	-----------	--------------	-----------

Description:	IMG3399. Lacquer thinner on rocks near the door behind the shop.
---------------------	--



Photographer:		Witness:	
----------------------	--	-----------------	--

Photo #		Of		Date:		Time:	
----------------	--	-----------	--	--------------	--	--------------	--

Description:	
---------------------	--

RECEIVED
SEP 23 2009

ADEQ.

As you can see we dug out all the old contaminated soil, raked in new soil, and plan to add additional gravel. here are the photos you requested.

sincerely,

Andarde,s Collision Center





ARKANSAS
Department of Environmental Quality

Hand Delivered Mail Receipt

Date	9-28-09
Division	Water
Sender	Leslie Allen-Daniel
Received By	

ADEQ

ARKANSAS
Department of Environmental Quality

October 23, 2009

Mr. Wallace Andrade
Andrade's Collision Center
734 W. Pridemore Drive
Lincoln, AR 72744

RE: AFIN: n/a; Permit No. n/a; Response to Complaint Investigation

Dear Mr. Andrade:

The Department has received your response to the August 31, 2009 complaint investigation of your facility by our District Field Inspector, Alison West. Your letter appears to adequately address the discrepancies identified during the visit. The Department assumes the corrective actions taken will be maintained to ensure consistent compliance with the requirements of the permit. Acceptance of this response by the Department does not preclude any future enforcement action deemed necessary at this site or any other site.

The Department will keep the inspection and response on file. If future violations occur that require enforcement action, the Department will consider the inspection and response as required by the Pollution Control and Ecology Commission Regulation No. 7, Civil Penalties. This regulation requires the Department to consider the past history of your company and how expeditiously the violations were addressed in determining any civil penalty that may be necessary for any future violations.

If we need further information concerning this matter, we will contact you. Thank you for your attention to this matter. Should you have any questions, feel free to contact me at 501-682-0649 or via e-mail at sawyer@adeq.state.ar.us.

Sincerely,



Samuel P. Sawyer
Enforcement Coordinator
Enforcement Section, Water Division