

ADEQ

ARKANSAS
Department of Environmental Quality

April 20, 2009

Glen Eaton, President
Eaton-Moery Environmental Services, Inc.
dba Delta Environmental
206 East Merriman
Wynne, Arkansas 72042



RE: DeWitt Class I Landfill

AFIN: 01-00117

NPDES Permit No.: ARG160037

Dear Mr. Eaton:

On April 16, 2009, I conducted a routine compliance inspection of the landfill facility in accordance with the provisions of the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, and the regulations promulgated thereunder. This inspection revealed the following violations:

1. **No documentation of a Storm Water Pollution Prevention Plan or the items required by a SWPPP such as employee training, inspections, comprehensive site evaluation, etc..**
2. **Evidence of leachate entering the storm water drainage system and sedimentation pond.**
3. **No documentation of Discharge Monitoring Reports, analytical results, or chain of custody.**
4. **No flow measuring device or method consistent with accepted scientific practices is being used to monitor the effluent flow from the sedimentation pond.**
5. **Best Management Practices (BMP's) are not established to prevent storm water runoff from entering the waters of the state or for the containment of leachate.**
6. **Sedimentation Pond does not appear to be constructed with the storage capacity to handle runoff from a 25-year, 24-hour storm event.**

The above items require your immediate attention. Please submit a written response to the Water Division Enforcement Section of this Department at the following address:

Cindy Garner, Technical Assistance Manager
Water Division Enforcement Section
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

*Glen Eaton, President
Eaton-Moery Environmental Services, Inc
dba Delta Environmental
April 20, 2009
Page 2*

*This response should contain detailed documentation describing the course of action taken to correct the items noted. This corrective action should be completed as soon as possible, and the written response is due by **May 20, 2009**.*

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

If I can be of any assistance, please contact me at (870) 247-5155.

Sincerely,

A handwritten signature in black ink that reads "Steven L. Henderson". The signature is written in a cursive, flowing style.

*Steven L. Henderson
District 6 Inspector
Water Division*

*cc: Water Division Enforcement Branch
Water Division Permits Branch*


 <p style="text-align: center;">UNITED STATES ENVIRONMENTAL PROTECTION AGENCY Washington, D.C. 20460</p> <h2 style="text-align: center;">NPDES Compliance Inspection Report</h2>	Form Approved OMB No. 2040-0003
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Section A: National Data System Coding																												
Transaction Code			NPDES								Yr/Mo/Day					Inspec. Type		Inspector		Fac. Type								
1	N	2	5	3	A	R	G	1	6	0	0	3	7	11	12	0	9	0	4	1	4	17	18	C	19	S	20	2
Remarks																												
Inspection Work Days			Facility Evaluation Rating								BI		QA		Reserved													
67			69	70	1	71	N	72	N	73		74	75															80

Section B: Facility Data					
Name and Location of Facility Inspected (<i>For industrial users discharging to POTW, also include POTW name and NPDES permit number</i>) Eaton-Moery Environmental Services, Inc. (DeWitt Class I Landfill) <i>dba Delta Environmental</i> 203 Possum Waller Road DeWitt, Arkansas Arkansas County, Arkansas	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">Entry Time/Date 9:40 a.m. 4/16/09</td> <td style="width:50%;">Permit Effective Date March 1, 2005</td> </tr> <tr> <td>Exit Time/Date 11:30 a.m. 4/16/09</td> <td>Permit Expiration Date February 28, 2010</td> </tr> </table>	Entry Time/Date 9:40 a.m. 4/16/09	Permit Effective Date March 1, 2005	Exit Time/Date 11:30 a.m. 4/16/09	Permit Expiration Date February 28, 2010
Entry Time/Date 9:40 a.m. 4/16/09	Permit Effective Date March 1, 2005				
Exit Time/Date 11:30 a.m. 4/16/09	Permit Expiration Date February 28, 2010				
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Chris Franke, Operator in Training (870) 588-5900	Other Facility Data				
Name, Address of Responsible Official/Title/Phone and Fax Number Glen Eaton, President (870) 238-3260 <i>Eaton-Moery Environmental Services, Inc.</i> dba Delta Environmental 206 East Merriman Wynne, Arkansas 72396	Contacted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				

Section C: Areas Evaluated During Inspection							
(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)							
S	Permit	U	Flow Measurement	U	Operations & Maintenance	U	Sampling
U	Records/Reports	U	Self-Monitoring Program	N	Sludge Handling/Disposal	U	Pollution Prevention Plan
U	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	U	Storm Water	N	Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)
<p><i>At the time of inspection the following violations were noted:</i></p> <ol style="list-style-type: none"> 1. <i>No documentation of a Storm Water Pollution Prevention Plan or the items required by a SWPPP such as employee training, inspections, comprehensive site evaluation, etc..</i> 2. <i>Evidence of leachate entering the storm water drainage system and sedimentation pond.</i> 3. <i>No documentation of Discharge Monitoring Reports, analytical results, or chain of custody.</i> 4. <i>No flow measuring device or method consistent with accepted scientific practices is being used to monitor the effluent flow from the sedimentation pond.</i> 5. <i>Best Management Practices (BMP's) are not established to prevent storm water runoff from entering the waters of the state or for the containment of leachate.</i> 6. <i>Sedimentation Pond does not appear to be constructed with the storage capacity to handle a 25-year, 24-hour storm event.</i>

Name(s) and Signature(s) of Inspector(s)  Steven L. Henderson	Agency/Office/Telephone/Fax ADEQ/ White Hall/ (870) 247-5155/ (870) 247-5185	Date April 20, 2009
Signature of Reviewer	Agency/Office/Phone and Fax Numbers	Date

SECTION A: PERMIT VERIFICATION

PERMIT SATISFACTORILY ADDRESSES OBSERVATIONS S M U NA NE

DETAILS:

- 1. CORRECT NAME AND MAILING ADDRESS OF PERMITTEE: Y N NA NE
- 2. NOTIFICATION GIVEN TO EPA/STATE OF NEW DIFFERENT OR INCREASED DISCHARGES: Y N NA NE
- 3. NUMBER AND LOCATION OF DISCHARGE POINTS AS DESCRIBED IN PERMIT: Y N NA NE
- 4. ALL DISCHARGES ARE PERMITTED: Y N NA NE

SECTION B: RECORDKEEPING AND REPORTING EVALUATION

RECORDS AND REPORTS MAINTAINED AS REQUIRED BY PERMIT S M U NA NE

DETAILS: *No documentation of a SWPPP.*

- 1. ANALYTICAL RESULTS CONSISTENT WITH DATA REPORTED ON DMRS: S M U NA NE
- 2. SAMPLING AND ANALYSES DATA ADEQUATE AND INCLUDE: S M U NA NE
 - a. DATES AND TIME(S) OF SAMPLING: Y N NA NE
 - b. EXACT LOCATION(S) OF SAMPLING: Y N NA NE
 - c. NAME OF INDIVIDUAL PERFORMING SAMPLING: Y N NA NE
 - d. ANALYTICAL METHODS AND TECHNIQUES: Y N NA NE
 - e. RESULTS OF CALIBRATIONS: Y N NA NE
 - f. RESULTS OF ANALYSES: Y N NA NE
 - g. DATES AND TIMES OF ANALYSES: Y N NA NE
 - h. NAME OF PERSON(S) PERFORMING ANALYSES: Y N NA NE
- 3. LABORATORY EQUIPMENT CALIBRATION AND MAINTENANCE RECORDS ADEQUATE: S M U NA NE
- 4. PLANT RECORDS INCLUDE SCHEDULES, DATES OF EQUIPMENT MAINTENANCE AND REPAIR: S M U NA NE
- 5. EFFLUENT LOADINGS CALCULATED USING DAILY EFFLUENT FLOW AND DAILY ANALYTICAL DATA: Y N NA NE

SECTION C: OPERATIONS AND MAINTENANCE

TREATMENT FACILITY PROPERLY OPERATED AND MAINTAINED S M U NA NE

DETAILS:

- 1. TREATMENT UNITS PROPERLY OPERATED: *Evidence of leachate entering storm water sedimentation pond.* S M U NA NE
- 2. TREATMENT UNITS PROPERLY MAINTAINED: *Sedimentation pond does not appear to be large enough.* S M U NA NE
- 3. STANDBY POWER OR OTHER EQUIVALENT PROVIDED: S M U NA NE
- 4. ADEQUATE ALARM SYSTEM FOR POWER OR EQUIPMENT FAILURES AVAILABLE: S M U NA NE
- 5. ALL NEEDED TREATMENT UNITS IN SERVICE: S M U NA NE
- 6. ADEQUATE NUMBER OF QUALIFIED OPERATORS PROVIDED: *No documentation of storm water training for personnel.* S M U NA NE
- 7. SPARE PARTS AND SUPPLIES INVENTORY MAINTAINED: S M U NA NE
- 8. OPERATION AND MAINTENANCE MANUAL AVAILABLE: Y N NA NE
- 9. STANDARD OPERATING PROCEDURES AND SCHEDULES ESTABLISHED: Y N NA NE
- 10. PROCEDURES FOR EMERGENCY TREATMENT CONTROL ESTABLISHED: Y N NA NE
- 11. HAVE BYPASSES/OVERFLOWS OCCURRED AT THE PLANT OR IN THE COLLECTION SYSTEM IN THE LAST YEAR: Y N NA NE
- 12. IF SO, HAS THE REGULATORY AGENCY BEEN NOTIFIED: Y N NA NE
- 13. HAS CORRECTIVE ACTION BEEN TAKEN TO PREVENT ADDITIONAL BYPASSES/OVERFLOWS: Y N NA NE
- 14. HAVE ANY HYDRAULIC OVERLOADS OCCURRED AT THE TREATMENT PLANT: Y N NA NE
- 15. IF SO, DID PERMIT VIOLATIONS OCCUR AS A RESULT: Y N NA NE

SECTION D: SAMPLING

PERMITTEE SAMPLING MEETS PERMIT REQUIREMENTS

S M U NA NEDETAILS: **No documentation of DMR's, sample analysis, or chain of custody.**

1. SAMPLES TAKEN AT SITE(S) SPECIFIED IN PERMIT:	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
2. LOCATIONS ADEQUATE FOR REPRESENTATIVE SAMPLES:	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3. FLOW PROPORTIONED SAMPLES OBTAINED WHEN REQUIRED BY PERMIT:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
4. SAMPLING AND ANALYSES COMPLETED ON PARAMETERS SPECIFIED IN PERMIT:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
5. SAMPLING AND ANALYSES PERFORMED AT FREQUENCY SPECIFIED IN PERMIT:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
6. SAMPLE COLLECTION PROCEDURES ADEQUATE:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
a. SAMPLES REFRIGERATED DURING COMPOSITING:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
b. PROPER PRESERVATION TECHNIQUES USED:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
c. CONTAINERS AND SAMPLE HOLDING TIMES CONFORM TO 40 CFR 136:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
7. IF MONITORING IS PERFORMED MORE OFTEN THAN REQUIRED ARE RESULTS REPORTED ON THE DMR:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE

SECTION E: FLOW MEASUREMENT

PERMITTEE FLOW MEASUREMENT MEETS PERMIT REQUIREMENTS

S M U NA NEDETAILS: **No effluent flow measuring device.**

1. PRIMARY FLOW MEASUREMENT DEVICE PROPERLY INSTALLED AND MAINTAINED: __ TYPE OF DEVICE:	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
2. FLOW MEASURED AT EACH OUTFALL AS REQUIRED:	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3. SECONDARY INSTRUMENTS (TOTALIZERS, RECORDERS, ETC.) PROPERLY OPERATED AND MAINTAINED:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
4. CALIBRATION FREQUENCY ADEQUATE:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
5. RECORDS MAINTAINED OF CALIBRATION PROCEDURES:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
6. CALIBRATION CHECKS DONE TO ASSURE CONTINUED COMPLIANCE:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
7. FLOW ENTERING DEVICE WELL DISTRIBUTED ACROSS THE CHANNEL AND FREE OF TURBULENCE:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
8. FLOW MEASUREMENT EQUIPMENT ADEQUATE TO HANDLE EXPECTED RANGE OF FLOW RATES:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
9. HEAD MEASURED AT PROPER LOCATION:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE

SECTION F: LABORATORY

PERMITTEE LABORATORY PROCEDURES MEET PERMIT REQUIREMENTS

S M U NA NEDETAILS: **No documentation of analytical data or chain of custody.**

1. EPA APPROVED ANALYTICAL PROCEDURES USED (40 CFR 136.3 FOR LIQUIDS, 503.8(B) FOR SLUDGES) :	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
2. IF ALTERNATIVE ANALYTICAL PROCEDURES ARE USED, PROPER APPROVAL HAS BEEN OBTAINED:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
3. SATISFACTORY CALIBRATION AND MAINTENANCE OF INSTRUMENTS AND EQUIPMENT:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
4. QUALITY CONTROL PROCEDURES ADEQUATE:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
5. DUPLICATE SAMPLES ARE ANALYZED \geq 10% OF THE TIME:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
6. SPIKED SAMPLES ARE ANALYZED \geq 10% OF THE TIME:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
7. COMMERCIAL LABORATORY USED:	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
a. LAB NAME:	
b. LAB ADDRESS:	
c. PARAMETERS PERFORMED:	
8. BIOMONITORING PROCEDURES ADEQUATE:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
a. PROPER ORGANISMS USED:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
b. PROPER DILUTION SERIES FOLLOWED:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
c. PROPER TEST METHODS AND DURATION:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
d. RETESTS AND/OR TRE PERFORMED AS REQUIRED:	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE

SECTION G: EFFLUENT/RECEIVING WATERS OBSERVATIONS

BASED ON VISUAL OBSERVATIONS ONLY S M U NA NE

DETAILS: **No Discharge**

OUTFALL #:	OIL SHEEN	GREASE	TURBIDITY	VISIBLE FOAM	FLOATING SOLIDS	COLOR	OTHER
001							

SECTION H: SLUDGE DISPOSAL

SLUDGE DISPOSAL MEETS PERMIT REQUIREMENTS S M U NA NE

DETAILS:

- | | |
|---|---|
| 1. SLUDGE MANAGEMENT ADEQUATE TO MAINTAIN EFFLUENT QUALITY: | <input type="checkbox"/> S <input type="checkbox"/> M <input type="checkbox"/> U <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 2. SLUDGE RECORDS MAINTAINED AS REQUIRED BY 40 CFR 503: | <input type="checkbox"/> S <input type="checkbox"/> M <input type="checkbox"/> U <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 3. FOR LAND APPLIED SLUDGE, TYPE OF LAND APPLIED TO: (E.G., FOREST, AGRICULTURAL, PUBLIC CONTACT SITE): | |

SECTION I: SAMPLING INSPECTION PROCEDURES

SAMPLE RESULTS WITHIN PERMIT REQUIREMENTS S M U NA NE

DETAILS:

- | | |
|--|--|
| 1. SAMPLES OBTAINED THIS INSPECTION: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 2. TYPE OF SAMPLE: <input type="checkbox"/> GRAB:___ <input type="checkbox"/> COMPOSITE:___ METHOD:___ FREQUENCY:___ | |
| 3. SAMPLES PRESERVED: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 4. FLOW PROPORTIONED SAMPLES OBTAINED: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 5. SAMPLE OBTAINED FROM FACILITY'S SAMPLING DEVICE: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 6. SAMPLE REPRESENTATIVE OF VOLUME AND NATURE OF DISCHARGE: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 7. SAMPLE SPLIT WITH PERMITTEE: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 8. CHAIN-OF-CUSTODY PROCEDURES EMPLOYED: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 9. SAMPLES COLLECTED IN ACCORDANCE WITH PERMIT: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |

SECTION J: STORM WATER POLLUTION PREVENTION PLAN

STORM WATER MANAGEMENT MEETS PERMIT REQUIREMENTS S M U NA NE

DETAILS: **No documentation of a SWPPP.**

- | | |
|--|--|
| 1. SWPPP UPDATED AS NEEDED:___ DATE OF LAST UPDATE:___ | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 2. SITE MAP INCLUDING ALL DISCHARGES AND SURFACE WATERS: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 3. POLLUTION PREVENTION TEAM IDENTIFIED: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 4. POLLUTION PREVENTION TEAM PROPERLY TRAINED: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 5. LIST OF POTENTIAL POLLUTANT SOURCES: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 6. LIST OF POTENTIAL SOURCES AND PAST SPILLS AND LEAKS: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 7. ALL NON-STORM WATER DISCHARGES ARE AUTHORIZED: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 8. LIST OF STRUCTURAL BMPS: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 9. LIST OF NON-STRUCTURAL BMPS: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 10. BMPS PROPERLY OPERATED AND MAINTAINED: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 11. INSPECTIONS CONDUCTED AS REQUIRED: | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |

Water Division NPDES Photographic Evidence Sheet

Location: *Delta Environmental – DeWitt Class I Landfill*

Photographer: *Steven L. Henderson* **Witness:** *None*

Photo # *1* **Of** *6* **Date:** *4/16/09* **Time:** *9:55 a.m.*

Description: *Waste outside of bulking pit – No containment- petroleum odor noted*



Photographer: *Steven L. Henderson* **Witness:** *None*

Photo # *2* **Of** *6* **Date:** *4/14/09* **Time:** *9:52 a.m.*

Description: *Waste outside of bulking pit – No containment- petroleum odor noted*



Water Division NPDES Photographic Evidence Sheet

Location: *Delta Environmental – DeWitt Class I Landfill*

Photographer: *Steven L. Henderson* **Witness:** *None*

Photo # 3 **Of** 6 **Date:** *4/16/09* **Time:** *10:08 a.m.*

Description: *Evidence of leachate from eroded cell entering sedimentation pond.*



Photographer: *Steven L. Henderson* **Witness:** *None*

Photo # 4 **Of** 6 **Date:** *4/16/09* **Time:** *10:16 a.m.*

Description: *Evidence of leachate and waste in storm water drainage to sedimentation pond.*



Water Division NPDES Photographic Evidence Sheet

Location: *Delta Environmental – DeWitt Class I Landfill*

Photographer: *Steven L. Henderson* **Witness:** *None*

Photo # 5 **Of** 6 **Date:** *4/16/09* **Time:** *10:13 a.m.*

Description: *Leakage from leachate tank – No containment*



Photographer: *Steven L. Henderson* **Witness:** *None*

Photo # 6 **Of** 6 **Date:** *4/16/09* **Time:** *9:57 a.m.*

Description: *Leachate runoff from bulking pit area– No containment*



Fields & Associates, LLC

75 Norfolk Drive
Maumelle, AR 72113

Office: (501) 912-6381
Fax: (866) 228-5146

"Providing Innovative Solutions to the Solid Waste Industry"

June 5, 2009

Ms. Cindy Garner
Technical Assistance Manager Water Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

RE: EMS Class 1 Landfill, AFIN 01-00117 Permit No. ARG160037

Dear Ms. Garner:

Fields & Associates, LLC on behalf of Eaton Moery Environmental Services, Inc (EMS), is submitting the following response to the inspection conducted by the ADEQ Water Division on April 16, 2009 at the above referenced facility. A Change in Signatory Authorization Form to correct the address presently on file with the ADEQ will be sent to the ADEQ under separate cover.

ADEQ Comment 1- No documentation of a Storm Water Pollution Prevention Plan or the items required by a SWPP such as employee training, inspections, comprehensive site evaluation, etc..

EMS Response – The Storm Water Pollution Prevention Plan and other items required by SWPP were on site. These items could not be located by the landfill manager. Since the inspection the manager has been made aware of the location of all records. These records are now available for inspection by the ADEQ.

ADEQ Comment 2. Evidence of leachate entering the storm water drainage system and sedimentation pond

EMS Response – The leachate leak from the storage tank and all leachate breakouts in the interim cover system have been repaired. The recent rainfall events have made the repair of the landfill cover system difficult at best. EMS is aggressively performing repairs of the landfill interim cover as weather and field conditions permit.

3. No documentation of Discharge Monitoring Reports, analytical results, or chain of custody.

EMS Response – The Discharge Monitoring Reports, analytical results and chain of custodies were filed at the EMS corporate office located in Wynne Arkansas. Copies of all Discharge Monitoring Reports, analytical results and chain of custodies are now on file at the landfill office and are available for review by the ADEQ.

4. No flow measuring device or method consistent with accepted scientific practices is being used to monitor the effluent flow from the sedimentation pond

EMS Response – A flow meter has been order and will be installed on the out flow pipe of the stormwater pond. The installation should be completed by June 12, 2009. Documentation will be provided to the ADEQ upon completion of this task.

5. Best Management Practices (BMP's) are not established to prevent storm water runoff from entering the waters of the state or for the containment of leachate.

EMS Response – EMS has built additional berms and stormwater controls since the last inspection. Additional stormwater controls will be built as the landfill is expanded.

6. Sedimentation Pond does not appear to be constructed with the storage capacity to handle runoff from a 25-year, 24-hour storm event

EMS Response – A review of the solid waste permit files indicate the pond as built may be adequate for the area presently developed. A full determination could not be made due to lack of design calculations for the original pond. However, EMS plans to expand the existing pond this summer by removing silt and by excavating the pond to the west as indicated on the design plans. This initial excavation should be completed by September of 2009. In addition the pond area will be continually expanded for the remainder of the year until it reaches the full design capacity.

EMS will work in earnest to correct the issues as noted in the responses above. Please feel free to call me at (501) 912-6381 if I can be of additional assistance or if you have any questions.

Sincerely,
Fields & Associates, LLC



Phillip Fields, P.E., P.G
F&A President

Cc: Mr. Tim Phillips, EMS Compliance Officer.

-----Original Message-----

From: Phillip Fields [mailto:pfields@fieldsassociatesllc.com]

Sent: Friday, June 05, 2009 7:20 AM

To: Garner, Cindy

Cc: tphillips1@alltel.blackberry.com

Subject: Response 04.16.09 Inspection

Morning Cindy,

Please find attached a response to the April 16, 2009 inspection conducted at the EMS Class 1 Landfill (ARG160037). Please let me know if you have any questions and/or concerns.

Thank you

Best Regards
Phillip Fields, P.E., P.G.
Fields & Associates, LLC
75 Norfolk Drive
Maumelle, AR 72113
(501) 912-6381