Clay, Greene, Lawrence, and Randolph counties

PO Box 753 Paragould, Arkansas 72451

Regional Needs Assessment February 2018

For Submittal by February 28, 2018
To the Arkansas Department of Environmental Quality
Solid Waste Management Division
5301 Northshore Drive
North Little Rock, AR 72118-5317

E.1 Overall Evaluation of the Current State of Solid Waste Within the District:

The District's municipal and county governments have done a remarkable job of managing solid waste in Northeast Arkansas. Until the Federal Environmental Protection Agency's Resource Conservation and Recovery Act, Subtitle D rules were implemented in 1993; each county owned and operated its own landfill. Based upon the new rules, it became evident that county landfills would be impacted by large costs associated with landfill operations. Therefore, county landfills began the process of closing and transporting waste to the District's landfill. Each of the District's four counties has contracted with private waste haulers to collect waste from the rural areas and haul the waste to the District owned landfill for proper disposal. The District's Board of Directors, comprised of the four county judges and the mayors of cities with populations of more than 2,000 citizens have also provided recycling opportunities to their residents and businesses through recycling programs sponsored and operated by the District.

E.2 Evaluations:

Landfill Disposal Capacity: The District procured a permitted sanitary landfill in 1994 consisting of one hundred and ten (110) acres of available landfill space. Forty acres were already in use, and seventy acres were planned for expansion. In 1997, the forty acre section was approaching its maximum capacity, and therefore two new cells consisting of six acres were constructed in the northeastern portion of the seventy acres. Additional cells were constructed as necessary in portions of the adjacent acreage. Through the years, the District made additional purchases of acreage. Ten acres were purchased for use as a class 4 landfill. Another sixty acres were purchased for the dirt necessary for daily cover of the garbage. Thirty more acres were purchased for cover dirt and for siting a new class 4 landfill area. The Annual Engineering Inspection Report (AEIR) submitted to ADEQ on March 28, 2017 for year 2016, describes that the entire permitted area for class 1 landfill use has a remaining volume of 1,646,053 cubic yards available in the current cell, and a total volume of 3,905,226 cubic yards of available for all permitted units. Further, the life expectancy for all permitted units is 24.5 years. Recently, one hundred and nineteen acres adjacent to the permitted class 1 landfill were purchased for cover dirt, and for expanding the class 1 landfill in future years. Based upon the available acreage owned by the District, the District's landfill has a life expectancy well into the future for the District's waste disposal needs.

Landfill Operational Ability: The District employs an adequate workforce and a fleet of equipment and vehicles to operate the landfill in an effective and efficient manner.

Recycling Facilities: The District owns and operates its Recycling Center, and the several recyclable materials collection containers sited in its major cities that provide recycling opportunities to its residents. The District accepts over a dozen recyclable materials. Because the materials are removed from the waste stream enables an increase in the life expectancy of the landfill. The District uses recycling grant funds and landfill tipping fees to fund the various projects necessary for the continued success of its operations.

C&D Recovery Facilities: Pallets and other reusable items are removed from the waste stream at the District's landfill. The pallets are reused in the District's electronics waste shipments.

Waste to Energy Facilities: Any waste oil products that are brought in to the recycling center are used in the waste oil fired heater that is in use in the recycling center. Otherwise, there are no other waste to energy facilities in operation.

Compost Facilities: The District does not operate a composting facility. Tree limbs and yard debris brought to the landfill are run through a grinder at the landfill and the product is given to residents as mulch for their home landscaping needs. Due to the long distance to the landfill from the District's cities, the board of directors decided it would be more feasible for the cities and counties to construct their own composting facilities. Also, ACT 1151 of 1997 is "An ACT to clarify restrictions on the open burning of residential yard wastes; to set out enforcement options; and for other purposes." This law allows residents to burn their yard waste. "Yard Waste" is defined in this law as, "Yard Wastes' shall mean grass clippings, leaves, and shrubbery trimmings collected from residential property.

Other ways to divert waste from the landfill: Many businesses and industries in the District divert waste from the landfill through reuse. Materials such as pallets, cardboard boxes, and other items that can either be reused or sent back to their suppliers is their company's reuse, waste diversion, and/or sustainability plan.

E.3 Transportation Effectiveness within the District: The District is comprised of four counties contiguous to each other. Transportation to the District owned and operated landfill is convenient for the haulers by State and Federal highways. Time and distance to the landfill from the furthest location in the District is approximately one hour, and the longest trip is approximately sixty miles.

Adequacy of Transfer Stations within the District:

Two transfer stations are permitted and operating within the District -- The Randolph County owned and operated Transfer Station, and Downum's Transfer Station in Lawrence County. Randolph County does not collect waste from residents or businesses. Waste is hauled in to the Transfer Station by private hauling companies and residents. Waste is then transported from the Transfer Station to the District owned landfill by Randolph County Trucks. Downum's collects waste from residents and businesses in several areas of the District. Waste is transported to the Transfer Station and then to the District owned landfill. The two available transfer stations are sufficient to accommodate waste that is generated in the western half of the District. Additional transfer stations are not deemed necessary at this time, or in the future.

E.4 Recommendations for Regulatory and Statutory changes and statutory changes needed for the safe and environmental protection of the state's natural resources.

State Mandate for Mandatory garbage collection by professional haulers.

State Mandate for Law prohibiting hauling of any type waste in pickup trucks or on trailers.

- **E.5** Adequacy of Funding within the District: The District owned and operated landfill is funded with the fees (tipping fees) it charges to its customers who haul waste to the landfill. The fees have been sufficient to cover all costs involved in operating the landfill. The District has several different checking accounts and trust funds maintained for different reasons. Monthly deposits are made to each of the accounts for reasons described as follows:
- 1. The Revenue Fund all monies collected from landfill customers are deposited to this account. Transfers are made from the fund to the other accounts on a monthly, or as needed basis. 2. The Operations and Maintenance Fund is maintained to pay the operational expenses of the landfill. 3. The Capital Improvements Fund is maintained to have money available to purchase more acreage of land when needed, and for equipment purchases when necessary. 4. The Depreciation Fund is maintained to have sufficient funds available for replacing landfill heavy construction equipment and for major repairs to equipment. 5. The Future Construction Fund is maintained to have money available for constructing a new disposal cell or cells before running out of space in the existing disposal area. 6. The Closure Trust Fund is maintained to close out areas of the landfill. 7. The Post-Closure Trust Fund is maintained to have sufficient funding available to maintain closed out areas. 8. The Recycling Fund is maintained to deposit all grant funds received to pay for recycling projects that are approved.

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1.0 Demographics

Element Number 1 "Plan Area Structure"

1.0 <u>Demographics</u>

1.1 Map of the District

The Northeast Arkansas Regional Solid Waste Management District (the District) consists of four counties in extreme Northeast Arkansas. These are: Clay, Greene, Lawrence, and Randolph. The District has a total area of 2,455 square miles that encompasses 1,571,451 acres. The District contains 37 towns and cities, seven of which are Class 1 cities; one Class 1 landfill, one local government owned Transfer Station, one privately owned Transfer Station, five Waste Tire Collection Sites, one District owned Recycling Center and eleven recyclable materials drop-off convenience centers. A map of the District is displayed after the following page. It includes the locations of the solid waste management facilities.

1.1.1 Class 1 Cities in the District

The Class 1 cities within the District, as shown on the map in Figure 1, are listed below:

- City of Corning
- · City of Hoxie
- City of Paragould
- City of Piggott
- City of Pocahontas
- City of Rector
- City of Walnut Ridge

1.1.2 Locations of Permitted Landfills, Transfer Stations, Recycling Facilities and Composting Sites

The District owns a permitted <u>Class 1 landfill</u>, and operates it within under the rules and regulations of the Federal Environmental Protection Agency, and the Arkansas Department of Environmental Quality. The landfill is just outside the city limits of Paragould. The district has Three Permitted <u>Waste Tire Collection Center</u> one at the landfill, Randolph County and one in Clay County for the entire district. The District owns and operates its own <u>Recycling Center</u> and it is co-located at the landfill, and it owns and hauls its own recyclable materials collection containers that are sited in each of the seven major cities.

The District does not operate a composting facility. Tree limbs and yard debris brought to the landfill are run through a grinder at the landfill and the product is given to residents as mulch for their home landscaping needs. Due to the long distance to the landfill from the District's cities, the board of directors decided it would be more feasible for the cities and counties to construct their own composting facilities. Also, ACT 1151 of 1997 is "An ACT to clarify restrictions on the open burning of residential yard wastes; to set out enforcement options; and for other purposes." This law allows residents to burn their yard waste. "Yard Waste" is defined in this law as, "Yard Wastes' shall mean grass clippings, leaves, and shrubbery trimmings collected from residential property. The locations of the solid waste management facilities are shown on the map on the next page. There are two **Transfer Stations** in the District. One is in Randolph County, and one is in Lawrence County.



LEGEND:

Class 1 Landfill

Recycling Center

Recyclable Materials Convenience Center

Waste Tire Collection Site

MSW Transfer Station

1.2 Census Data

As specified in the Arkansas Department of Environmental Quality (ADEQ) Guidelines for Needs Assessment for Regional Solid Waste Management Districts, 2010 census data was obtained from the University of Arkansas Institute for Economic Advancement Census Data Center.

1.2.1 Current Population

The total 2010 census population listed for the combined four counties in the District jurisdictional area is 93,557 people as depicted on the next pages.

1.2.2 Population change for the jurisdictional area from 1990 to 2010

The District's total population increases over the last three decades were:

Census 1990: 83,926

8 percent increase in population from 1990 to 2000

Census 2000: 90,909

3 percent increase in population from 2000 to 2010

Census 2010: 93,557

The actual Census data for 1990, 2000, and 2010 are shown here, with how each county ranked (shown in parenthesis) compared with populations of other Arkansas counties. The District's counties populations and rank were:

Count	ty:	Census 1990	Census 2000	Census 2010
	Clay	18,107 (39)	17,609 (45)	16,083 (50)
	Greene	31,804 (18)	37,331 (19)	42,090 (17)
	Lawrence	17,457 (41)	17,774 (43)	17,415 (45)
	Randolph	16,558 (45)	18,195 (42)	17,969 (42)
	-	83,926	90,909	93,557
City:		Census 1990	Census 2000	Census 2010
	Paragould	18,540	22,017	26,113
	Piggott	3,777	3,894	3,849
	Corning	3,323	3,679	3,377
	Rector	2,268	2,017	1,977
	Walnut Ridge	4,388	4,925	4,890
	TT t.	2 676	2,817	2,780
	Hoxie	2,676	2,017	2,780
	Pocahontas	6,151	6,518	6,608

1.2.3 Estimated population change for the plan area from 2010 to 2020:

Estimated population changes are shown on the following two pages.

Greene	2000 Census		2010 Census		Growth	% Change	Growth Rate	I
	37,331		42,090		+4,759	0.127	0.0127	
A	В	C	D	E	F	G	H	Expected
Year	Year	Difference	X	=	+	e+f	x	Population
2012	2010	2	0.0127	0.0254	1	1.0254	42,090	43,159
2013	2010	3	0.0127	0.0381	1	1.0381	42,090	43,694
2014	2010	4	0.0127	0.0508	1	1.0508	42,090	44,228
2015	2010	5	0.0127	0.0635	1	1.0635	42,090	44,763
2016	2010	6	0.0127	0.0762	1	1.0762	42,090	45,297
2017	2010	7	0.0127	0.0889	. 1	1.0889	42,090	45,832
2018	2010	8	0.0127	0.1016	1	1.1016	42,090	46,366
2019	2010	9	0.0127	0.1143	1	1.1143	42,090	46,901
2020	2010	10	0.0127	0.1270	1	1.1270	42,090	47,435
2021	2010	11	0.0127	0.1397	1	1.1397	42,090	47,970
2022	2010	12	0.0127	0.1524	1	1.1524	42,090	48,505
2023	2010	13	0.0127	0.1651	1	1.1651	42,090	49,039
					1	1.1778	42,090	49,574
	2010	14	0.012/	0.1//8	1	1.1//0	74,070	7/90/7
2024 2025	2010 2010 harts are upda	14 15 ated by dropp	0.0127 0.0127 ing a previous	0.1778 0.1905 year (shown	1	1.1905	42,090 and adding a y	50,108
2024 2025	2010	15	0.0127	0.1905	1	1.1905	42,090 and adding a y Annual Decrease	50,108
2024 2025 These c	2010 harts are upda 2000 Census	15	0.0127 ing a previous 2010 Census	0.1905	n in previous Decrease	1.1905 year update), % Change	Annual Decrease Rate	50,108 year.
2024 2025 These c	2010 harts are upda 2000 Census 17,609	ated by dropp	0.0127 ing a previous 2010 Census 16,083	0.1905 year (show)	Decrease	1.1905 year update), Change (0.0867)	Annual Decrease Rate (0.0087)	50,108 year.
2024 2025 These c	2010 harts are upda 2000 Census 17,609 B	ated by dropp	0.0127 ing a previous 2010 Census 16,083 D	0.1905	n in previous Decrease	1.1905 year update), % Change (0.0867) G	Annual Decrease Rate (0.0087)	50,108 year. I Expected
2024 2025 These c	2010 harts are upda 2000 Census 17,609 B Year	ated by dropp C Difference	0.0127 ing a previous 2010 Census 16,083 D X	0.1905 year (show) E =	Decrease -1,526	1.1905 year update), % Change (0.0867) G e+f	Annual Decrease Rate (0.0087) H	50,108 year. I Expected Population
2024 2025 These c Clay A Year 2012	2010 harts are upda 2000 Census 17,609 B Year 2010	ated by dropp C Difference	0.0127 ing a previous 2010 Census 16,083 D X (0.0087)	0.1905 year (shown E = (0.0174)	Decrease -1,526 F	1.1905 year update), Change (0.0867) G e+f 0.9826	Annual Decrease Rate (0.0087) H X	I Expected Population 15,803
2024 2025 These c Clay A Year 2012 2013	2010 harts are upda 2000 Census 17,609 B Year 2010 2010	ated by dropp C Difference	0.0127 ing a previous 2010 Census 16,083 D X (0.0087) (0.0087)	0.1905 year (shown E = (0.0174) (0.0261	Decrease -1,526 F +	1.1905 year update), % Change (0.0867) G e+f	Annual Decrease Rate (0.0087) H	I Expected Population 15,803 15,663
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2024 2025 These c Clay A Year 2012 2013	2010 harts are upds 2000 Census 17,609 B Year 2010 2010 2010	C Difference 2 3	0.0127 ing a previous 2010 Census 16,083 D X (0.0087) (0.0087)	0.1905 year (shown E = (0.0174) (0.0261 (0.0348)	Decrease -1,526 F + 1 1 1	1.1905 year update), % Change (0.0867) G e+f 0.9826 0.9739 0.9652	42,090 and adding a y Annual Decrease Rate (0.0087) H X 16,083 16,083 16,083	Expected Population 15,803 15,523 15,383
2024 2025 These c Clay A Year 2012 2013 2014 2015 2016	2010 harts are upda 2000 Census 17,609 B Year 2010 2010 2010 2010 2010	C Difference 2 3 4 5	0.0127 ing a previous 2010 Census 16,083 D X (0.0087) (0.0087) (0.0087) (0.0087)	0.1905 year (shown) E = (0.0174) (0.0261 (0.0348) (0.0435) (0.0522)	Decrease -1,526 F + 1 1 1 1	1.1905 year update), Change (0.0867) G e+f 0.9826 0.9739 0.9652 0.9565	42,090 and adding a y Annual Decrease Rate (0.0087) H X 16,083 16,083 16,083 16,083	Expected Population 15,803 15,663 15,523 15,383 15,243
2024 2025 These c Clay A Year 2012 2013 2014 2015	2010 harts are upda 2000 Census 17,609 B Year 2010 2010 2010 2010 2010 2010	C Difference 2 3 4 5 6	0.0127 ing a previous 2010 Census 16,083 D X (0.0087) (0.0087) (0.0087) (0.0087)	0.1905 year (shown) E = (0.0174) (0.0261 (0.0348) (0.0435) (0.0522)	Decrease -1,526 F + 1 1 1 1 1 1	1.1905 year update), Change (0.0867) G e+f 0.9826 0.9739 0.9652 0.9565 0.9478	42,090 and adding a y Annual Decrease Rate (0.0087) H X 16,083 16,083 16,083	Expected Population 15,803 15,663 15,523 15,383 15,243 15,104
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2024 2025 These c Clay A Year 2012 2013 2014 2015 2016 2017 2018 2019 2020	2010 harts are upds 2000 Census 17,609 B Year 2010 2010 2010 2010 2010 2010 2010 201	15 ated by dropp C Difference 2 3 4 5 6 7 8 9 10	0.0127 ing a previous 2010 Census 16,083 D X (0.0087) (0.0087) (0.0087) (0.0087) (0.0087) (0.0087) (0.0087) (0.0087) (0.0087)	0.1905 year (shown) E = (0.0174) (0.0261 (0.0348) (0.0435) (0.0522) (0.0609) (0.0696) (0.0783) (0.0870)	Decrease -1,526 F + 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1.1905 year update), % Change (0.0867) G e+f 0.9826 0.9739 0.9652 0.9565 0.9478 0.9391 0.9304 0.9217 0.9130	42,090 and adding a y Annual Decrease Rate (0.0087) H X 16,083 16,083 16,083 16,083 16,083 16,083 16,083 16,083 16,083	Expected Population 15,803 15,663 15,523 15,383 15,243 15,104 14,964 14,824 14,684

TO CALCULATE "GROWTH" RATE: (calculation for "Decrease" rate is shown at bottom of the next page).

(0.0087) (0.1305)

(0.1218)

Calculation: Greene County's numbers: 2010 population of: 42,090 Subtract the 2000 population of - 37,331

(0.0087)

14

15

Result is: 4,759 Growth

1

1

0.8782

0.8695

Then divide 4,759 by the 2000 population of 37,331 to determine the % change of 0.127

Then divide the % change 0.127 by 10 years = 0.0127 (growth rate per year for ten years).

Then subtract year 2010 from year 2011 and the result is 1. (Do this for each year on following years).

Then multiply 1 times the per year increase of 0.0127 and the result is 0.0127

Then add 1 to each line. Then multiply the result shown in column G by the 2010 census of 42,090 to determine the population increase for each year. The calculated population increase is in column I.

2010

2010

2024

2025

16,083

16,083

14,124

13,984

Lawrence	2000 Census		2010 Census		Decrease	% Change	Annual Decrease Rate	I
	17,774		17,415		-359	(0.0202)	(0.002)	
A	В	C	D	E	F	G	H	Expected
Year	Year	Difference	X	=	+	e+f	x	Population
2012	2010	2	(0.002)	(0.004)	1	0.9960	17,415	17,345
2013	2010	3	(0.002)	(0.006)	1	0.9940	17,415	17,311
2014	2010	4	(0.002)	(0.008)	1	0.9920	17,415	17,276
2015	2010	5	(0.002)	(0.010)	1	0.9900	17,415	17,241
2016	2010	6	(0.002)	(0.012)	1	0.9880	17,415	17,206
2017	2010	7	(0.002)	(0.014)	1	0.9860	17,415	17,171
2018	2010	8	(0.002)	(0.016)	1	0.9840	17,415	17,136
2019	2010	9	(0.002)	(0.018)	1	0.9820	17,415	17,102
2020	2010	10	(0.002)	(0.020)	1	0.9800	17,415	17,067
2021	2010	11	(0.002)	(0.022)	1	0.9780	17,415	17,032
2022	2010	12	(0.002)	(0.024)	1	0.9760	17,415	16,997
2023	2010	13	(0.002)	(0.026)	1	0.9740	17,415	16,962
2024	2010	14	(0.002)	(0.028)	1	0.9720	17,415	16,927
0000	2010	15	(0.002)	(0.030)	1	0.0700	17 412	
	rts are und	lated by droppin	ng a previous					
	rts are upd 2000 Census		ng a previous 2010 Census		in previous Decrease	vear undate). % Change	and adding a Annual Decrease Rate	
These cha	rts are und 2000 Census 18,195	ated by droppin	2010 Census	vear (shown	in previous Decrease -226	vear undate). % Change (0.0124)	and adding a Annual Decrease Rate (0.00124)	vear.
These cha	rts are upd 2000 Census		2010 Census 17,969		in previous Decrease	vear undate). % Change (0.0124) G	and adding a Annual Decrease Rate	vear.
These cha Randolph	rts are und 2000 Census 18,195	ated by droppin	2010 Census	vear (shown	in previous Decrease -226	vear undate). % Change (0.0124)	and adding a Annual Decrease Rate (0.00124)	Vear. I Expected
These cha Randolph A	rts are und 2000 Census 18,195 B	ated by droppin	2010 Census 17,969	vear (shown	Decrease -226	vear undate). % Change (0.0124) G	and adding a Annual Decrease Rate (0.00124)	Vear. I Expected Population
These cha Randolph A Year	Census 18,195 B Year	c Difference	17,969 D X (0.00124) (0.00124)	vear (shown	Decrease -226 F + 1 1	vear undate). % Change (0.0124) G e+f 0.99752 0.99628	and adding a Annual Decrease Rate (0.00124) H	Expected Population 17,924
A Year 2012 2013 2014	18,195 B Year 2010 2010 2010	C Difference	17,969 D X (0.00124) (0.00124)	E = (0.00248)	Decrease -226 F + 1 1 1	vear undate). % Change (0.0124) G e+f 0.99752	and adding a Annual Decrease Rate (0.00124) H X 17,969	Expected Population 17,924 17,902
A Year 2012 2013 2014 2015	2000 Census 18,195 B Year 2010 2010 2010 2010	C Difference 2 3	17,969 D X (0.00124) (0.00124) (0.00124)	E = (0.00248) (0.00372) (0.00496) (0.0062)	Decrease -226 F + 1 1 1 1	vear undate). Change (0.0124) G e+f 0.99752 0.99628 0.99504 0.9938	and adding a Annual Decrease Rate (0.00124) H X 17,969 17,969 17,969	Expected Population 17,924 17,902 17,880 17,858
These cha Randolph A Year 2012 2013 2014 2015 2016	2000 Census 18,195 B Year 2010 2010 2010 2010	C Difference 2 3 4 5 6	17,969 D X (0.00124) (0.00124) (0.00124) (0.00124)	E = (0.00248) (0.00372) (0.00496) (0.0062) (0.00744)	Decrease -226 F + 1 1 1 1 1 1	vear undate). % Change (0.0124) G e+f 0.99752 0.99628 0.99504 0.9938 0.99256	and adding a Annual Decrease Rate (0.00124) H X 17,969 17,969 17,969 17,969	Expected Population 17,924 17,902 17,880 17,858 17,835
A Year 2012 2013 2014 2015	2000 Census 18,195 B Year 2010 2010 2010 2010	C Difference 2 3 4 5	17,969 D X (0.00124) (0.00124) (0.00124) (0.00124)	E = (0.00248) (0.00372) (0.00496) (0.0062)	Decrease -226 F + 1 1 1 1	vear undate). Change (0.0124) G e+f 0.99752 0.99628 0.99504 0.9938	and adding a Annual Decrease Rate (0.00124) H X 17,969 17,969 17,969	Expected Population 17,924 17,902 17,880 17,858 17,835
These cha Randolph A Year 2012 2013 2014 2015 2016 2017 2018	2000 Census 18,195 B Year 2010 2010 2010 2010	C Difference 2 3 4 5 6	17,969 D X (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124)	E = (0.00248) (0.00372) (0.00496) (0.0062) (0.00744)	Decrease -226 F + 1 1 1 1 1 1	vear undate). % Change (0.0124) G e+f 0.99752 0.99628 0.99504 0.9938 0.99256	and adding a Annual Decrease Rate (0.00124) H X 17,969 17,969 17,969 17,969	Expected Population 17,924 17,902 17,880 17,858 17,835
These cha Randolph A Year 2012 2013 2014 2015 2016 2017	2000 Census 18,195 B Year 2010 2010 2010 2010 2010 2010	C Difference 2 3 4 5 6 7 8 9	17,969 D X (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124)	E = (0.00248) (0.00372) (0.00496) (0.0062) (0.00744) (0.00868)	Decrease -226 F + 1 1 1 1 1 1 1	vear undate). Change (0.0124) G e+f 0.99752 0.99628 0.99504 0.9938 0.99256 0.99132	and adding a Annual Decrease Rate (0.00124) H X 17,969 17,969 17,969 17,969 17,969	Expected Population 17,924 17,902 17,880 17,858 17,835 17,813 17,791
These cha Randolph A Year 2012 2013 2014 2015 2016 2017 2018 2019 2020	2000 Census 18,195 B Year 2010 2010 2010 2010 2010 2010 2010 201	C Difference 2 3 4 5 6 7 8 9 10	17,969 D X (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124)	E = (0.00248) (0.00372) (0.00496) (0.0062) (0.00744) (0.00868) (0.00992) (0.01116) (0.0124)	Decrease -226 F + 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	vear undate). Change (0.0124) G e+f 0.99752 0.99628 0.99504 0.9938 0.99256 0.99132 0.99008 0.98884 0.9876	and adding a Annual Decrease Rate (0.00124) H X 17,969 17,969 17,969 17,969 17,969 17,969 17,969	Expected Population 17,924 17,902 17,880 17,858 17,813 17,791 17,768 17,746
These cha Randolph A Year 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021	2000 Census 18,195 B Year 2010 2010 2010 2010 2010 2010 2010 201	C Difference 2 3 4 5 6 7 8 9 10	17,969 D X (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124)	E = (0.00248) (0.00372) (0.00496) (0.0062) (0.00744) (0.00868) (0.00992) (0.01116) (0.0124) (0.01364)	Decrease	vear undate). % Change (0.0124) G e+f 0.99752 0.99628 0.99504 0.9938 0.99256 0.99132 0.99008 0.98884	and adding a Annual Decrease Rate (0.00124) H X 17,969 17,969 17,969 17,969 17,969 17,969	Expected Population 17,924 17,902 17,880 17,858 17,813 17,791 17,768 17,746 17,724
These cha Randolph A Year 2012 2013 2014 2015 2016 2017 2018 2019 2020	2000 Census 18,195 B Year 2010 2010 2010 2010 2010 2010 2010 201	C Difference 2 3 4 5 6 7 8 9 10	17,969 D X (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124)	E = (0.00248) (0.00372) (0.00496) (0.0062) (0.00744) (0.00868) (0.00992) (0.01116) (0.0124)	Decrease -226 F + 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	vear undate). Change (0.0124) G e+f 0.99752 0.99628 0.99504 0.9938 0.99256 0.99132 0.99008 0.98884 0.9876	and adding a Annual Decrease Rate (0.00124) H X 17,969 17,969 17,969 17,969 17,969 17,969 17,969	Expected Population 17,924 17,902 17,880 17,858 17,813 17,791 17,768 17,746 17,724
These cha Randolph A Year 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021	2000 Census 18,195 B Year 2010 2010 2010 2010 2010 2010 2010 201	C Difference 2 3 4 5 6 7 8 9 10	17,969 D X (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124)	E = (0.00248) (0.00372) (0.00496) (0.0062) (0.00744) (0.00868) (0.00992) (0.01116) (0.0124) (0.01364)	Decrease	vear undate). Change (0.0124) G e+f 0.99752 0.99628 0.99504 0.9938 0.99256 0.99132 0.99008 0.98884 0.9876 0.98636	and adding a Annual Decrease Rate (0.00124) H X 17,969 17,969 17,969 17,969 17,969 17,969 17,969 17,969	Expected Population 17,924 17,902 17,880 17,858 17,813 17,791 17,768 17,746 17,724 17,702
A Year 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021	2010 2010 2010 2010 2010 2010 2010 2010	C Difference 2 3 4 5 6 7 8 9 10 11	17,969 D X (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124) (0.00124)	E = (0.00248) (0.00372) (0.00496) (0.0062) (0.00744) (0.00868) (0.00992) (0.01116) (0.0124) (0.01364) (0.01488)	Decrease	vear undate). % Change (0.0124) G e+f 0.99752 0.99628 0.99504 0.9938 0.99256 0.99132 0.99008 0.98884 0.9876 0.98636 0.98512	and adding a Annual Decrease Rate (0.00124) H X 17,969 17,969 17,969 17,969 17,969 17,969 17,969 17,969 17,969	vear.

TO CALCULATE "DECREASE" RATE: (calculation for "Increase" rate is shown at bottom of previous page).

Calculation: Randolph County's numbers: 2010 population of: 17,969
Subtract the 2000 population of: -18,195

Result is: - 226 Decrease

Then divide -226 by the 2000 population of 18,195 to determine the % change of -0.0124

Then divide the % change -0.0124 by 10 years = -0.00124 (decrease rate per year for ten years).

Then subtract year 2010 from year 2011 and the result is 1. (Do this for each year on following years).

Then multiply 1 times the per year decrease of -0.00124 and the result is -0.00124.

Then add 1 to each line. Then multiply the result shown in column G by the 2010 census of 17,969 to determine the population decrease for each year. The calculated population decrease is in column I.

1.2.4 Current housing occupancy statistics for the jurisdictional area.

County	Housing Total	Units Occupied	Vacant	Percent Occupied
Clay	8,031	6,845	1,186	85.2
Greene	17,892	16,425	1,467	91.8
Lawrence	8,000	6,938	1,062	86.7
Randolph	8,513	7,299	1,214	85.7
TOTALS	42,436	37,507	4,929	88.4

2.0 ADMINISTRATION Element Number 2 "Administrative Structure"

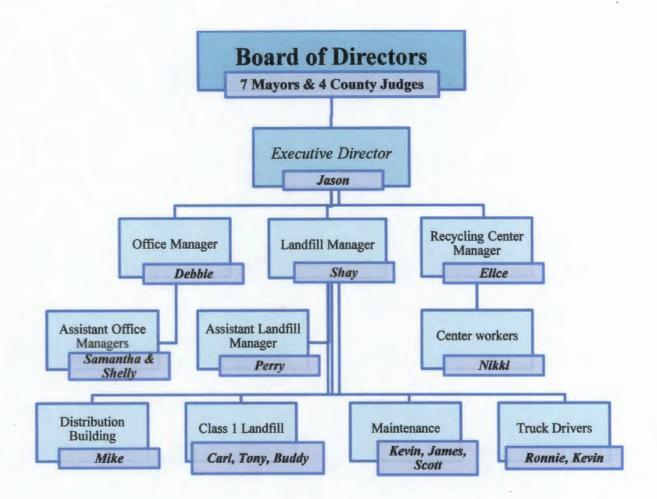
2.1 **Board Composition**

The Regional Solid Waste Management District Board of Directors (the Board), in accordance with ACT 752 of 1991, is comprised of the four county judges and the mayors of each city with a population of more than 2,000 people. The Board governs the activities of the District owned landfill and recycling operations, and directs that rules and regulations be implemented to ensure activities are accomplished properly in efficient, effective, safe, and lawful methods. A list of the name and public entity represented by the current Board members, years of service on the Board, and any solid waste related certifications they may hold are shown here:

2.1.1 Elected Officials

	Years of Service On the Board:
Mayor of Paragould - Mike Gaskill - Chairman	19
Mayor of Piggott – Jim Poole	3
Lawrence County Judge – John Thomison	2
Clay County Judge – Mike Patterson	2
Greene County Judge – Rusty McMillon	4
Randolph County Judge - David Jansen	15
Mayor of Corning – Rob Young	10
Mayor of Hoxie – Lanny Tinker	6
Mayor of Pocahontas – Kary Story	3
Mayor of Rector – Terresa Roofe	3
Mayor of Walnut Ridge- Charles Snapp	3

Board members currently do not hold any solid waste certifications.



2.1.2 Appointed Members

Mayors and County Judges on the Board of Directors have not appointed anyone to represent them at the Board of Directors Meetings.

2.1.3 Advisory Boards

The Board does not have any advisory boards. However, they do seek the advice from representatives of several agencies, and the advice provided has been advantageous in the board's decision-making processes. These agencies are:

The Arkansas Department of Environmental Quality

The Arkansas Pollution Control & Ecology Commission

The District's Engineers

The District's Attorney

The District's Auditor

The District's Insurers

The District's Bank's Trust Officer for its Trust Funds

The District's Revenue Bonds Financier

The District's Revenue Bonds Bond Counsel

2.1.4 Board Meetings

- **2.1.4.1** The Board of Directors meets regularly on the third Tuesday of every month.
- **2.1.4.2** The Board of Directors meets in the City Council Room in Paragould City Hall.
- **2.1.4.3** The public is aware of District activities through local news media, through word of mouth from the haulers, business managers and plant managers, and through their actual visits to the District owned facilities.
- **2.1.4.4** An agenda for Board meetings is provided to the public when requested. An agenda is always sent to local newspapers within a week prior to each meeting.

2.2 Public Participation

2.2.1 The Board of Directors always allows for comments from the public during the first few minutes after the chairman calls the meeting to order.

- The public is engaged in the decision-making process of the Board through contact with the mayors and county judges either before or after a Board meeting, and occasionally at other times upon learning of activities that will be discussed at a Board meeting.
- The District involves the public, industrial and business sectors through contact between their plant managers and CEOs and the District's Board and staff.
- 2.2.4 The District owns and operates its own landfill. Therefore, there are no other landfills operating in the District. Individuals or companies desiring to open a landfill are advised that they will have to address the District's Board of Directors with their request, and subsequently submit a Certificate of Need as described in the District's application processes for a Certificate of Need.

2.3 **District Administrative Staff**

2.3.1 Employees, both administrative and operational, at the District's landfill and recycling operations, report to the District's executive director on a daily basis. executive director then reports monthly to the Board of Directors. The Board has vested a high level of trust and dependence on its staff and this close working relationship has resulted in successes for the District in each project or task undertaken. Basically, the Board directs the operations, and its staff performs them.

Staff members (The Workforce) in the direct employment of the RSWMD are listed on the following page The District's current workforce consists of an office manager and her assistant; a recycling center manager and her assistant; two roll-on/off truck drivers hauling waste containers and recyclable materials collection containers; two general maintenance personnel maintaining equipment; one distribution building operator available for pickup trucks and on inclement weather days for sanitation trucks; on duty in the class 1 landfill is a waste dozer operator, one bull dozer operator, one excavator operator and two tractor/dirt scraper operators all to accommodate the needs of waste collection vehicles disposing at the class 1 landfill. A landfill manager and his assistant perform duties necessary to keep the landfill running at optimum performance levels. Finally, the District's executive director is located at the landfill and recycling operations to interact between the landfill and recycling center workers and the Board of Directors.

2.3.2 The list includes each employee's name, title, whether full or part-time, number of years on the job, and any certifications held that relate to solid waste issues.

The	Workforce	HIRED	SW LICENSE	NUMBER
1.	Jason Wolfenbarger Executive Director	Feb 10, 2012	1C-2C-3C	003417
2.	Debbie Johnson Office Manager	Jan 26 ,2016		
3.	Samantha Dalton Management Assistant	Nov 24, 2015		
4.	Shelly Hood Recycling Center Man	July 14, 2017 ager		
5.	Elice Woodson Recycling Center Man	Dec 5, 2011 ager	1B	003418
6.	Shay Robinson Landfill Manager	June 4, 2001	1C-2C-3C	002214
7.	Perry Morrisett Assistant Landfill Mar	March 24, 2016 nager	1B	003902
8.	Carl Rippy Truck Driver & Excav	March 1, 1986 ator Operator	1B-2B-3B	000886
9.	Buddy Parrish Tractor Operator	July 26, 2017		
10.	Mike Easley Truck driver	June 4, 2001	1B	002212
11.	Ronnie Welty Truck Driver	June 15, 2015	1B	003863
12.	Kevin Hendrickson Tractor & Dirt-scraper	May 13, 2016 Operator		
13.	James Carlton Jr. Tractor & Dirt-scraper	September 12, 2011 Operator & floater	1B	003416
14.	Scott Mitchell Equipment Operator	June 5, 2017		
15.	Tony Golden Truck Driver	May 18, 2017		
16.	Nikki Treet Recycling Building	Sept 25, 2017		

Regulation 27: Class 1 = Un-segregated material recovery facility, composting facility, transfer station, municipal solid waste incinerator, or municipal solid waste disposal facility. Class 2 = Class III or Class IV landfills. Class 3 = Waste tire processing facility, or other related solid waste management facility.

A = Apprentice B = Journeyman C = Master

2.4 Contractors, Consultants, Service Providers, and Volunteers

The District is authorized to, and does, employ contractors, consultants, service providers, and volunteers who provide information and services on a regular basis to the District board and/or the District's workforce.

- **2.4.1** Certain projects and tasks are "farmed-out" and/or contracted to the District's engineers and consultants such as permit applications and modifications; the Annual Engineering Inspection Report; the Semi-Annual Ground-Water Monitoring Report and work related to it; the Quarterly Methane Monitoring Report; the Semi-Annual GP-7 Air Permit Report; the Annual GP-21 Air Permit Report, and any construction of new landfill disposal cells. The District's Executive Director and the administrative staff are responsible for accomplishing any administrative functions other than those described.
- **2.4.2** Non-administrative functions, such as construction of new waste disposal cells, are "farmed-out" and/or contracted to professional certified construction contractors. The contracts are engaged in association with the District's Board of Directors and the Board's engineers and consultants.
- **2.4.3** Formal contracts exist between the District and its engineers and contractors for the projects they work and complete.
- **2.4.4** The length of contract term for landfill purposes such as ground-water monitoring; methane monitoring; annual engineering inspection reports; and air permit reporting is for a one year period. The length of the contract for construction projects such as that for constructing a new disposal cell is usually for a four month period.
- **2.4.5** The District contracts that work described in 2.4.4 above to Terracon Consultants. The primary points of contact are David Jaros and David Hopkins who are employed full time at Terracon. Each consultant and his associates hold the necessary certifications for projects they are engaged in by the District.
- **2.4.6** There are no volunteer organizations or agencies within the District who provide solid waste services to the District.

2.5 Solid Waste Authorities

- **2.5.1** There are no solid waste authorities that operate within the District.
- **2.5.2** There are no solid waste authorities that operate within the District.
- **2.5.3** There are no solid waste authorities that operate within the RSWMD.
- **2.5.4** There are no authority members that serve on the District's Board.

2.6 Administrative Procedures and Other Documents

2.6.1 All Rules, Regulations, and Procedures implemented by the District are first approved by the Board. The District has approved and implemented the following:

The Licensing of Haulers Regulation -- Effective: December 1, 1993.

The Certificate of Need Rules and Regulation -- Effective: May 13, 1999.

The Waste Flow Control Regulation -- Effective: April 10, 2003.

- 2.6.2 The District's rules were submitted to the Secretary of State for filing after they were approved by the Board. However, reason for them not being listed is unknown. Therefore, procedures for re-filing will be accomplished, but the District is in the process of reviewing the documents for any changes deemed appropriate and necessary prior to submittal to the Secretary. The public was notified through Public Notices in newspapers stating the date, place, and time prior to the meetings that were held before the District's Board acted on and approved the rules. The public had opportunity to voice their comments at those meetings. The public, mainly the haulers that operate within the District, were the main participants involved in the formulation of the rules.
- **2.6.3** The District's Rules, Regulations, and amendments are included in the Appendix of this Needs Assessment.

2.7 Administrative Funding

The District funds its operations using a variety of methods as described in Arkansas Statutes. Funding is also supplied to the Districts via the Solid Waste Management and Recycling Grants Program and the Waste Tire Grants Program.

2.7.1 Provide the following information regarding how the District is funded and the percentages of that funding source when compared to the entire District budget.

In the following manner, list the most recent annual funds received from ADEQ for administrative purposes:

\$136,026.00 **Recycling Grants** a.

\$ None (The East Arkansas Waste Tire Grants b.

RSWMD manages the Northeast

tire program.)

E-Waste \$77,563.00 Other grants (identify source) C.

\$ 100,000 **Total administrative funds from Grants** d.

Next, list all administrative fees levied and collected by the District.

Most Recent Annual Dollar Amount % of total Source

ADEQ GRANTS (from d above) \$ 100,000 %

Local Sources:

Hauler licensing \$ 2,937 per year at \$30 per hauling vehicle.

\$ 1,000 annually is rebated to us for early payments. **Taxes**

\$ None. Per Capita Fee

Assessment/Tipping

Collection Fee \$

Other*

Total Local Revenue \$ 100 % **Total Annual Funds**

2.8 **RSWMD Budget**

- 2.8.1 A copy of the District's calendar year 2016 Budget is shown on the next two pages.
- The District's Board of Directors approves the District's annual operating budget. 2.8.2

Revenues		Amount Received
Cash Receipts Cities Counties Industry Out of State & Out of District Truck Hauling Equipment Rental Total Regular Revenues \$2	702,037 6 258,009 2 1,259,561 1 286,560 3 0 0 0_ 0	
Other Revenues		Amount Received
Bank Interest Recyclables Waste Haulers Licenses Miscellaneous Recycling Grants for Recycling Labor Total Other Revenues \$	7,750 2,500 3,000 100,000	1,826.37 7,189.55 2,677.50 9,460.64 100,000 121,154.06
TOTAL REVENUES: \$ 2	,729,266 \$2,85	55,876.22
OPERATING EXPENSES	BUDGE FOR 20	
Restricted Funds Deposits 1. Capital Improvements Fund 2. Closure Trust Fund – Class 1 Landfill 3. Closure Trust Fund – Class 4 Landfill 4. Depreciation Fund 5. Future Construction Fund	420,000 84,000 000 206,400 300,000	420,000 84,000 000 206,400 300,000
6. Disposal Fees to ADEQ7. Maintenance & Repairs to Equipme	266,000 nt 185,000	180,022 230,648.65
Fuel & Oil Expenses 8. Diesel Fuel 9. Gasoline 10. Motor Oil & Hydraulic Fluid	131,000 11,000 7,000	113,979.22 3,448.32 7,814.72
Roads & Grounds Maintenance 11. Erosion Control 12. Gravel Road Construction	7,500 7,500	4,917 7,350
Engineering Expenses 13. Normal Routine Annual Reports, Etc. 14. Groundwater (GW) Monitoring Work 15. Groundwater Statistical Analysis Report 16. Methane Monitoring (with GW monitoring) 17. Methane Monitoring (by itself)	orting 9,000	14,142.81 4,511.46 4,500 1,000 2,500
Title V Air Permit Work 18. Prepare and Submit PWC 10 NMOC 19. Prepare and Submit GP-7 Semi-Annua 20. Prepare and Submit GP-21 Title V Annua 21.	1,500 Il Report 1,500 nual Report 1,500	1,500 1,500 1,500
22. Incidental dollar amount form rounding 23. Auditing 24. Legal	g 000 7,500 3,500	7,500
Insurance Expenses 25. Group Health 26. Buildings & Equipment 27. Workers' Comp	80,000 38,000 40,000	91,854 34,996 39,708

OPER	RATING EXPENSES (continued)	BUDGET FOR 2016	AMOUNT SPENT
28	ill Permits Expenses Class 1 Landfill Permit Class 4 Landfill Permit NPDES Storm-water Run-Off Permit Industrial Storm-Water Permit Title V Air Permit	6,000 500 400 400 3,300	6,000 500 400 200 5,292
33. 34. 35. 36. 37. 38. Misce 39. 40. 41.	Electric: Craighead Electric Cooperative Water: St Francis Rural Water Association Propane: Ferrell Gas Telephone: AT&T Internet: Hughes Net Rounding up dollars for budget Ilaneous Expenses Drug Testing Solid Waste Education Other Miscellaneous Office expenses & Postage	10,000 1,200 5,600 3,300 1,500 000 1,200 5,000 5,000 18,975	8,308.31 1,347.25 2,838.54 3,807.76 1,,500 000 1,839 1,295 4,430.95 16,370.63
43. 44. 45.	Meals & Lodging Mileage Mechanic Tools	4,500 000 3,000	4,456.20 000 3,000
Emplo 45. 46. 47. 48. 49. 50. 51.	Overtime Agent fees for grants & plans Payroll Taxes Retirement Fund: APERS	501,000 50,000 000 60,000 95,000 12,000 24,320	522,626.46 41,980.84 000 53,122.86 73,888.38 13,874.14 13,432
	TOTAL EXPENSES	\$5,423,472	\$5,471,885.71

2.9 Public Education and Support

- 2.9.1 The District publishes a Recyclable Materials brochure, and distributes it to city halls and court houses. The brochure describes the acceptable materials, drop-off locations, etc. A copy of the front and back is shown on the following two pages. The District, in its beginning, called on the expertise of individuals, organizations, and group committees knowledgeable in implementing recycling. Their efforts resulted in the District providing recycling opportunities that have ultimately resulted in successes for all residents in the four-county District.
- 2.9.2 The District publishes a brochure for public education that describes the District. The counties and cities that comprise the District; the Board of Directors; the District owned and operated Class 1 Landfill Operation; the District owned and operated Recycling Operation; and information pertaining to the operational goals and achievements are all stated in the publication. The District is in the process of revising the brochure to include up to date information.
- 2.9.3 The public is informed of the District's services, available facilities, and programs offered by the District by reading newspapers, listening to their local radio station, obtaining and reading a copy of the District's Recycling Brochure, and reading about their solid waste management District landfill and recycling operations on the District's website.
- **2.9.4** The public is involved in the planning and participation of the District's events and programs that support the District's goals and objectives through the five newspapers in the District publishing notices and stories related to the District's operations.

ADDITIONAL TIPS ON RECYCLING

A GUIDE TO RECYCLING

WHAT HOW & WHERE

als the NEA Recycling Center can accept. We will continue to look for markers for other ecyclable Currently this beachure lists only those materimarerials.

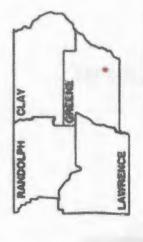
All recyclables must be cleaned and fids removed.

If your recyclables won't fit in the large recycling containers, please bring them to the Recycling Center (see map).

Please bundle all newspaper and cardboard

Plantic borries and bags wast have the recycling symbol #1 or #2 on rhe borrom. Any separation of negrdables you can do would be greatly appreciated, but it is not required. ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY Patranto In Courthatton Wins AND THE

SOLID WASTE MANAGEMENT DISTRICT NORTHEAST ARKANGAS REGIONAL



MECYCLANG CONTEN A LANCYLL 1810 Greens Courty Poed 990 PROGRADO -1

ON GCENTER VEN

Serving Northeast Arbanaas Since 1993

RECYCLING CENTER NEA REGIONAL PARAGOULD, AR 72451 EO. BOX 753

PRINTED ON RECYCLED PAPER
BINNED AND MAIL

Northeast Arkansas Re	egional Solid Waste	Management District
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NEA Regional Recycling Center Recycling Instructions

MATERIAL	WHAT TO RECYCLE	CLEANING & PREPARATION	WHAT CAN'T BE RECYCLED
Clear & Colored Glass	Clear & colored bottles & jars	Clean & remove lids (tabels are OK)	Coremics, policy, builts, mirrors, etc.
Aluminum	Cans, fell, radiators, window frames	Rinse	
Scrap Metal	Cane, all metals from spoons to mo- tors	Clean	Advasof & participa
Plastic Bottles Plastic Bags	Mik, soda, detergent, etc. (labeled #1 & 12), Wel-Mort Bags, Grocery Bags & packaging wrap	Rinse and seriove lids	Pesticide & oil containers, alproform, black trash hogo
Cardboard	Corrugated only	Bundled	Waxed contributed, etc.
Chipboard	Cernel boxes, soda boxes, etc.	Fisition & bundle	
Household Appliances	Refrigerators, stoves, washers, dry- ors, water heators, freezes	Take to Recycling Center (See Map)	
Waste Motor Oil, Auto Batteries	Motor Oil, Hydraulic Fluid, Diesel Fuel, Transmission Fluid	No Water or Antihoeze mixed in	Bring to Recycling Center
Newspriet.	Everything with newspaper	Securely bundled or in paper or plastic bag.	No witt paper or dety paper
Office/Home Waste Paper	School & Office Paper, June Mail	Securely trag (paper or plastic). Separate from other materials.	Carbon paper
Computer Paper	One-part with or without bars (con- tinuous forms type—tractor feed)	Securely bag (paper or plastic). Separate from other materials.	Carbon paper
Unchoics	Monitors, towers, desidops, key- boards, laptops, mice, telephones & anything with a circuit board	Take electronics to the recycling center or place in bin if small enough.	Anything that has wood on i

BAG MATERIALS AND DELIVER TO RECYCLING CONTAINER LOCATION:

Questions? Call 239-5572

CLAY COUNTY	
1. Corning	- A. Behind Chamber of Commerce - Wynn Park St.
	 B. Central Elementary School - W. 4th St.
2. Piggotz	- Country Mart Parking Lot - E. Main St.
5 Recent	- Ciry Shop-13th & S. Main Sec.

GREENE COUNTY

Marmoduke — Fire Department parking for 104 S. Lat St.
 Paragould — A. Loose Caboose Festival parking for New to Tracks

B. Sanitation Department on Airport Road

LAWRENCE COUNTY

Walnut Ridge —Police Department parking lot - 105 SE Front St.
 Horie —City Park - SW Gibson St.

RANDOLPH COUNTY

Pocahoneas — Ory Shop on Codar St. Berween Cain and Marr Serects
 Transfer Stz. — 145 Landfill Road, Pocahoneas

2.10 Programs for Elimination of Illegal Dumping and Open Burning

- **2.10.1** The District's local governments have various city and county ordinances that enforce rules concerning opening burning. Also, the District's operational staff advises customers at the landfill that burn barrels are not only unsafe, but also are against the law as related to the clean air act.
- **2.10.2** The locations of any dump-sites known to exist in the District would be known by the county judges and their road department crews. The locations have not been provided to the District since each local government acts independently in resolving the situations. County road department workers clean up dump-sites along the roadways, and notify the county sheriff when necessary.
- 2.10.3 While an illegal dumps control officer might be beneficial to the District, the county judges and mayors have agreed that their police and sheriffs departments are the authority for actions against people illegally dumping. To totally eliminate illegal dumping would require a state law that requires all residents and businesses in the state to provide their waste to private professional haulers. This would decrease the potential for people to dump their waste illegally. Further, making it unlawful for people to haul their own waste to the landfill would decrease the potential for illegal dumps and certainly a large amount of litter along the roads and highways.

3.1 Residential and Commercial Waste Estimation – can be estimated utilizing a per capita generation rate. The most recent information provided by EPA indicates that household and commercial waste (known as municipal solid waste or MSW) is produced at a rate of 4.43 pounds per person per day.

Applying a waste production rate of 4.43 pounds per person per day (ADEQ Guidelines) to the District population of 93,557 people (Section 1.2.1), an overall residential and commercial waste estimation, equates to 207 tons per day or approximately 75,000 tons per year.

3.2 Municipal Solid Waste Makeup – can be computed by utilizing the percent of material commonly found in the waste stream and the populations for each county of the state.

The following is a breakdown of the municipal solid waste makeup based upon the 2010 Total MSW Waste Stream Composition by Material provided in ADEQ Guidelines.

Waste Type	Annual Tons (based upon 75,000 tons per year as described in 3.1)
Paper and Paperboard	21,375 (28.5%)
Food Scraps	10,425 (13.9 %)
Yard Trimmings	10,050 (13.4 %)
Plastics	9,300 (12.4 %)
Metals	6,750 (0.09 %)
Rubber and Textiles	6,300 (0.084 %)
Wood	4,800 (0.064 %)
Glass	3,450 (0.046 %)
Other	2,550 (0.034 %)
TOTAL	75,000 TONS based upon percentage of waste stream in ADEQ

Needs Assessment Guidelines 2018

Needs Assessment - February 2018

3.3 Industrial Waste Generation – Industrial Waste generation rates can be significantly different from one locale to another.

A survey was conducted of the industrial waste generators within the four-county District. Surveys were sent to all generators regardless of the number of employees. The survey was distributed to sixteen identified generators. Thirteen in Greene County and Three in Randolph County. Of the sixteen generators that were surveyed, Three responded. A listing of the Industrial Solid Waste Survey results for the surveys that were completed by industries and returned to the District are shown on the following page.

- 3.3.1 Industrial Waste Generators within the District
- 3.3.2 Identified Generators
- 3.3.3 These generators might be identified based upon number of employees (such as more than 100 employees), estimated volume waste produced by the facility (such as more than 50 tons per year), or other factors determined by the RSWMD. The Arkansas Industrial Foundation publishes an annual directory of manufacturers. Provide the following for each Generator:
 - 3.3.3.1 Generator Name and its location.
 - 3.3.3.2 Types of waste generated
 - 3.3.3.3 Latest annual volume of industrial waste (exclude waste considered commercial waste)
 - 3.3.3.4 Latest annual types and volumes of materials recycled by the Generator.

Data pertaining to the above are described on the following page.

Name		Generated	of Ind. v	waste	Sent to landfill	
Lakeside Metal 120 employees \$17,000 per year Disposal cost	Paragould	MSW	320		320	
Pennacle Frame 17 employees \$46,715	Pocahontas	MSW	384			
GRT Rubber. ?? employees \$????	Paragould	MSW	3,400		3,400	
Peco ??? employees \$???	Pocahontas	MSW	5.24	Liquid Sludge Medica Other		0 0 2.9 1

4.0 WASTE COLLECTION, RECYCLING, AND DISPOSAL Element Number 4

"Waste Origin, Composition, and Characterization"

4.1 Existing Solid Waste Management Facilities -

- **4.1.1** Landfills The District owned, operated, and permitted Class 1 Landfill is the only landfill in operation within the District.
- 4.1.2 The District owned, operated, and permitted Class 1 Landfill is the only landfill in operation within the District that is utilized for management of Solid Waste. The District owned and operated Recycling Center is utilized for management of source separated recyclable materials that are collected from the residents. There is no waste to energy facilities operating in the District. However, waste motor oil that is brought in to the Recycling Center is utilized for heating the recycling center. There are no C&D Recycling facilities operating in the District. However, certain materials are removed from the waste stream for reuse in the recycling center.
- **4.1.3** A map locating each type of facility is provided in Element # 1 of this document.
- **4.1.4** The District owned and operated class 1 landfill. Information on volumes received, source of the waste (hauled in from within the District, and from outside the District), remaining life expectancy and capacity, expansion plans, and projected closure date is provided in Element # 3.
- **4.1.5** Recognizing that landfill operators charge different tipping fees based upon volume, type of waste, etc., the "gate rate" for each material accepted at the District's landfill is provided on the following three pages.

Landfill Rates Effective January 1, 2016

Note: The rates for year 2007 have remained the same for years 2008, 2009, 2010, 2011, 2012, and 2013.

NOTICE: These rates will apply to all customers the beginning of the year. "Amnesty", granted to customers who have not been here before, is no longer allowed.

In District: (Clay, Greene, Lawrence, and Randolph counties)

Compacted \$ 9.25 per cubic yard (a 3.125 percent increase)

Loose \$8.75 per cubic yard (a 3.333 percent increase)

Note: The rates are as follows when sales tax applies:

Per Compacted cubic yard plus sales tax $\frac{8.25}{4.00} + \frac{.62}{0.00}$ tax $\frac{8.87}{0.00}$

Per Loose cubic yard plus sales tax $\frac{7.75}{+...58}$ tax = $\frac{8.33}{+...58}$

Out of District:

Note: we charge the sales tax of .075 to all haulers coming in from out of state.

Compacted \$14.44 + 1.08 tax = \$15.52 per cubic yard

Loose $\frac{13.95}{10.00} + \frac{1.05}{10.00}$ tax = $\frac{15.00}{10.00}$ per cubic yard

Special Waste: \$33.00 + 2.48 = \$35.48 (not accepted from out of District)

Pickup Trucks: \$13.95 + 1.05 = \$15.00 if tarped

\$16.74 + 1.26 = \$18.00 if not tarped

10 foot trailer: \$22.33 + 1.67 = \$24.00 if tarped

\$25.12 + 1.88 = \$27.00 if not tarped

12 foot trailer: \$26.98 + 2.02 = \$29.00 if tarped

\$29.77 + 2.23 = \$32.00 if not tarped

14 foot trailer: \$31.63 + 2.37 = \$34.00 if tarped

\$34.42 + 2.58 = \$37.00 if not tarped

16 foot trailer: \$37.21 + 2.79 = \$40.00 if tarped

\$40.00 + 3.00 = \$43.00 if not tarped

Note: although we charge by cubic yard we pay ADEQ \$2.50 per ton and that amount is included in the rates we charge.

Northeast Arkansas Regional Solid Waste Management District

P.O. Box 753 Paragould, Arkansas 72451-0753

Landfill tipping fees – continued:

Hauled in to the District's landfill from Clay, Greene, Lawrence, or Randolph counties and cities therein:

Rate per cubic yard for Special Waste: Total of \$35.48 per cubic yard.

Samples of the waste are collected for laboratory analyses. The samples are put through a toxic characteristic leaching procedure (TCLP) and volatile organic compounds (VOC) testing to determine if the waste is hazardous. If the waste shows higher levels of arsenic, barium, cadmium, chromium, lead, mercury, selenium, and silver than allowed by the Resource Conservation & Recovery Act (RCRA) then we cannot accept the waste. If the samples show levels within the RCRA parameters then we can accept the waste, but a higher fee is charged for the waste due to the risk involved in it being disposed of in the landfill. Petroleum contaminated soil is sampled and analyzed for total petroleum hydrocarbons (TPHs). This test is performed to evaluate the concentration of petroleum products in the material. Again, if the levels are higher than allowed then we cannot accept the waste. If the levels are within the parameters then we can accept the material but at a higher fee due to the risk involved.

NOTE: We will not accept any special waste from outside our four counties.

Our District operates a permitted Class 1 Landfill where we accept household garbage, and other wastes such as construction debris and other types of wastes.

We cannot accept any liquid waste, unprocessed medical waste (wastes that has not been sterilized), nor hazardous waste from within, nor from outside of our District.

We charge by cubic yard. However, we do weigh in and out all waste hauling vehicles of any type. The weight of the garbage is recorded and we send to the Arkansas Department of Environmental Quality (ADEQ) \$2.50 per ton at the end of each calendar quarter.

ADEQ's \$2.50 per ton is submitted for deposit to the following funds in accordance with the Arkansas Department of Pollution Control and Ecology Regulation 11, effective January 1, 2001

One dollar and fifty cents (\$1.50) for each ton of solid waste received at a landfill, or transported out of state for disposal. This is for the Solid Waste and Recycling Fund.

One dollar (\$1.00) for each ton of solid waste received at a landfill. This is for the Landfill Post-Closure Trust Fund.

Summary of Tipping Fees Per Cubic Yard

	L. D'	of at Datas	Out -CDi-triet Date-
		rict Rates	Out of District Rates
Year	Loose	Compacted	Loose Compacted
2016	\$8.75	\$9.25	\$19.50 \$20.50
2015	\$8.75	\$9.25	\$16.18 \$16.71 *
2014	\$8.75	\$9.25	\$16.18 \$16.71 *
2013	\$7.75	\$8.25	\$15.00 \$15.52 *
2012	\$7.75	\$8.25	\$15.00 \$15.52 *
2011	\$7.75	\$8.25	\$15.00 \$15.52 *
2010	\$7.75	\$8.25	\$15.00 \$15.52 *
2009	\$7.75	\$8.25	\$15.00 \$15.52 *
2008	\$7.75	\$8.25	\$15.00 \$15.52 *
2007	\$7.75	\$8.25	\$15.00 \$15.52 *
2006	7.50	8.00	14.51 15.05 *
2005	7.02	7.44	13.52 13.98 *
2004	6.75	7.15	12.10 12.50
2003	6.40	6.80	11.50 11.90
2002	6.25	6.65	11.25 11.65
2001	5.75	6.15	9.25 9.65
2000	5.40	5.75	8.50 8.85
1999	5.15	5.50	8.07 8.42
1998	4.89	5.24	7.65 8.00
1997	4.89	5.24	7.65 8.00
1996	4.89	5.24	7.65 8.00
1995	4.89	5.24	6.54 6.89
1994	4.89	5.24	4.89 5.24
1993	3.46	3.81	4.89 4.89

Includes sales taxes levied on self-haulers (pickup trucks) and haulers coming in from out-of state, and from out of District. The sales tax law concerning solid waste took effect July 2005.

We began using scales to weigh trucks in and out on January 1, 2004.

Also, all rates include the \$2.50 per ton disposal fee that we submit to ADEQ. \$1.00 per ton is for the solid waste post closure fund and \$1.50 is for the recycling fund. For years 2003 and earlier, part of our tipping fees were \$0.15 per cubic yard to the post closure fund and \$0.25 per cubic yard to the recycling fund for loose waste and for compacted waste the amounts were \$0.30 per cubic yard to the post closure fund and \$0.45 per cubic yard to the recycling fund.

4.2 Transfer Stations within the District play a significant role in providing economical transport of collected waste to final disposition. Transfer stations also provide local disposal options for waste materials not collected by a collection company. Surveys were distributed to the two Transfer Stations that are in operations in the District. A survey was completed and returned by the Randolph County Transfer Station, and the results are shown here:

Type of Material	Annual In-District Volume in Tons	Annual Out-of-District Volume in Tons	Disposal Facility
MSW Residential & C	8,527 Commercial		NEARSWMD Landfill
Industrial	none		
C & D Waste	2,100		NEARSWMD Landfill
Special Waste	none		
Liquid Waste	none		
Medical Waste	none		
Other	42		
TOTAL	10,669		

4.2.1 The two transfer stations that operate within the District are the Randolph County Transfer Station, and Downum's Disposal Services Transfer Station. Both stations provide waste collection to private and public haulers, and then transport larger loads of waste to the District owned and operated class 1 landfill for final disposal.

Randolph County Transfer Station in Pocahontas accepts all materials that can be disposed of in the District's landfill.

Downum's Transfer Station in Hoxie accepts all materials that can be disposed of in the District's landfill.

- **4.2.2** A map depicting the location of the two transfer stations within the District is shown in Element # 1.
- 4.2.3 All waste collected at the two transfer stations is transported for final disposal to the District owned and operated landfill in Paragould.

- Other facilities utilized for management of collected waste within the District. The 4.3 District owned and operated Recycling Center co-located at the District's landfill collects recyclable materials. Also, an area at the landfill has been sited for grinding of yard waste. Further, there are two waste tire collection trailers in Greene County at the landfill; two trailers in Clay County (one at the county road department in Piggott, and one at the county road department in Corning); one trailer in Randolph County at the transfer station in Pocahontas; and one trailer in Lawrence County at the road department south of Hoxie.
 - **4.3.1** The list of facilities, as stated above are the class 1 landfill, the recycling center, and an area for management of yard waste. The District owns and operates a recycling center co-located at its landfill in Greene County. The District owns and operates a grinder for mulching trees and other green waste. The grinder is located at the landfill.
- 4.4 The amount and type of material handled by the District's landfill and recycling operations, and the charges to customers are displayed earlier in this Element and in Element # 3.
 - **Listing** of each exiting facility, including the following information:

4.4.1.1 through 4.4.1.5

Name, address, type of facility, and remaining capacity:

Northeast Arkansas Regional Solid Waste Management District Landfill 1810 Greene County Road 890

Paragould, Arkansas

Class 1 Landfill

Remaining capacity is 31 years in the current permitted disposal area as indicated in the Annual Engineering and Inspection Report for calendar year 2011.

Northeast Arkansas Regional Solid Waste Management District Recycling

1810 Greene County Road 890

Paragould, Arkansas

Recyclable Materials Collection Center

Randolph County Transfer Station

145 Landfill Road

Pocahontas, Arkansas

Downum's Disposal Services Transfer Station

31 SW Romine Ave

Walnut Ridge, Arkansas

4.5 **Solid Waste Collection Systems**

4.5.1 Information pertaining to the solid waste collection systems within the District is provided in the Appendix section of this document.

4.6 **Collection Service Providers**

- 4.6.1 through 4.6.2 the type of service provided, service area, frequency of collections, contractual arrangement (individual or exclusive contract), and method of revenue collection (from individual or contract with government entity), cost for services, and number of accounts are displayed in the Appendix section of this document.
 - 4.6.3 The volume of material delivered to the District landfill is included in the Appendix section of this document.
- Waste Hauler/Transporters. There are currently 31 licensed waste haulers in the 4.7 District who collect and haul MSW. They were surveyed for information regarding their service area, number of accounts, annual volume of tons for each category of customer, number of collection trucks they use that are licensed with the District, number of collection routes, types of materials they collect from their customers, and the disposal facility they use. Four haulers participated in the survey, and the results are shown on the following page. However, a list of haulers is also provided in the Appendix showing the license decal number for the current year's licensing.

Shelton Sanit	<u>tation</u>					
Type of	Number of	Annual		Number of	Type of	Disposal
Customer	Accounts	Tons #	of Trucks	# of Routes	Material	Facility
Residential	9,045	8702.72	6	27	household	NEARSWMD
Commercial	672	2,501.2	4	7	commercial	NEARSWMD
Medical Waste	none					
C & D	219	2,277	3	on-call	construction	
Recycling	none					
Industrial	none					
Other	none					
TOTAL	9,939	17,251.32	13	34		

Paragould Sanitation

Type Of	Number of	Annual	# of Trucks	Number of	Type of	Disposal
Customer	Accounts	Tons		Routes	Material	Facility
Residential	<i>10,500</i>	10,800	<i>4</i>	<i>4</i>	household	NEARSWMD
Commercial	1, 000	6,480	3	3	commercial	NEARSWMD
Medical Waste C&D Recycling Industrial	None None 600 None	N/A	1	1	Recycling	NEARSWMD
Other Total	None 11,500	17,280	8	8		

- 4.7.1 through 4.7.5. Information pertaining to the haulers within the District such as name, contact information, number of trucks licensed by the District, and types of materials transported is included in the Appendix section of this document.
- 4.8 Import/Export Status. Waste generated within the District that is hauled to the District's landfill, and waste that is hauled in to the District's landfill from outside of the District.
 - **4.8.1** Annual volume of waste generated within the jurisdictional area of the District and shipped out of the District and/or out of state management or disposal. The District's waste flow control ordinance, as well as contracts between cities and counties and waste hauling companies, requires that all waste which is to be disposed of in a permitted class 1 and/or class 4 landfill must be hauled to the District owned and operated landfill.
 - **4.8.2** A list of the annual volume of waste imported into the District for management or disposal is displayed in the Appendix section of this document The District is presently

accepting waste from outside the District. However, the board of directors requires that 2,500 cubic yards per month is the most it will allow to be disposed in its landfill. The District is charging nearly twice as much to outside customers and this proves economically feasible in order to offset the cost for constructing new landfill cells. The District is concerned about waste being brought in from out of District due to the serious consequences involved for waste that might be hazardous. This is why the District will not accept special waste (waste that must be tested due to its characteristics) from outside the District.

4.8.3 Haulers that pick up Arkansas generated waste in District and transport it out of state for disposal. The District's waste flow control ordinance, as well as contracts between cities and counties and waste hauling companies, requires that all waste which is to be disposed of in a permitted class 1 and/or class 4 landfill must be hauled to the District owned and operated landfill.

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ARKAHSAS DEPARTMENT OF POLLUTION LOCATION - SUBJECT: NTROL & ECOLOGY Formation of a Regional Solid Waste Management District No. 8 93 - 11 Page 1 of 1 MINUTE ORDER NO. The Commission on Pollution Control and Ecology hereby designates the formation of a Solid Waste Management District under the provisions of Act 752 of 1991, consisting of Greene, Lawrence and Clay counties. This district is further designated as Solid Waste Management District No. 8 The Commission reserves the right to designate an additional county or counties to Solid Waste Management District No. 8 should this action be deemed necessary at a later date.

COMMISSIONERS: J. Hill C. King J. Looney R. Mason ∠B. Mobley _ J. Pascale _ E. Waddell _ H. Watkins, III _ R. Wilbourn N. Williams _ S. Wilson W. Wright R. Young SUBMITTED BY: Larry Wilson DATE PASSED: 01-15-91

APR 18 1997

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

LOCATION - SUBJECT Transfer of Randolph County from EARSWMD to NEARSWD

MINUTE ORDER NO. 97-21

PAGE 1 OF 1

On March 27, 1997, the East Arkansas Regional Solid Waste Management District (EARSWMD) adopted a unanimous resolution to recommend and consent to the transfer of Randolph County to the Northeast Arkansas Regional Solid Waste Management District (NEARSWMD). The matter was also discussed and approved by the NEARSWMD.

EARSWMD and Randolph County have asked that the Commission approve this transfer. After consideration of the facts and hearing comments, the Commission hereby affirms the transfer, and Randolph County shall henceforth be a member of the NEARSWMD.

COMMISSIONERS

B. Bush

A. Carter

B. Davis

D. Hanby

J. Hill

J. Mobley

J. Pascale

T. Schueck

J. Shannon

H. Watkins

R. Wilbourn

W. Wright

R. Young Absent

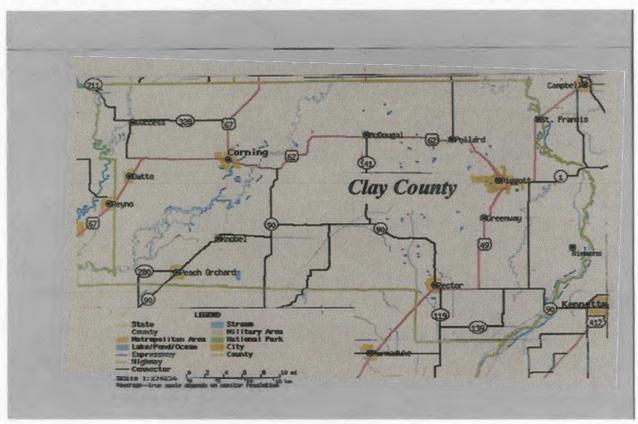
FORMITTED BY: Wilson PASSED: APRIL 18, 1997

Clay County

	1990 Census	2000 Census	2010 Census
Corning	3,323	3,679	3,377
Datto	120	97	100
Greenway	212	244	209
Knobel	317	358	287
McDougal	208	195	186
Nimmons	96	100	69
Peach Orchard	197	195	135
Piggott	3,777	3,894	3,849
Pollard	229	240	222
Rector	2,268	2,017	1,977
St. Francis	201	250	250
Success	170	180	149
Unincorporated	6,989	6,160	5,273
TOTAL:	18,107	17,609	16,083

Location: 36" 23'N 90" 25'W Land Area: 409,181 Acres 639.35 square miles

Water Area: 1,357 Acres 2.12 square miles

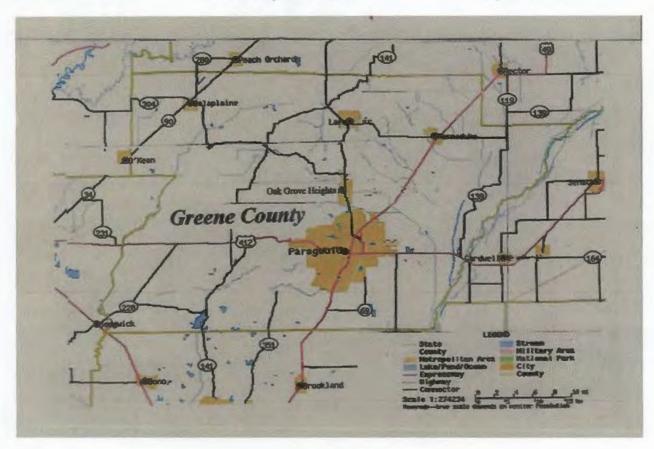


Greene County

	1990 Census	2000 Census	2010 Census
Delaplaine	146	127	116
Lafe	315	385	458
Marmaduke	1,164	1,158	1,111
Oak Grove Heigh	ts 513	727	889
Paragould	18,540	22,017	26,113
Unincorporated	11,126	12,917	13,403
TOTAL:	31,804	37,331	42,090

Location: 36" 7'N 90" 34'W Land Area: 369,636 Acres 577.56 square miles

Water Area: 1,368 Acres 2.14 square miles

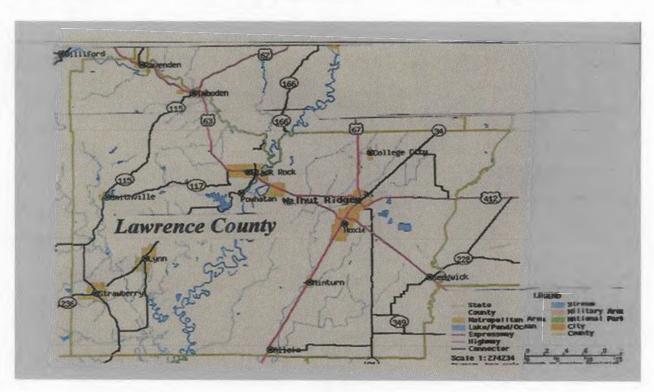


Lawrence County

	1990 Census	2000 Census	2010 Census
Alicia	157	145	124
Black Rock	736	717	662
College City	339	269	455
Hoxie	2,676	2,817	2,780
Imboden	616	684	677
Lynn	299	315	288
Minturn	124	114	109
Portia	521	483	437
Powhatan	51	50	72
Ravenden	330	511	470
Sedgwick	86	112	152
Smithville	86	73	78
Strawberry	273	283	302
Walnut Ridge	4,388	4,925	4,890
Unincorporated	6,773	6,276	5,919
TOTAL:	17,455	17,774	17,415

Location: 36" 3'N 90"7'W Land Area: 375,434 Acres 586.62 square miles

Water Area: 3,697 Acres 5.78 square miles

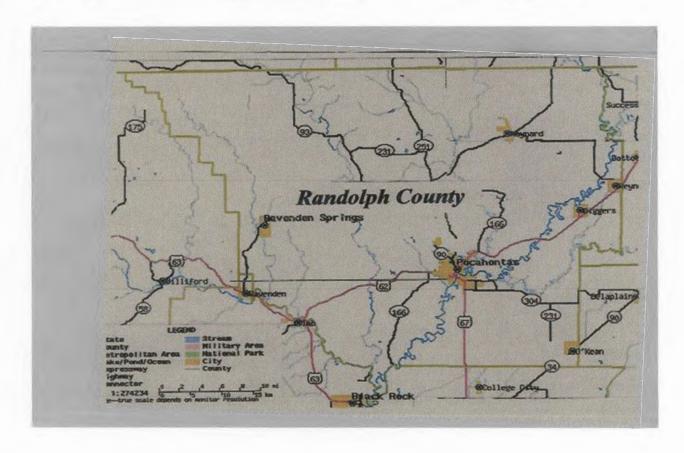


Randolph County

	1990 Census	2000 Census	2010 Census
Biggers	337	355	347
Maynard	354	381	426
O'Kean	250	201	194
Pocahontas	6,151	6,518	6,608
Ravenden Springs	131	137	118
Reyno	467	484	456
Unincorporated	8,868	10,119	9,820
TOTAL:	16,558	18,195	17,969

Location: 36" 21'N 91"2'W Land Area: 417,200 Acres 651.87 square miles

Water Area: 2,694 Acres 4.21 square miles



RESOLUTION NUMBER <u>K-1992-6</u>

WHEREAS, through a series of public meetings among the elected representatives of the governing boards of the citles of Paragould, Piggott, Rector, Corning, Walnut Ridge, and Hoxle, and of the counties of Greene, Clay, and Lawrence, the matter of forming a new solid waste management district in accordance with Act 752 of 1991 has been discussed and the decision to form a new district was unanimously approved; and

WHEREAS, we have been appraised, verbally and in writing, of the duties and responsibilities which we would assume if a new district were formed; and

WHEREAS, these duties and responsibilities are essentially the same as we are now fulfilling as part of the larger solid waste management district we presently are part of; and

WHEREAS, the administrative procedures of the Pollution Control & Ecology Commission require that local government in any proposed new district state that they are familiar with the duties and responsibilities of the new district and are propared to take them on:

NOW THEREFORE, be it hereby resolved by Greene County that we declare that we have reviewed the duties and responsibilities of the proposed new solid waste management district, we understand those duties and responsibilities, and we indicate our intentions to fulfill those duties and responsibilities as part of the proposed new Northeast Arkansas Regional Solid Waste Management District.

PASSED AND APPROVED by a majority of the Quorum Court of Greene County, Arkansas this 12 day of 1992.

David Lange

Greene County Judge

... ATTEST:

RESOLUTION NUMBER 92-22

WHEREAS, through a series of public meetings among the elected representatives of the governing boards of the cities of Paragould, Piggot, Rector, Corning, Walnut Ridge, and Hoxie, and of the counties of Greene, Clay, and Lawrence, the matter of forming a new solid waste management district in accordance with Act 752 of 1991 has been discussed and the decision to form a new district was unanimously approved; and

WHEREAS, we have been appraised, verbally and in writing, of the duties and responsibilities which we would assume if a new district were formed; and

WHEREAS, these duties and responsibilities are essentially the same as we are now fulfilling as part of the larger solid waste management district we presently are part of; and

WHEREAS, the administrative procedures of the Pollution Control & Ecology Commission require that local government in any proposed new district state that they are familiar with the duties and responsibilities of the new district and are prepared to take them on;

NOW THEREFORE, be it hereby resolved by the City of Paragould that we declare that we have reviewed the duties and responsibilities of the proposed new solid waste management district, we understand those duties and responsibilities, and we indicate our intentions to fulfill those duties and responsibilities as part of the proposed new Northeast Arkansas Regional Solid Waste Management District.

ADOPTED this 26 day of October, 1992.

CITY OF PARAGOULD, ARKANSAS

By Charles Portlo
Charles Partlow, Mayor

ATTEST:

Goldie Wise, Clerk

NORTHEAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT BOARD

BY LAWS

ARTICLE I

ORGANIZATION

- 1. 01. <u>Jurisdiction Boundaries</u>. The Northeast Arkansas Solid Waste Management District, hereinafter referred to as Northeast "District", shall encompass the counties of Greene, Clay, and Lawrence.
- 1. 02. <u>Period of Duration</u>. The District shall be established upon notification to East Arkansas Regional Solid Waste Management District or Deputy Director, Larry Wilson, and upon final designation by the Commission on Pollution Control and Ecology.

ARTICLE II

PURPOSE

2. 01. <u>Purpose</u>. The purpose of the Northeast District is the protection of the public health and the state's environmental quality through the development and maintenance of a solid waste District for the counties and municipalities of Greene, Clay, and Lawrence Counties, and the cities of Paragould, Piggott, Corning, Rector, Walnut Ridge, and Hoxie. Further, the Northeast District shall serve to address local exigencies, needs and other requirements as are more clearly defined in Act 752 of 1991.

ARTICLE III

REGIONAL SOLID WASTE MANAGEMENT DISTRICT BOARD

- 3. 01. <u>Creation</u>. The Northeast District shall be governed by a regional solid waste management board, hereinafter called the "Board."
- 3. 02. <u>Members</u>. The Board shall be composed of the following, to be amended accordingly pursuant to Act 752 of 1991:

Greene County Judge David Lange Lawrence County Judge Alex Latham Mayor Charles Partlow Mayor Rueben Seay Mayor Bob Cochran

Clay County Judge Travis Boyd Mayor Garland Holcomb Mayor Tommy Holland Mayor J.M. Johnson

3. 03. <u>Chairman</u>. The Board shall select a chairman annually. At the first election on January 25, 1993, the Board selected the following officers:

Needs Assessment - February 2018

Chairman: Greene County Judge David Lange Vice Chairman: Clay County Judge Travis Boyd

Secretary/Treasurer: Lawrence County Judge Alex Latham

3. 04. <u>Voting</u>. A majority of the membership of the Board shall constitute a quorum. A majority vote of those members present shall be required by any action of the Board.

ARTICLE IV

POWERS AND DUTIES

- 4. 01. <u>Powers and Duties</u>. The Board shall have those powers and duties as set forth in Act 752 of 1991 (codified at A.C.A. 8-6-704) and set out herein below:
- (a) The regional solid waste management boards shall have the following powers and duties:
- (1) To collect data, study, and initially evaluate the solid waste management needs of all localities within their Districts, as provided in A.C.A 8-6-716 and to publish their findings as a regional needs assessment;
- (2) To evaluate on a continuous basis the solid waste needs of their Districts, and thereby update the regional needs assessments at least biennially;
- (3) To formulate recommendations to all local governments within their Districts on solid waste management issues and to formulate plans for providing adequate solid waste management;
- (4) To issue or deny certificates of need to any applicant for a solid waste disposal facility permit within their District with the exception of permits for landfills when a private industry bears the expense of operating and maintaining the landfill solely for disposal of waste generated by the industry or wastes of a similar kind or character;
- (5) To petition the commission or director to issue, continue in effect, revoke, modify, or deny any permit for any element of a solid waste management system located within the District based on compliance or noncompliance with the solid waste management plan of the District;
- (6) To adopt such rules or regulations pursuant to the Administrative Procedure Act, A.C.E. 24-15-201 et. seq., as are reasonably necessary to assure public

notice and participation in any findings or rulings of the boards and to administer the duties of the board;

- (7) To establish programs to encourage recycling;
- (8) To adopt an official seal and alter it at pleasure;
- (9) To maintain an office at such places as it may determine;

- (10) To sue and be sued in its own name and to plead and be pleaded;
- (11) To make and execute contracts and other instruments necessary or convenient in the exercise of the powers and functions of the District, including but not limited to entering into contracts and agreements with private entities for provision of services; and
- (12) To carry out all other powers and duties conferred by this subchapter and subchapter 8.
- (13) To enter into an agreement with another solid waste management District to allow one District to transfer solid waste to another District. This will only be allowed if a solid waste District has no legally permitted landfill which can accept its solid waste.
 - (b) The regional solid waste management board may:
- (1) Apply for such permits, licenses, certificates, or approvals as may be necessary to construct, maintain, and operate any portion of a solid waste management system, and to obtain, hold and use licenses, permits, certificates, or approvals in the same manner as any other person or operating unit of any other person;
- (2) Employ such engineers, architects, attorneys, real estate counselors, appraisers, financial advisors, and other consultants and employees as may be required in the judgment of the District and to fix and pay their compensation from funds available to the District therefore; and
- (3) Purchase all kinds of insurance including, but not limited to insurance against tort liability, business interruption, and risks of damage to property.

ARTICLE V

GENERAL PROVISIONS

- 5. 01. <u>Amendment of By-Laws</u>. These By-Laws may be altered, amended, or repealed at any meeting of the Board at which a quorum is present, by the affirmative vote of the Board members, provided notice of the proposed alteration, or repeal is contained in the notice of the meeting.
- 5. 02. <u>Construction</u>. If any portion of these By-Laws shall be invalid or inoperative, then, so as is reasonable and possible:
- (a) The remainder of these By-Laws shall be considered valid and operative; and
- (b) Effect shall be given to the intent manifested by the portion held invalid or inoperative

Certificate of Need Rules of the Northeast Arkansas Regional Solid Waste Management District As Approved May 13, 1999

1. Historical Background.

The Northeast Arkansas Regional Solid Waste Management District (NEARSWMD) comprised of Clay, Greene, Lawrence and Randolph Counties was created pursuant to the provisions of Ark. Code Ann. § 8-6-701 et seq. which gives NEARSWMD specific authority to issue or deny certificates of need to any petitioner for a solid waste disposal facility within its District.

Act 631 of 1999 amended Ark. Code Ann. § 8-6-706 to require that a petitioner for a transfer station obtain a certificate of need from the regional solid waste management board where the transfer station is located, and to require notification and approval of the regional solid waste management board in which the solid waste will be delivered.

The NEARSWMD Board has determined that the procedures for obtaining a certificate of need should be modified to reflect the new statutory guidelines mandated by Act 631. The applicable rules and procedures are hereafter set forth.

II. Definitions.

Unless otherwise defined herein, the terms used in these rules shall have the meaning accorded to them in Ark. Code Ann. § 8-6-701 et seq. and the rules and regulations promulgated by the Arkansas Department of Environmental Quality.

"Administrator" shall be the Northeast Arkansas Regional Solid Waste Management District or any successor agency or entity as determined by the NEARSWMD to carry out the administrative and staff duties for the NEARSWMD.

III. Notice of Intent.

At least thirty (30) days prior to submitting a petition for a Certificate of Need, the petitioner must notify the NEARSWMD, in writing, of its intent to submit such a petition. The Notice of Intent shall include the following information:

- (a) The name of the petitioner;
- (b) The petitioner's address and telephone number;
- (c) Whether the petitioner is seeking a new or modified (major modifications as defined in § 22-308(c) of ADEQ Regulation 22) solid waste landfill or transfer station permit and the classification of the permit sought;
- (d) The sites of the proposed facility;
- (e) A description of the area to be served, including population estimates by cities and counties within the area being served;
- (f) Confirmation from the Arkansas Department of Environmental Quality that the petitioner has requested a statement concerning: (i) the current and proposed solid waste landfill disposal capacity for the area; and (ii) the landfill class being proposed.

IV. Petition.

A person or entity requesting a Certificate of Need from the NEARSWMD must submit a petition to the NEARSWMD. All petitions for Certificates of Need shall include, at a minimum, the following information:

- (a) The petitioner's name, address and telephone number;
- (b) The name of the person or entity having legal or equitable title to the land where the proposed facility will be located and documentation of the right to develop such property as a solid waste landfill or transfer station from the legal owner and the equitable owner, where applicable;
- (c) The location of the proposed facility as shown on the applicable 7.5 minute USGS topographic map(s);
- (d) The size of the proposed facility, including, but not limited to the usable airspace above ground level, and the life expectancy of the proposed facility;
- (e) A description of the area to be served, including population estimates by cities an counties within the area being served;
- (f) Documentation that the proposed solid waste landfill or transfer station or major modification complies with all of the criteria for evaluation listed in Section 6 below;
- (g) The current permitted capacity for the appropriate landfill class within the NEARSWMD and the estimated increase in permitted capacity for the proposed facility or major modification;
- (h) Confirmation that the proposed facility is in compliance with all existing comprehensive land use plans of any local government entity;
- (i) Documentation of compliance with any and all statutory and regulatory guidelines applicable to solid waste management facilities;
- (j) Any other information deemed necessary by the NEARSWMD to make a determination of need; and
- (k) If applicable, notification to and approval from the regional solid waste management board in the State of Arkansas which is receiving the solid waste for the NEARSWMD in accordance with Arkansas Code Annotated § 8-6-706(b)(2)(G).

V. Completeness Determination.

Upon receipt of the initial petition, the NEARSWMD will make a completeness determination of the petition with a period not to exceed one hundred eighty (180) days. Any additional information that the NEARSWMD determines necessary to make a decision on the need of the proposed facility will be submitted to the petitioner within this time frame. In such instance, the NEARSWMD will again make a completeness determination with a period not to exceed one hundred eighty (180) days of the receipt of the additional information.

VI. Review Period.

Once the NEARSWMD has determined that a petition for a Certificate of Need is complete, it will so notify the petitioner and publish notice of the review period once a week for two (2) consecutive weeks in a newspaper of general circulation in the area of the proposed facility. The review period will begin on the date of the first publication of notice of the review period. The

review period will run for sixty (60) days. During the review period, public comment will be received on the petition for the certificate of need.

VII. Public Hearing.

During the sixty (60) day review period, the NEARSWMD will conduct a public hearing within the county where the proposed facility or major modification is to be located.

VIII. Criteria for Review.

When reviewing a petition for a Certificate of Need, the NEARSWMD shall consider, and evaluate the following criteria:

- (a) Whether the proposed facility is consistent with the regional planning strategy adopted by the NEARSWMD in its regional needs assessment or regional solid waste management plan;
- (b) A review of any needs assessment that has been prepared for the proposed facility;
- (c) Whether the proposed facility conflicts with existing comprehensive land use plans of any local governmental entity;
- (d) Whether the proposed facility disturbs an archeological site as recognized by the Arkansas Archaeological Survey, or a rare and endangered species or habitat as recognized by either the Arkansas Game and Fish Commission or the United States Fish and Wildlife Service or any other similar federal, state or local agency;
- (e) Whether the proposed facility will adversely affect the public use of any local, state or federal facility, including, but not limited to, parks and wildlife management areas;
- (f) Whether the proposed facility conflicts with the requirements of state or federal laws and regulations on the location of disposal facilities;
- (g) If the proposed facility is located with the 100-year floodplain, whether it restricts the flow of the 100-year flood, reduces the temporary water storage capacity of the floodplain, or could result in washout of solid waste which could pose a hazard to human health or the environment;
- (h) Whether the proposed facility is appropriately located given the needs of the NEARSWMD, including a review of the road system serving such area;
- (i) Whether the proposed facility provides landfill disposal capacity needed within the NEARSWMD;
- (j) The detailed history of the applicant's record and that of the stockholders and officers with respect to violations of environmental laws and regulations of the United States or any state or political subdivision of any state;
- (k) The area to be served by the proposed facility; and
- (I) Whether the petitioner has complied with the rules for obtaining a Certificate of Need.

IX. Determination.

Within sixty (60) days following the close of the review period, the NEARSWMD will act upon the petition for a Certificate of Need at a NEARSWMD meeting. The Administrator for the NEARSWMD shall present a recommendation to the NEARSWMD Board. Those supporting the issuance of the Certificate of Need and those opposing the issuance of the Certificate of Need will be provided a reasonable time period to make a presentation to the NEARSWMD Board and address the Administrator's recommendation.

In the event that the NEARSWMD has neither issued nor denied a petition for a Certificate of Need within one hundred eighty (180) days of the beginning of the review period, the petition will be deemed to have

been denied. The NEARSWMD shall issue written findings when making a determination on the petition for the Certificate of Need and shall set forth the basis for issuing or denying the petition. The findings will be sent to the following:

- The petitioner;
- (2) Arkansas Department of Environmental Quality; and
- Any interested party who requests such findings in writing from the NEARSWMD.

X. Appeal of Decision.

The petitioner or any interested party to a Certificate of Need determination, as defined in Ark. Code Ann. § 8-6-706(c), shall have the right to appeal the issuance or denial of a petition for a Certificate of Need in accordance with the provisions of Ark. Code Ann. § 8-6-706(c) and applicable rules and regulations.

XI. Obligations.

A petitioner shall have sixty (60) days from the issuance of a Certificate of Need in which to file a preapplication for a solid waste landfill or transfer station permit with the Arkansas Department of Environmental Quality. If a pre-application is not filed within this sixty (60) day period, the Certificate of Need shall expire.

Upon approval of a pre-application for a solid waste landfill or transfer station permit, a petitioner shall have three (3) months from such approval in which to file an application with the Arkansas Department of Environmental Quality in accordance with § 22.303 of ADEQ Regulation 22. If an application is not filed within this three (3) month period, the Certificate of Need shall expire.

A Certificate of Need shall be issued to a specific person or entity. Under no conditions or circumstances shall a Certificate of Need be assigned or otherwise transferred to any other person or entity else the Certificate of Need shall become immediately null and void.

ADOPTED the <u>13th</u> day of <u>May</u>, 1999 following a public hearing held May 13, 1999 by the NEARSWMD Board at the City Hall Municipal Courtroom, Paragould, Arkansas.

NORTHEAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT

REGULATION FOR LICENSING SOLID WASTE HAULERS

I. PURPOSE:

Act 752 of 1991 established a system of regional solid waste management and planning in Arkansas, forming regional solid waste management Districts and describing their powers, duties and responsibilities.

Act 752 requires regional solid waste management Districts to regulate certain aspects of solid waste management, including haulers of solid waste who operate within the Districts boundaries. The Northeast Arkansas Regional Solid Waste Management District is required by Act 752 of 1991 to enact and enforce a licensing program for all haulers who collect or transport solid waste in the District. The purpose of this licensing program is to protect the public health, safety and welfare through the monitoring of collection and transportation of solid waste by haulers in the District. This regulation applies to all haulers of solid waste of all types within the District.

II. AUTHORIZATION:

Section 8-6-721 of Act 752 specifically describes the regional solid waste management boards' responsibilities for licensing haulers of solid waste. In addition, the Arkansas Department of Pollution Control and Ecology published regulations dated January 16, 1992, guiding regional solid waste management Districts' activities for licensing haulers of solid waste.

To better control and monitor the solid waste system, the Northeast Arkansas Regional Solid Waste Management Board, as required by Act 752 of 1991, enacts and will enforce this regulation for the licensing of all haulers of solid waste in the District.

III. DEFINITIONS:

Board: Northeast Arkansas Regional Solid Waste Management Board.

District: Northeast Arkansas Regional Solid Waste Management District (incorporated cities and towns and unincorporated places of Clay, Greene, and Lawrence counties). Note: and Randolph County effective May 1997.

Hauler: A person engaged in the collection and/or transportation of solid waste for disposal or storage. Hauler does not include a person transporting his own household waste to a permitted facility.

Person: Any state agency, municipality, governmental subdivision of the state or the United States, public or Private Corporation, individual, partnership, association or other entity.

Solid Waste: As established in Act 752 of 1991, Section 8-6-702 (12), all putrescible and non-putrescible wastes in solid or semisolid form, including, but not limited to yard or food waste, waste glass, waste metals, waste plastics, wastepaper, waste paperboard, and all other solid and semisolid wastes resulting from industrial, commercial, agricultural, community, and residential activities. Solid waste does not include waste materials transported for recycling and/or reclamation. Also, this regulation shall not apply to the following waste materials which are transported out of the District under Federal and/or State regulatory controls: chemicals, poisons, explosives, radiological waste, hazardous materials, hazardous waste, and polychlorinated biphenyls (PCBs).

Process Waste: Solid waste resulting from industrial/manufacturing and/or processing operations.

Hazardous Waste: Hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA) and 40 CFR 261.

Waste Materials Transported for Recycling and/or Reclamation: Waste materials which are transported for recycling and/or reclamation such as, but not limited to, scrap metals, used oils, used drums, paper, cardboard, wooden products, plastic, glass, aluminum caris, and batteries.

IV. SCOPE:

- A. Effective January 1, 1994, no person shall engage in the business of collection and/or transportation of solid waste in the District without first securing a license from the Board. This does not apply to private individuals transporting their own personal household waste to a permitted facility.
- B. A license shall be issued only to a person, partnership, corporation, association, the State of Arkansas, a political subdivision of the state, an improvement District, a sanitation authority, or another regional solid waste management District. The District may engage in hauling solid waste within its own District without licensure but shall comply with all applicable standards required under this section.
- C. A license is not required for any person who collects for a fee, less than five (5) cubic yards of solid or process waste each week or on a scheduled basis.
- D. The license will be issued for a period not to exceed one (1) year.

V. LICENSING STANDARDS AND PROCEDURES:

- A. Any person who collects and transports solid waste shall:
 - Hold the appropriate driver's license as defined by Arkansas State Law.
 - 2. Annually register the operation with the Northeast Arkansas Regional Solid Waste Management Board providing all information shown on the application form and other related documents. These other documents include records and data on the nature of waste collected or transported, and any other information that will help the Board track the composition, volume and flow of solid waste.
- B. All solid waste transportation systems shall meet the conditions outlined below. Failure to comply with these conditions may result in a revocation of the hauler's license.
 - 1. Solid waste shall be collected and transported so as to prevent public health hazards, environmental hazards, safety hazards, and nuisances.
 - 2. Collection and transportation equipment shall be designed and constructed so as to be as leak-proof as practical. The waste shall be suitably enclosed or covered so as to prevent roadside littering, attraction of vectors or creation of other nuisances.
 - Collection and transportation vehicles shall be kept in a sanitary condition.
 - 4. All solid waste collected shall be transported and disposed of according to Federal and State regulations.
- C. Any hauler applying for a license must establish financial responsibility to the Board. Proof of liability insurance will be required and may be considered adequate financial responsibility.
- D. Classification of Haulers:
 - TYPE I Hauls all categories of non-hazardous solid waste as identified in Solid Waste Code of 1984 with the exception of waste tires.
 - 2. TYPE II Hauls only process waste and special materials as identified in Solid Waste

Code of 1984, with the exception of waste tires.

- E. To receive a license, application and annual fee shall be submitted to the Board on forms prescribed by the Board.
- F. The license shall be non-transferable and non-returnable. Also, the fee shall be non-refundable.
- G. Any person who begins a business or any licensed person who adds additional vehicles during a calendar year shall have thirty (30) days to register with the Board and obtain a license. After thirty days a penalty will be assessed.
- H. A temporary permit may be obtained for a period up to thirty (30) days for emergency or disaster situations at no charge but may only be issued at the discretion of the Board.
- I. A temporary permit may be issued for a minimum of sixty (60) days for general cleanup at a two month charge but may only be issued at the discretion of the Board.

VI. FEES:

- A. The Northeast Arkansas Regional Solid Waste Management Board shall assess the following annual fees for licensing the collection and transportation of solid waste in the District. These fees apply to both classifications of haulers.
 - 1. By January of each year all current haulers subject to this program shall be assessed a minimum license fee of \$60.00 for each vehicle registered. Note: the fee was changed in 1995 to \$30.00 per vehicle.
 - 2. Fees for new licenses or additional vehicles will be prorated based on the number of full months remaining in the calendar year.

VII. ENFORCEMENT AND PENALTIES:

- A. These policies, procedures and criteria shall be enforced by the District, its member jurisdictions, and the owners and operators of permitted landfill facilities within the District.
- B. The District shall provide the permitted landfill facilities operators with printed materials to distribute to haulers of solid waste when the haulers present themselves at the permitted landfill facilities.
- C. Failure of any solid waste hauler to obtain a permit to operate in the District is deemed guilty of a misdemeanor and is punishable by a fine not to exceed \$500. Each day or part of any day during which a hauler continues to operate without a permit shall constitute a separate offense.
- D. In accordance with Act 752, Section 8-6-722, any person who violates this regulation of the District Board shall be deemed guilty of a misdemeanor. Upon conviction, the person shall be subject to imprisonment for not more than thirty (30) days or a fine of not more than one thousand dollars (\$1,000), or both imprisonment and fine.

ADOPTED the <u>1st</u> day of <u>December</u>, 1993 following a public hearing held December 1, 1993 by the NEARSWMD Board at the City Hall Municipal Courtroom, Paragould, Arkansas.

original signed	original signed	original signed
DAVID LANGE	TRAVIS BOYD	ALEX LATHAM
Chairman, NEARSWMD	Vice Chairman	Secretary

AMENDMENT:

This amendment is necessary to comply with the Arkansas Department of Environmental Quality's (ADEQ's) letter dated March 15, 2010 concerning waste generated and transported within the state, but to be disposed of outside the state. The authority for this is:

State of Arkansas 79th General Assembly Regular Session of 1993, Representative Rorie's House Bill 2007 which became ACT 1127 of 1993, Approved 04/13/93.

ACT 1127 § 8-6-606 (b) "...... for all solid waste generated and transported within the state but to be disposed of outside the state, there is hereby imposed on each such solid waste transporter a solid waste transportation fee of twenty five cents (25¢) for each un-compacted cubic yard of solid waste and of forty five cents (45¢) for each compacted cubic yard of solid waste transported."

"If a solid waste transporter chooses to operate on a weight basis, the solid waste transportation fee shall be one dollar and fifty cents (\$1.50) for each ton of solid waste transported in the state."

Please be aware that the Northeast Arkansas Regional Solid Waste Management District consists of Greene County, Clay County, Lawrence County, and Randolph County. Any waste generated in any of our four counties must be disposed of in the NEARSWMD's landfill in Paragould, Arkansas, specifically at 1810 Greene County Road 890.

If for any reason a particular type of waste is not authorized at the NEARSWMD's landfill, and is hauled out of state for disposal, then the hauler is required by law {A.C.A. § 8-6-606(b)} to pay to ADEQ fees for that waste hauled to out of state for disposal.

The Arkansas Department of Environmental Quality's letter dated March 15, 2010 is attached to this Licensing Regulation as the next page.



March 15, 2010

To: Board Chairpersons, Regional Solid Waste Management Districts

Re: Licensing of Solid Waste Haulers

This is a reminder to Regional Solid Waste Management Districts that you should inform, train, and include in your solid waste hauter licensing/permitting process information regarding the out-of-state disposal fees that are required by the State.

This requirement is set forth in Arkansas Code Annotated § 8-6-606(b) (see below). The Arkansas Department of Environmental Quality administers the fee program via Arkansas Pollution Control and Ecology Commission's Regulation 11: Chapter Two: Solid Waste Management Landfill and Out-of-State Transporter Disposal Fee System. The fee is imposed on all transporters who collect waste generated in Arkansas and transport it out-of-state for disposal.

We suggest that you include this information in your licensing documents, if you have not already done so, and that you inform current licensed haulers of this requirement annually.

Please remember that the fees collected become part of your district's Recycling Grant funds, and that ADEQ depends upon new hauler information received directly from the districts before we can include such a hauler in our billing system.

Please contact me if you have any questions.

Thank you,

Pat Henry

Programs Branch, Solid Wasto Management Division Arkansas Department of Environmental Quality

5301 Horthshore Drive , North Little Rock AR 72118-5317

Phone 501-682-0588 FAX 501-682-0611 , e-mail henry@adeq.state.ar.us

A.C.A. § 8-6-606(b)

(1):for all solid waste generated and transported within the state but to be disposed of outside the state, there is imposed on each such solid waste transporter a solid waste transportation fee of twenty-five cents (25¢) for each uncompacted cubic yard of solid waste and forty-five cents (45¢) for each compacted cubic yard of solid waste transported.

(2) If a solid waste transporter chooses to operate on a weight basis, the solid waste transporter fee shall be one dollar and fifty cents (\$1.50) for each ton of solid waste transported in the state.

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY
01 NORTHSHORE DRIVE / NORTH LITTLE ROCK / ARKANSAS 72118-5317 / TELEPHONE 501-682-0744 / FAX 501-682-0880

NORTHEAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT LANDFILL

Northeast Arkansas Regional Solid Waste Management District P.O. Box 753 Paragould, Arkansas 72451 Phone: (870) 239-5572

APPLICATION FOR SOLID WASTE HAULER'S LICENSE

NOTE: the vehicle inspection checklist (page 10) and \$30 per truck annual fee is required for each vehicle hauling waste in our District regardless of whether the vehicle delivers to the landfill or to a transfer station.

All waste collected in Greene, Clay, Lawrence, and Randolph Counties must be destined for final disposal at the District's landfill at 1810 Greene County Road 890, Paragould, Arkansas. Waste can be taken to a transfer station in the District, but must be buried in the District's landfill.

Also, all haulers must read and comply with the Amendment on pages 5 and 6 concerning Arkansas waste hauled to out of state for disposal.

NOTE: a checklist (form LH5) and \$30 per truck annual fee is required for each vehicle hauling waste in our District regardless of whether the vehicle delivers to the landfill or to a transfer station.

Hauling Business Name:		
Street Address:		
Mailing Address:		
Telephone:		
Principal Owner(s):		
Street Address:		
Mailing Address:		
Telephone:		

The undersigned has read and understands the Northeast Arkansas Regional Solid Waste Management District's Regulation for Licensing Solid Waste Haulers, and the regulation pertaining to the collection and transportation of solid waste contained in the Arkansas Solid Waste Management Code, Chapter 2, Section 22, and agrees to abide by all applicable Federal, State and Local laws.

Applicant Signature

Date Submitted

HAULING BUSINESS NAME:

DESCRIPTION OF VEHICLE(S) (USE ADDITIONAL PAGES IF NECESSARY):

1.	Make	Model	Year	
	Vehicle ID No. AR License Pla Name of Owner		Cubic Yard Capacity:	
2.	Make	Model	Year	
	Vehicle ID No. AR License Pla Name of Owner		Cubic Yard Capacity:	
3.	Make	Model	Year	
	Vehicle ID No. AR License Pla Name of Owne		Cubic Yard Capacity:	
AUTH	ORIZED DRIVE	R(S) (USE ADI	DITIONAL PAGES IF NECE	SSARY):
1.	Name: Mailing Address	s:		
	Appropriate AR	Drivers Licens	se No	Expiration Date:
2.	Name: Mailing Address	s:		
	Appropriate AR	Drivers Licens	se No.	Expiration Date:
3.	Name: Mailing Addres	s:		
	Appropriate AR	Privers Licens	se No	Expiration Date:

HAULING BUSINESS NAME:

NATURE OF WASTES AND SIZE OF LOADS:

- A. HOUSEHOLD SOLID WASTE:
 - 1. Number of Households Served:
 - 2. Average Number of Tons Hauled Per Load:
 - 3. Average Number of Loads Hauled Per Month:
 - 4. Incorporated towns and/or communities in the Northeast Arkansas Regional Solid Waste Management District (Clay, Greene, Lawrence and Randolph Counties) served by your company (use additional pages if necessary).

	TOWN/COMMUNITY	NUMBER OF CLIENTS				
-						
-						

HAULING BUSINESS NAME:

B. COMMERCIAL/INDUSTRIAL SOLID WASTE:

- 1. Number of Businesses/Industries Served:
- 2. Average Number of Tons Hauled Per Load:
- 3. Average Number of Loads Hauled Per Month:
- 4. List all businesses and industries you serve (use additional pages if necessary):

		AVERAGE	TYPE OF	
		NUMBER OF	WASTE	
		TONS PER	(OFFICE,	COLLECTION
NAME	LOCATION	MONTH	PROCESS, ETC.)	SCHEDULE

NORTHEAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT LANDFILL

P.O. Box 753 Paragould, AR 72451 Phone: (870) 239-5572

SOLID WASTE HAULERS LICENSING PROGRAM

VEHICLE INSPECTION CHECKLIST

NOTE: this checklist for each hauling vehicle and \$30 annual fee for each hauling vehicle is required for each vehicle hauling waste in our District regardless of whether the vehicle delivers to the District's landfill or to a transfer station.

All waste collected in Greene, Clay, Lawrence, and Randolph Counties must be destined for final disposal at the District's landfill at 1810 Greene County Road 890, Paragould, Arkansas. Waste can be taken to a transfer station in the District, but must be buried in the District's landfill. Also, all haulers must read and comply with the Amendment on pages 5 and 6 concerning Arkansas waste hauled to out of state for disposal.

NOTE: a checklist and \$30 per truck annual fee is required for each vehicle hauling waste in our District regardless of whether the vehicle delivers to the landfill or to a transfer station.

Applicant Name: Address:		
Phone Number: V.I.N.:		
7 222 711	Yes	No
1. Application Complete (copy attached)	()	()
2. Leak-Proof as Practical	()	()
3. Suitably Enclosed, Covered and/or Secured	()	()
4. Sanitary Condition	()	()
5. A. Proof of Contractor/Vehicle Liability Insurance (copy attached)	()	()
Comments: Issue License Yes () No()		
License Number Issued for calendar year 2013 and applicable \$30 fee based on \$2.50 per full month remaining in calendar year 2013.	e paid or a	prorated amount
Authorized Signature:		
Printed Name:		
Date:		
Date.		

SOLID WASTE HAULERS WHO HAUL TO THE NORTHEAST AR REGIONAL SW MGT DISTRICT LANDFILL IN GREENE COUNTY, ARKANSAS:

Name of Hauler:	Truck License Decal Numbers	Types of Wastes	Area Served	Collection Frequen		Contract Arrangement	
City of Pocahontas PO Box 896 Pocahontas, AR 72455 870-892-3924	25,26	MSW	City	weekly		individual	
Randolph County 107 W. Broadway Pocahontas, AR 72455 870-892-5264	3-4 for their tran	3-4 for their transfer station trucks					
Nunn's Construction 101 NE Avenue Paragould, AR 72450 870-239-3348	49,50,51	C & D					
City of Corning P. O. Box 538 Corning, AR 72422 870-857-6001	16	MSW	City	weekly		individual	
Shelton Sanitation Inc. P. O. Box 327 Rector, AR 72461 877-595-1253	27-38,76,77	MSW	Clay Greene	weekly weekly		individual individual	
I.E.S.I. 100 Landfill Road Cherokee Village, AR 72 870-994-7000	17,18 2525	MSW	Lawren	ice week	ly	individual	
W. W. Recycling 1912 Independence Kennett, MO 63857 870-597-4444	56						
Smithson Disposal 520 W 9 th St. Kennett, MO 63857 573-888-2457	23,24 this hauler brings in out of state waste						
Downum's Disposal P. O. Box 9364 Jonesboro, AR 72403 800-886-0440 SOLID WASTE HAULI LANDFILL IN GREEN			IEAST A	Clay R REGIO	weekly ONAL SV		

Truck License Types of Area Collection Contract
Name of Hauler: Decal Numbers Wastes Served Frequency Arrangement

Marck Recycling 302 W 2 nd Street Crossville, MO 65625 870-718-4900	1-3 85						
Busy Bee Disposal P. O. Box 276 Maynard, AR 72444 870-647-2104	21	MSW		ce weekly bh weekly	individual individual		
Thielmier Hauling PO Box 422 Pocahontas, AR 72455 870-892-5128	78-83	MSW	Randol	oh weekly	individual		
Theodore Augustine 302 Eva Hoxie, AR 72433 870-809-1086	57	MSW	City	weekly	individual		
Jonesboro Roofing P. O. Box 9016 Jonesboro, AR 72403 870-935-4221	42-48						
Mr. T's 496 Hwy 412 Cardwell, MO 63829 573-654-2313	58 this hauler brings in out of state waste						
City of Hoxie 301 S. W. Cotter St. Hoxie, AR 72433 870-886-9624	12-15	MSW	City	weekly	individual		
Colley Roofing 558 Greene 632 Road Paragould, AR 72450 870-239-8166	73						
City of Paragould 301 West Court St. Paragould, AR 72450 870-239-7520	4-11	MSW	City	weekly	individual		
Clark General Po box 838 Walnut Ridge Ar	59,60						
Charles sharp 1201 Glendale Jonesboro Ar. 72401	62						
Elam Po box 2484 Jonesboro Ar. 72402	69						

Name of Hauler:	Truck License Decal Numbers	Types of Wastes	Area Served	Collection Frequency	Contract Arrangement
Robertson Roofing P. O. Box 144 Paragould, AR 72450	70-72				
Bobby Davis Roofing 268 CR 746 Jonesboro, AR 72401 870-802-4600	96				
Lance Beasley 1011 Morrow Drive Paragould, AR 72450	66-68				
Chase Robertson Roofing P. O. Box 144 Paragould, AR 72450	g 94				
Butler Roofing 802 W. Muller St Paragould Ar 72450	65				
Henson Trash Service Rt 4 box 1018 Peidmont, Mo 63957	92 this hauler	r brings in out of	f state w	aste	
German's Recycling Rt 2 box 2095 Peidmont, Mo 63957	63,64 this hau	ler brings in out	of state	waste	
Redman Roofing 1823 Hwy 351 Paragould Ar, 72450	61				
Friendly Waste 812 Lester Kennett Mo 63857	86-91 this hau	ler brings in out	of state	waste	
Sharp Disposal Po Box 373 Deering Mo 63840	63,64 this hau	ler brings in out	of state	waste	
Stanley LLC 1601 CR 626 Paragould Ar. 72450	74,75				
Derek Forman 1406 N 23rd Paragould Ar, 72450	84				

Clay County Ordinance Prohibiting Litter June 1977

ORDINANCE NO. //

AN ORDINANCE ENTITLED PROHIBITING LITTER ON PRIVATE AND PUBLIC PROPERTY; DEFINING LITTER; PROVIDING FOR A PENALTY FOR THE VIOLATION THEREOF; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE QUORUM COURT OF CLAY COUNTY, ARKANSAS, AS FOLLOWS, TO-WIT:

DEFINITIONS

The following words and phrases shall for the purpose of this ordinance have the following meanings:

(a) Litter and trash means all waste material which has been discarded, abandoned or otherwise disposed of as herein prohibited, including but not limited to convenience food and beverage packages or containers, trash, garbage, tires, all disposable packages or containers, deed animals; inoperable, dismantled or damaged motor vehicles that are unable to start and move under their own power; inoperative household appliances abandoned by reason of mechanical or physical defects which include but are not limited to refrigerators deep freezers, ranges, stoves, automatic dishwashers, clot deep freezers, ranges, stoves, automatic dishwashers, clothes washers, clothes dryers, trash compactors, television sets, radios, hot water heaters, air conditioning units, commodes and other plumbing fixtures, bed springs or other furniture.

SECTION 1. It shall be unlawful to drop, deposit, discard or otherwise dispose of litter upon any public or private property in this county or upon or into any river, lake, pond, or other stream or body of water within this county.

SECTION 2. If the throwing, dumping or depositing of litter was done from a motor vehicle, except a motor bus, it shall be prima facie evidence that the throwing, dumping or depositing was done by the driver or owner of the motor vehicle.

SECTION 3. It shall be unlawful for any person to operate any truck or other vehicle within this county to transport litter, and trash unless said vehicle is covered to prevent its contents from blowing, dropping, falling or otherwise departing from the vehicle.

SECTION 4. Every person convicted of a violation of this ordina shall be fined a penalty of \$500.00.

SECTION 5. Should any section, clause or provision of this ordinance be declared invalid by a court of record, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared invalid.

SECTION 6. This ordinance being necessary for the preservation of public health, peace, prosperity, safety, order, comfort, enjoym and convenience of the County of Clay, State of Arkansas and the inhabitants thereof and an emergency is hereby declared to exist an the members of the Clay County Quorum Court hereby unanimously and expressly dispense with the rule required by Arkansas Statutes passage thereof.

This ordinance adopted, passed and approved this 2/ day of June, 1977. requiring the reading of an ordinance on three different days befor

Attest: faccil lancing tracer series

Regulation amending District's Regulation this April 10th 2003

WASTE FLOW CONTROL REGULATION

"Solid Waste" means all putrescible and nonputrescible wastes which are permitted by law to be accepted for disposal at the District's Regional Landfill.

ARTICLE II. WASTE FLOW CONTROL

Section 1. Waste Flow.

Each county, city or other municipality located within the boundaries of the District shall deliver by operation of their governmental function all solid waste collected, treated, or otherwise handled within their jurisdiction to the District for treatment or disposal at the Regional Landfill, or shall contract with licensed entities or another municipality within the District for such collection, hauling, and delivery to the Regional Landfill unless otherwise specifically excepted from this Regulation.

Each county and municipality shall pass and enforce an ordinance specifically allowing for said contracts and their enforcement for the collection, hauling, and delivery of solid waste to the Regional Landfill.

Section 2. Exceptions.

Recyclable Materials.

Nothing in this Regulation shall prohibit a municipality or county from ~ constructing or operating a facility or project to process and market recyclable materials for use as fuel. Furthermore, nothing in this Regulation shall prohibit any county, city, municipality, business, person, or other entity from collecting, transporting, or processing recyclable materials from the solid waste stream that can be recovered for reuse in present or reprocessed form, provided that such recycling activities are conducted in compliance with a plan or project approved in advance by the Board.

Section 3. <u>Prohibitions</u>.

- a. Except as specifically provided otherwise in this Regulation, the disposal of solid waste generated within the District at any other place or in any other manner except at the Regional Landfill is prohibited.
- b. Except as specifically provided otherwise in this Regulation, no other landfill shall operate within the District for the purpose of accepting solid waste generated within the District; no other landfill shall accept solid waste generated within the boundaries of the District.

Section 4. No Restriction of Sources.

Nothing in this Regulation shall be construed to prohibit or restrict the District from accepting solid waste from any source allowable by law.

Section 5. Private Industry Landfills Not Affected.

Nothing in this Regulation shall be construed to prohibit or restrict the disposal of solid waste generated by a private industry in a permitted landfill where the private industry bears the expense of operating and maintaining the landfill solely for the disposal of waste generated by the industry.

ARTICLE III. EFFECT OF NONCOMPLIANCE

Section 1. Responsibility for Lost Revenues.

Any municipality or any business, person or other entity under contract thereto pursuant to Article II, Section 1 which collects, transports, hauls, or accepts solid wastes, or which causes or allows said solid waste to be disposed of at a place or in a manner prohibited by this Regulation shall be liable to the District for all costs and fees which would have been due the District had the solid waste been disposed of at the Regional Landfill.

Section 2. <u>Costs of Collection</u>.

Any person or other entity liable to the District as described in Section 1 of this Article shall reimburse the District for all damages, costs, and expenses, including attorneys' fees, expended by the District in enforcing this Regulation.

ARTICLE IV. RENTS, FEES, AND CHARGES

Section 1. Rents, Fees, and Charges.

Rents, Fees, and charges associated with the collection, handling, or disposal of solid waste by the District shall be set by the Board, and may be changed from time to time at the discretion of the Board.

ARTICLE VI. CONTINUITY

Section 1. Pledging of Revenues.

The revenue stream generated by solid waste to be collected, handled, or disposed of by the District as described herein shall be pledged in connection with the issuance of bonds, notes, or other evidences of indebtedness which were issued to fund construction and operation of the Regional Landfill.

Section 2. Irrevocability.

This Regulation shall remain in full force and effect and shall be enforced so long as any bonds, notes, or other evidences of indebtedness remain outstanding, the repayment of which has been secured by a pledge of the revenue stream as described herein.

ARTICLE VI. SEVERABILITY

If any provision of this Regulation or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Regulation which can be given effect without the invalid provision or application, and to this end, the provisions of this Regulation are declared to be severable.

Mike Gaskill Chairman

Levi Pillow

Secretary/Treasurer

Date Passed:

ORDINANCE NO. 0-1994-3

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF GREENE, STATE OF ARKANSAS: AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE REQUIRING THAT SOLID WASTE GENERATED OR COLLECTED WITHIN GREENE COUNTY, ARKANSAS BE DELIVERED TO THE REGIONAL LANDFILL OWNED BY THE NORTHEAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT

WHEREAS, Greene County, Arkansas (the "County") is a member of the Northeast Arkansas Regional Solid Waste Management District (the "District"); and

WHEREAS, the District has proposed to purchase the Paragould/Greene County Sanitary Landfill ("the Regional Landfill") located in Greene County, and plans to construct improvements to the Regional Landfill in order that the needs of the District may be served; and

WHEREAS, the Regional Landfill will be acquired by the District on or before June 1, 1994; and

WHEREAS, the efficient and economical operation of the Regional Landfill depends on a consistent reliable source of solid waste being delivered to the District for disposal at the Regional Landfill; and

WHEREAS, pursuant to the authority of Act 752 of 1991 (codified at Ark. Code Ann. S 8-6-701 et seq.), the District is requiring that solid waste generated or collected within the boundaries of the County be delivered to the District for Disposal at the Regional Landfill; and

WHEREAS, no landfill other than the Regional Landfill may legally accept solid waste generated or collected within the County;

NOW, THEREFORE, BE IT ORDAINED by the Quorum Court of Greene County, Arkansas:

Article 1. For the purposes of this Ordinance, "solid waste" shall mean all putrescible and nonputrescible wastes which are permitted by law and allowed by landfill operating permits to be accepted for disposal at the Regional Landfill, except that such term shall not include inert nonputrescible wastes approved for disposal in a Class IV landfill as defined in the Arkansas Solid Waste Management Code (1984).

Article 2. All solid waste collected, treated, or otherwise handled by the County shall be delivered to the District for

treatment or disposal at the Regional Landfill in the manner prescribed by the District.

Article 3. All solid waste generated or collected within the County shall be delivered to the District for treatment or disposal at the Regional Landfill as prescribed by the District.

Article 4. Nothing in this Ordinance shall be construed to prohibit or restrict the disposal of solid waste generated by private industry in a permitted landfill where the private industry bears the expense of operating and maintaining the landfill solely for the disposal of waste generated by the industry.

Article 5. Any person which generates, collects, transports, or accepts solid waste, and which causes or allows said solid waste to be disposed of at a place or in a manner prohibited by this Ordinance shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of up to \$500.00 for the first offense and up to \$1,000.00 for each subsequent offense.

Article 6. This Ordinance shall become effective on the date the Regional Landfill is acquired by the District, but in any event, no later than June 1, 1994. The Regional Landfill shall be considered "acquired" when the District is prepared to receive solid waste at the Regional Landfill on a regular basis, and the District notifies the County in writing or by publication that the Regional Landfill is prepared to receive solid waste from sources throughout the District.

Article 7. This Ordinance shall remain in full force and effect and shall be enforced so long as any bonds, notes, or other evidences of indebtedness issued to fund construction and operation of the Regional Landfill remain outstanding; or until the County receives specific authority in writing from the Board of the District allowing the disposal or treatment of solid waste generated or collected within the boundaries of the County in some other manner.

Passed and approved this 25 day of Opril, 1994.

APPROVED:

COUNTY JUDGE

ATTEST:

COUNTY CLERK

ORDINANCE NO. 94-6

AN ORDINANCE REQUIRING THAT SOLID WASTE GENERATED OR COLLECTED WITHIN THE CITY OF PARAGOULD, ARKANSAS BE DELIVERED TO THE REGIONAL LANDFILL OWNED BY THE NORTHEAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT

WHEREAS, the City of Paragould, Arkansas (the "City") is a member of the Northeast Arkansas Regional Solid Waste Management District (the "District"); and

WHEREAS, the District has contracted to purchase the Paragould/Greene County Sanitary Landfill ("the Regional Landfill") located in Greene County, and plans to construct improvements to the Regional Landfill in order that the needs of the District may be served; and

WHEREAS, the Regional Landfill will be acquired by the District on or before June 1, 1994; and

WHEREAS, the efficient and economical operation of the Regional Landfill depends on a consistent reliable source of solid waste being delivered to the District for disposal at the Regional Landfill; and

WHEREAS, pursuant to the authority of Act 752 of 1991 (Codified at Ark. Code Ann. Section 8-6-701 et seq.), the District is requiring that solid waste generated or collected within the boundaries of the County be delivered to the District for disposal at the Regional Landfill; and

WHEREAS, no landfill other than the Regional Landfill may legally accept solid waste generated or collected within the City;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Paragould, Arkansas:

Section 1. For the purposes of this Ordinance, "solid waste" shall mean all putrescible and nonputrescible wastes which are permitted by law and allowed by landfill operating permits to be accepted for disposal at the Regional Landfill, except that such term shall not include inert nonputrescible wastes approved for disposal in a Class IV landfill as defined in the Arkansas Solid Waste Management Code (1984).

Section 2. All solid waste collected, treated, or otherwise handled by the City shall be delivered to the District for treatment or disposal at the Regional Landfill in the manner prescribed by the District.

Section 3. All solid waste generated or collected within the City shall be delivered to the District for treatment or disposal at the Regional Landfill as prescribed by the District.

Section 4. Nothing in this Ordinance shall be construed to prohibit or restrict the disposal of solid waste generated by private industry in a permitted landfill where the private industry bears the expense of operating and maintaining the landfill solely for the disposal of waste generated by the industry.

Any person which generates, collects, Section 5. transports, or accepts solid waste, and which causes or allows said solid waste to be disposed of at a place or in a manner prohibited by this Ordinance shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of up to \$500.00 for the first offense and up to \$1,000.00 for each subsequent offense.

Section 6. This Ordinance shall become effective on the date the Regional Landfill is acquired by the District, but in any event, no later than June 1, 1994. The Regional Landfill shall be considered "acquired" when the District is prepared to receive solid waste at the Regional Landfill on a regular basis, and the District notifies the City in writing or by publication that the Regional Landfill is prepared to receive solid waste from sources throughout the District.

Section 7. This Ordinance shall remain in full force and effect and shall be enforced so long as any bonds, notes, or other evidences of indebtedness issued to fund construction and operation of the Regional Landfill remain outstanding; or until the City receives specific authority in writing from the Board of the District allowing the disposal or treatment of solid waste generated or collected within the boundaries of the City in some other manner.

Passed and approved this the day of Apple, 1994.

APPROVED:

Charles & Portles

MAYOR

ATTEST:

eldie Wise

(SEAL)

ORDINANCE	NO.	8

BE IT ENACTED BY THE <u>QUORUM COURT</u> OF THE COUNTY OF <u>GREENE</u>, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE REQUIRING THAT THE CONTRACTS FOR THE COLLECTION AND HAULING OF SOLID WASTE WITH <u>GREENE</u> COUNTY, ARKANSAS REQUIRE SAID SOLID WASTE BE DELIVERED TO THE REGIONAL LANDFILL OWNED BY THE NORTHEAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT.

WHEREAS, <u>Greene</u> County, Arkansas (the "County") is a member of the Northeast Arkansas Regional Solid Waste Management District (the "District"); and

WHEREAS, the District owns the Regional Solid Waste Landfill ("the Regional Landfill") located in Greene County; and

WHEREAS, the efficient and economical operation of the Regional Landfill depends on a consistent reliable source of solid waste being delivered to the District for disposal at the Regional Landfill; and

WHEREAS, pursuant to the authority of Act 752 of 1991 (Codified at Ark. Code Ann. Section 8-6-701 et. seq.), the District regulates the solid waste generated or collected within the boundaries of the County and strongly encourages said solid waste be delivered to the District for disposal at the Regional Landfill; and

NOW, THEREFORE, BE IT ORDAINED by the Quorum Court of Greene County, Arkansas:

- ARTICLE 1. For the purposes of this Ordinance, "solid waste" shall mean all put rescible and nonput rescible wastes which are permitted by law and allowed by landfill operating permits to be accepted for disposal at the Regional Landfill.
- ARTICLE 2. All solid waste generated or collected within the County shall be collected, treated, or hauled either by the County or by licensed entities or another municipality within the District under contract with the County according to Article 3 herein.
- ARTICLE 3. All contracts for the collection, treatment, or hauling of solid waste shall require that said solid waste be delivered to the District for treatment or disposal at the Regional Landfill in the manner prescribed by the District.
- ARTICLE 4. Nothing in this Ordinance shall be construed to prohibit or restrict the disposal of solid waste generated by private industry in a permitted landfill where the private industry bears the expense of operating and maintaining the landfill solely for the disposal of waste generated by the industry.

ARTICLE 5. Any person which generates, collects, transports, or accepts solid waste, and which causes or allows said solid waste to be disposed of at a place or in a manner prohibited by this Ordinance shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of up to \$500.00 for the first offense and up to \$1,000.00 for each subsequent offense.

ARTICLE 6. This Ordinance shall remain in full force and effect and shall be enforced so long as any bonds, notes, or other evidences of indebtedness issued to fund construction and operation of the Regional Landfill remain outstanding; or until the County receives specific authority in writing from the Board of the District allowing the disposal or treatment of solid waste generated or collected within the boundaries of the County in some other manner.

Passed and approved this 21st day of April, 2003.

APPROVED

LEVI PILLOW

GREENE COUNTY JUDGE

ALIEST

(SEAL)

CERTIFICATE

The undersigned, County Clerk of <u>Greene</u> County, Arkansas, hereby certifies that the foregoing pages are a true and correct copy of Ordinance No. __8 ___, adopted at a regular session of the Quorum Court of <u>Greene</u> County, Arkansas held at the regular meeting place of the Quorum Court at _____ p.m., on the __21st day of <u>April</u>_, 2003, and that said Ordinance is of record in Ordinance Record Book No. ___2 __, Page ___520, now in my possession.

GIVEN under my hand and seal this 22nd day of April, 2003.

(SEAL)

ORDINANCE NO.	03-05
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BE IT ENACTED BY THE <u>CITY COUNCIL</u> OF THE CITY OF <u>PARAGOULD</u>, <u>GREENE</u> COUNTY, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE REQUIRING THAT THE CONTRACTS FOR THE COLLECTION AND HAULING OF SOLID WASTE WITH CITY OF PARAGOULD, GREENE COUNTY, ARKANSAS REQUIRE SAID SOLID WASTE BE DELIVERED TO THE REGIONAL LANDFILL OWNED BY THE NORTHEAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT.

WHEREAS, City of <u>Paragould</u>, <u>Greene</u>, County, Arkansas (the "City") is a member of the Northeast Arkansas Regional Solid Waste Management District (the "District"); and

WHEREAS, the District owns the Regional Solid Waste Landfill ("the Regional Landfill") located in Greene County; and

WHEREAS, the efficient and economical operation of the Regional Landfill depends on a consistent reliable source of solid waste being delivered to the District for disposal at the Regional Landfill; and

WHEREAS, pursuant to the authority of Act 752 of 1991 (Codified at Ark. Code Ann. Section 8-6-701 et. seq.), the District regulates the solid waste generated or collected within the boundaries of the County and strongly encourages said solid waste be delivered to the District for disposal at the Regional Landfill; and

NOW, THEREFORE, BE IT ORDAINED by the <u>City Council</u> of City of <u>Paragould</u>, <u>Greene</u> County, Arkansas:

- ARTICLE 1. For the purposes of this Ordinance, "solid waste" shall mean all putrescible and nonputrescible wastes which are permitted by law and allowed by landfill operating permits to be accepted for disposal at the Regional Landfill.
- ARTICLE 2. All solid waste generated or collected within the City shall be collected, treated, or hauled either by the City or by licensed entities or another municipality within the District under contract with the City according to Article 3 herein.
- ARTICLE 3. All contracts for the collection, treatment, or hauling of solid waste shall require that said solid waste be delivered to the District for treatment or disposal at the Regional Landfill in the manner prescribed by the District.
- ARTICLE 4. Nothing in this Ordinance shall be construed to prohibit or restrict the disposal of solid waste generated by private industry in a permitted landfill where the private industry bears

the expense of operating and maintaining the landfill solely for the disposal of waste generated by the industry.

ARTICLE 5. Any person which generates, collects, transports, or accepts solid waste, and which causes or allows said solid waste to be disposed of at a place or in a manner prohibited by this Ordinance shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of up to \$500.00 for the first offense and up to \$1,000.00 for each subsequent offense.

ARTICLE 6. This Ordinance shall remain in full force and effect and shall be enforced so long as any bonds, notes, or other evidences of indebtedness issued to fund construction and operation of the Regional Landfill remain outstanding; or until the City receives specific authority in writing from the Board of the District allowing the disposal or treatment of solid waste generated or collected within the boundaries of the City in some other manner.

Passed and approved this 24 day of March, 2003.

APPROVED

MIKE GASKILL

MAYOR OF PARAGOULD

ATTEST:

Judy Reddick

(SEAL)

CERTIFICATE

The undersigned, City Clerk of the City of <u>Paragould</u>, <u>Greene</u> County, Arkansas, hereby certifies that the foregoing pages are a true and correct copy of Ordinance No. <u>03-05</u>, adopted at a regular session of the <u>City Council</u> of City of <u>Paragould</u>, <u>Greene</u> County, Arkansas held at the regular meeting place of the City Council, City of <u>Paragould</u>, at <u>7</u> p.m., on the <u>24th</u> day of <u>March</u>, 2003, and that said Ordinance is of record in Ordinance Record Book No. <u>22</u>, Page <u>112</u>, now in my possession.

GIVEN under my hand and seal this 25th day of March, 2003.

CITY CLERK

(SEAL)

INTER-DISTRICT WASTE TIRE HANAGEMENT PROGRAM AGREEMEN

This Agreement is made and entered into this 23 day October, 1997, by and between East Arkansas Regional Solid Management District (hereinafter referred to as "EARSWMD"), Mississippi County Regional Solid Waste Management District (hereinafter referred to as "MCRSWMD"), Northeast Arkansas Regional Solid Waste Management District (hereinafter refer as "NARSWMD") and the East Arkansas Planning and Development District ("EAP&DD") for the joint implementation and operat a waste tire management program.

WHEREAS, Act 752 of 1991, as amended, created regional waste management districts and established the powers and c of such districts to plan, regulate and manage solid waste systems, facilities and programs;

WHEREAS, EARSWMD, MCRSWMD and NARSWMD (hereinafter collectively referred to as the "Districts" or singularly a "District") are validly created regional solid waste managedistricts under Act 752 of 1991, as amended;

WHEREAS, Act 752 of 1991, as amended, directs the reg: solid waste management districts to establish waste tire collection programs (hereinafter referred to as the "Waste Program");

WHEREAS, Act 749 of 1991, as amended, and Arkansas Department of Pollution Control & Ecology Commission Regul: No. 14 specifically allow regional solid waste management districts to join together to administer the collection and disposal of waste tires within the confines of the District funds received by the Districts from the Waste Tire Grant and

WHEREAS, the Districts are desirous of entering into agreement to collectively administer and implement the collections and disposal of waste tires in accordance with applicable legislation and regulations.

NOW, THEREFORE, in consideration of the mutual covenar promises contained herein, the parties agree as follows:

- 1. FORMATION. The Districts hereby collectively joint together to pool their resources and funds received from the Waste Tire Grant Fund to jointly administer the Waste Tire Program within the confines of the respective Districts in accordance with the terms and conditions of this agreement Districts hereby approve, adopt and incorporate by referen provisions of the Administrative Procedures as set forth in Exhibit A attached hereto.
- 2. <u>VOTING</u>. The Districts acknowledge and agree tha District shall be entitled to one vote on all issues that

to the Waste Tire Program. Further, the Districts acknowledge and agree that all decisions of the Waste Tire Program shall determined by a majority vote.

3. TIRE OVERSIGHT COMMITTEE. The chairperson of each District or an appointee of such District shall serve as a me of the Tire Oversight Committee. The Tire Oversight Committee shall bear primary responsibility for reviewing and monitoring the actions of the Administrator, the actions of any party or entity with which the Districts are conducting business as required and communicating with all regulatory agencies and bodies as necessary.

The Tire Oversight Committee shall hold such meetings as shall deem necessary to fulfill its duties and responsibiliti under this agreement. The Tire Oversight Committee shall annually elect a chairperson who shall preside at all meeting

- 4. ADMINISTRATOR. The Districts hereby acknowledge the EAP&DD is the Administrator for the EARSWMD. The District hereby appoint the EAP&DD as the Administrator of the Waste T Program. The Administrator shall have primary responsibility the day-to-day operations of the Waste Tire Program as more particularly delineated on Exhibit A, attached hereto.
- agrees to participate in a joint application for Waste Tire C Funds annually and to administer such funds in accordance wit applicable legislation and regulations. The Waste Tire Grant Funds received by the Districts shall be deposited into an EJ account designated as the Waste Tire Operating Account. The Districts shall have access to the annual audit by the EAP&DI conducting its operations.

The EAPADD shall receive ten percent (10%) of the funds received by the Districts from the Waste Tire Grant Fund for administration of the Waste Tire Program in accordance with applicable legislation and regulations. The remaining ninet; percent (90%) of such funds shall be available for use in the Waste Tire Program in accordance with applicable legislation regulations.

The Districts shall cooperate with the Administrator and Tire Oversight Committee in the preparation and submission of tire management plan to the Arkansas Department of Pollution Control & Ecology as well as maintain compliance with all otlegislative or regulatory requirements. The Districts further agree to direct all waste tires within the confines of their District to the Waste Tire Program.

6. WASTE TIRE ABATEMENT PROJECTS. The Districts acknowledge and agree that the Administrator shall have the authority to contract with an individual or entity for the abatement of waste tire sites within the Districts in according

with applicable legislation and regulations. The Administrator shall keep the Chairperson of the District in which such abatement site is located apprised of the status of the abatement project as well as provide any information requested from the Districts or the Tire Oversight Committee in connection with the tire abatement project.

- 7. TERMINATION. This contract shall remain in full force and effect until one of the following events occurs:
 - (a) Termination of funding to the Waste Tire Fund;
 - (b) Written notice by a party to this contract of the party's intent to terminate this agreement. Such termination shall be effective on the last day of the first calendar quarter following a one year period after the date of such notice; and
 - (c) A termination provided by law.
- 8. ENTIRE AGREEMENT. This agreement constitutes the entire agreement of the parties and all other writings, statements, agreements or representations whether oral or written are superseded and replaced hereby. No alteration, change or modification of this agreement shall be made except in writing signed by all parties.
- 9. BINDING EFFECT. This agreement shall be binding upon the parties hereto and upon their successors and assigns.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year written below.

East Arkansas Regional Solid Waste Management District	
JOH BA	Date: /0-23-97
Northeast Arkansas Regional Solid Waste, Management District	
By: Dorland Holean	Date: 10 - 9-97
Mississippi County Regional Solid Waste Management District	
By: Stew Mr Sunt	Date: 10-8-97
Easy Arkansas Planning and Develop	ment
By than Oll-	Date: 10-23-97
District / /	ment

Northeast Arkansas Regional Solid Waste Management Distric	Northeast Ar.	kansas Region	al Solid Waste	Management	District
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AGREEMENT

THIS AGREEMENT, made this 31st day of October, 2003, by and between Greene County, Arkansas (hereinafter referred to as "County") and Shelton Sanitation, Inc., an Arkansas Corporation (hereinafter referred to as "Collector").

Section 1.

For other good and valuable considerations, receipt of which is hereby acknowledged.

County hereby grants to Collector the exclusive right to collect Refuse generated by R

Units located within the County, during the term and subject to the following limitations and conditions as hereinafter set forth.

Section 2. Definitions.

- (a) "County" shall mean Greene County, Arkansas.
- (b) "Container" shall mean 90-96 gallon plastic cart with lid.
- (c) "Garbage" shall mean putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.
- (d) "Hazardous Materials" shall mean wastes that are hazardous by reason of their pathological, explosive, radiological or toxic characteristics.
- (e) "Refuse" shall mean all putrescible and nonputrescible solid wastes (except body wastes), including by not limited to, garbage and rubbish.
- (f) "Residential Unit" shall mean a single family duplex dwelling within the County which has voluntarily subscribed to the services provided by the Collector.
- (g) "Rubbish" shall mean nonputrescible solid wastes (excluding ashes) consisting of both combustible and non-combustible wastes, such as paper, plastic, cardboard, tin and aluminum cans, glass, bedding, crockery and similar materials.

Section 3. Exclusive Right.

So long as Collector shall perform the services set forth herein, no other private refuse collector shall be permitted by the County to provide residential refuse collection services within the County, except upon the written consent of Collector. This provision does not apply to private collectors that may provide such collection services within the borders of municipalities or incorporated towns located with the County.

Section 4. Term.

(a) The term of this Agreement shall be for two (2) years beginning on Januar and ending on December 31, 2005, with the Collector having the option to renew this:

for three (3) additional, consecutive one-year terms subject to price adjustments that shall be subject to the County's approval.

- (b) The Collector shall have the right to renew this Agreement at the end of the initial two (2) year term by giving the County at least ninety (90) days advanced written notice, prier to December 31, 2005, of Collector's intent to renew this Agreement and ninety (90) days prior to additional one year terms. If the Collector does not give the County notice of their intention renew, the County may assume Collector is not going to renew this Agreement and proceed advertising for bids for a new Collector. Collector shall have the right to request a rate increase each additional one-year renewal terms by including the requested rate increase along with notice of intent to renew this Agreement. The requested rate increase is subject to approval by the County Quorum Court. If the County Quorum Court does not agree to the price increase, the Collector shall have the right to continue this Agreement at the existing rate or terminate this Agreement to be effective upon the expiration date of the current term of this Agreement.
- (c) In the event that the number of customers in good standing goes below 2,500 households, the Collector shall have the right to request a rate increase prior to the expiration of the current term of the contract. In this event, the Collector shall give the County written notice of the actual number of households and the requested rate increase. The collector shall included its calculation of the rate increase based on the reduced number of households along with its request for a rate increase. Such rate increase in this instance shall not be unreasonably withheld by the County as long as Collector is not in default with the other provisions of this Agreement. In the event that a rate increase is approved by the County, such rate shall revert to the rate existing prior to the increase in the event that the number of households equals or exceeds 2,500.

Section 5. Minimum Service.

Collector shall make a collection once a week of Refuse that is deposited in a Container by a customer.

Section 6. Collection Hours.

Collection shall be between the hours of 7:00 a.m. through 7:00 p.m., Monday through Friday. All collections shall be made as quietly as possible.

Section 7. Litter.

Collector shall not litter premises with Refuse in the process of making collections, but they shall not be required to collect material that has not been placed in approved Containers in a manner herein approved.

Section 8. Containers.

Prior to commencement of service, Collector shall deliver a Container to each Residential Unit at Collector's expense. Additional Containers delivered to a Residential Unit due to damage destruction or loss by the Residential Unit shall be provided at a price established by the Collector to be paid by the customer. Containers shall also be delivered at no cost to each new Residential Unit requesting service during the term of this Agreement and to Residential Units where

Container is damaged or destroyed by Collector. The Containers shall remain the property of Collector.

Section 9. Special Hazardous Materials.

Collector may provide haul service for Refuse, other wastes or Hazardous Materials that prohibited from being place in Containers by County Ordinance. These materials shall be collected and disposed in a manner approved by the County and Collector. No Hazardous Wastes or ownwastes shall be collected by Collector unless specifically requested by the generator, approved the County, and agreed to by the Collector at rates to be agreed upon by the Collector and generator.

Section 10. Collection Equipment.

Collector shall provide an adequate number of vehicles approved by the County for regular collection services. They shall be kept in good repair, appearance and in a sanitary condition at all times. Each vehicle shall have, clearly marked on each side, the name and phone number of Collector.

Section 11. Office.

Collector shall establish and maintain a toll free telephone number through which it can be contacted, where service may be requested, and complaints can be made. Collector shall be equipped with sufficient telephones, shall have at least one (1) responsible person in charge during collection hours, and shall be open from 8:00 a.m. to 5:00 p.m., Monday through Friday.

Section 12. Hauling.

All Refuse, special wastes and Hazardous Materials hauled by Collector shall be so contained, or enclosed that leaking, spilling or blowing are prevented. In the event of any leaking, spilling or blowing, Collector shall immediately collect and remove the litter caused by the incident.

Section 13. Disposal.

All Refuse, special wastes and non-Hazardous Materials shall be hauled to the Northeast Arkansas Regional Landfill. Any and all expenses and fees associated with disposing of the Refuse, special wastes or Hazardous Materials shall be the responsibility of Collector.

Section 14. Charges and Rates.

- (a) Subject to the discounts described in Section 18, the rate for service to Residential Units during the initial two year term of this Agreement shall be \$14.00 per Residential Unit moth.
- (b) In the event that a Residential Unit requests and receives two or more container collection, the charge for picking up a second container at the same Residential Unit shall negotiated between the Collector and generator.

(c) Section 26 sets forth a Special Service the Collector shall provide at no additional charge. For collection of items not covered by Section 26 that require a special handling due to size, weight, type of material, or method of placement, the charges for such collection are to be negotiated between Collector and generator prior to collection.

Section 15. Location.

All Refuse shall be placed in containers at locations that are readily accessible to Collect personnel and equipment and shall be within five (5) feet of the curb or public right-of-way

Section 16. Change in Fees Charged by Northeast Arkansas Regional Landfill.

Fees charged by the Collector during the second and subsequent years of this Agreement may be increased for increases in the amount of tipping or gate fees charged by the Northeast Arkansas Regional Landfill as set forth in the following paragraphs of this section.

In the event the Northeast Arkansas Regional Landfill increases the tipping or gate fees per yard there will be an automatic increase in the monthly Residential Unit collection rate effective on the same date as the effective date of the new tipping or gate fees. However, if a tipping or gate fee increase occurs during the first year of this contract, such monthly Residential Unit rate increase shall not occur until the beginning of the second year of this Agreement. The increase per Residential Unit will be 8.75 cents per month for each \$1.00 per yard increase over the base tipping or gate fee. For the purposes of this Agreement, the base tipping or gate fee is \$7.15 per yard. In the event that increases occur in amounts less than \$1.00 per yard, then the 8.75 cents per month will be pro-rated based on the per yard increase divided by \$1.00 and multiplied by 8.75 cents (e.g. an increase of fifty cents per yard will equate to a monthly Residential Unit rate of increase of 4.375 cents).

In the event that tipping or gate fees are reduced during the second and subsequent years of this Agreement, the monthly Residential Unit rate shall decrease in the same manner as a rate increase.

In the event that a rate increase occurs because of increased tipping or gate fees, the Quorum Court shall have the option of subsidizing the rate in lieu of increasing the monthly collection charge per Residential Unit. In the event the County subsidizes the rate increase, the County shall be entitled to the same discounts as set forth in Section 18(a).

If the Quorum Court elects to pass the rate increase along to the Residential Units, the Quorum Court shall amend its Ordinance establishing the rural collection services to reflect the monthly rate increase.

Section 17. Unusual Changes or Costs.

(a) In the event that the federal, state or local government imposes a special tax (such a sales tax), surcharge or other fee on Collection for the collection of Refuse in Greene C. Arkansas, after the effective date of this Agreement, the Collector may be able to pass the samuel tax, surcharge or other fee along to the Residential Units in accordance with the folloprovisions.

This section does not apply to gate or tipping fee increases or to changes in the income tax laws.

In the event the special tax, surcharge or other fee imposed is unique to the refuse collection business for environmental clean-up or disposal concerns, the Collector shall present to the Quorum Court, at least ninety (90) days prior to the effective date of the special tax, surcharge or other calculations that show the amount of special tax, surcharge or other fee that will be imposed Collector per Residential Unit per month along with the supporting legal authority for such increased (i.e. a copy of the federal or state Act that imposes such a fee).

In the event ths such calculations are presented to the Quorum Court at least ninety (90) days prior to the effective date and the Quorum Court agrees with the calculations, then the Collector may increase the monthly Residential Unit rate by an amount necessary to offset the special tax, surcharge or other fee.

If the proposed increase calculations are not presented at least ninety (90) days prior to the proposed effective date, such rate increase shall not be effective until the first day of the month following the expiration of ninety (90) days after the rate increase is presented.

In the event that the Collector and Quorum Court do not agree on the calculations, the Collector and Quorum Court shall hire an independent Certified Public Accountant with offices located in Greene County, Arkansas, to review the calculations and proposed monthly increase. The CPA shall then be asked to prepare independent calculations. After the CPA has prepared independent calculations, the increase per Residential Unit shall be the CPA's calculated rate increase per Residential Unit per month. Such costs for the CPA shall be paid one-half by Collector and one-half by Greene County.

In the event that a rate increase occurs because of special taxes, surcharges or other fees, the Quorum Court shall have the option of subsidizing the rate increase in lieu of increasing the monthly collection charge per Residential Unit. In the event the County subsidizes the rate increase, the County shall be entitled to the same discounts as set forth in Section 18(a).

Section 18. Billing, Discounted Rates, Delinquent Accounts and Discontinued Service.

- (a) The Collector shall bill each Residential Unit quarterly in advance for the collection services provided herein. Residential Units shall be given an opportunity to pay for service annually in advance. Residential Units which pay annually in advance shall receive a fifteen percent (15%) discount on its rate.
- (b) If a person is 65 years or older and he/she is the primary provider of income for a Residential Unit, or if the primary provider of income for a Residential Unit is handicapped, such Residential Unit shall be entitled to a ten percent (10%) discount on the collection rate.
- (c) The determination of whether a Residential Unit qualifies for the discounts above is between the Collector and Residential Unit. The Residential Unit shall submit all requirementation and proof to Collector before such discounts are considered by Collector.

- (d) The Collector shall bear the risk of any and all loss on accounts that are past due, delinquent or otherwise uncollectible.
- (e) The Collector shall be entitled to impose a ten percent (10%) late fee on all bills not paid by the 20th of the month.
- (f) The Collector has the right to suspend collection service to a Residential Unit that not paid its quarterly invoice in advance for service by the beginning of the quarter to which invoice refers. The Collector shall use due diligence in the collection of delinquent accounts.
- (g) The Collector shall be entitled to charge a \$25.00 fee for all restart customers. This means that any customer who has failed to pay his or her obligation and their container has been recovered by the Collector a charge will be made for the Collector's redelivery of the Container to the customer.

Section 19. Complaints.

The Collector shall respond to all complaints within twenty-four (24) hours. When a complaint is received on the day preceding a holiday or on a Saturday, the complaint shall be serviced the next working day.

Section 20. Routes and Schedules.

Collector shall provide the County with proposed schedules of Refuse Collection routes and shall keep such information current at all times. It shall be the Residential Unit's responsibility to place Refuse in an approved container at the appropriate location for collection before the approved starting hour. The Collector shall publish schedules of Refuse Collection routes from time to time as the same may be modified or altered.

Section 21. Notification.

Collector shall provide the County with a copy of any notices or other material the Collector delivers to Residential Units.

Section 22. Collector's Personnel.

- (a) Collector shall assign a qualified person or persons to be in charge of its' operations in the County and shall give the name or names to the County along with information regarding experience of the employee.
- (b) Wages of all employees of Collector shall be equal to or exceed the minimum hourly wages for each employee established by local, state or federal governments.
- (c) No person shall be denied employment by Collector for reasons of race, creec. or religion.
- (d) Collector shall obtain and maintain worker's compensation insurance as required local, state or federal law.

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Section 23. Compliance with Laws.

The right is hereby reserved by the County to adopt, in addition to the provisions herein contained and existing applicable ordinances, such additional regulations as it shall find necessary in the exercise of its police power, provided that such regulations by ordinance or otherwise shall be reasonable and not in conflict with the intended purpose of this Agreement. Collector conduct its operations under this Agreement in compliance with all applicable laws and its fair... to comply shall constitute a default hereunder.

Section 24. Performance Bond.

Collector shall furnish to the County a Performance Bond in the amount of \$200,000.00 insuring the faithful performance of this Agreement and executed by a surety company licensed to do business within the State of Arkansas. Said Performance Bond is in an amount deemed by the County and Collector to be reasonable and necessary to enable the County and to purchase equipment and obtain personnel to maintain the County's Refuse routes in the event that Collector defaults, becomes insolvent or fails to fulfill the terms and conditions set forth herein.

Section 25. Indemnity.

Collector shall indemnify, hold harmless, and exempt the County, its officers, agents, servants, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damage costs, expenses, and attorney's fees incident to any negligent work done in the performance of this Agreement.

Section 26. Special Service.

- (a) Collector shall provide a semi-annual clean-up service to collect and dispose of Class 4 items at no additional charge to the subscribing customers. The is service shall be made available not only to the Residential Units who participate with the Collector, but also will be made available to all non-participating residents. Class 4 items are considered household furniture and appliances. Appliances that have compressors, such as freezers, refrigerators and air-conditions shall not be picked up by Collector unless the appliance has attached a properly completed tag by a certified technician concerning the removal of Freon. The tagging of the appliance shall be the responsibility of the Residential Unit. The Collector and the County shall split all of the expenses and costs of the semi-annual clean-up service equally.
- (b) Collector agrees to provide "door step" or back-door service at no additional charge to handicapped citizens. Any question about the eligibility for such service shall be determined by the County after the Residential Unit has submitted all requested proof and documentation as to the disability.

Section 27. Assignment.

No assignment of this Agreement or any right occurring hereunder shall be made in unit or in part by Collector without the express written consent of the County. In the event cassignment, the assignee shall assume the liability of Collector. However, such assignment shall release Collector from any obligations or liability arising under this Agreement.

Section 28. Bankruptcy or Insolvency.

If Collector becomes insolvent or if Collector files a Petition of Voluntary Bankruptcy, or a creditor(s) of Collector files an Involuntary Petition of Bankruptcy against Collector, then the Collector shall be considered in default.

Section 29. Permits and License.

Collector shall obtain at its own expense all permits and licenses required by lavordinance and maintain same in full force and effect.

Section 30. Standard of Performance.

- (a) In the event Collector fails to collect Refuse as herein specified for a period in excess of ten (10) consecutive scheduled working days, the County, at the County's option, may act as follows (provided such failure is not due to war, insurrection, riot or act of God):
 - 1. The County may take over and operate any or all of Collector's equipment used in the performance of this Agreement. The County shall provide notice to the Collector of its intention to take over and operate the equipment.
 - 2. The County may use and operate the equipment until Collector is again able to carry out its operation under this Agreement. The County shall have access to Collector's records for the purpose of service routes and billing. The County shall be entitled to all payments and funds received for the period during which the County provides service, whether paid to the County or Collector. The Collector shall reimburse the County for any and all operating expenses incurred by the County less any amount of collection fees received by the County.
 - 3. During such period, the liability of the County to Collector for loss or damage to such equipment used by the County shall be that of a bailee for hire, ordinary wear and tear being specifically exempt from such liability. All claims or demand arising out of the operation of the collection service during the period of County operation shall be directed to the County.
- (b) In the event the Collector is unable for any cause or reason to resume performance of this Agreement at the end to thirty (30) calendar days, the County may proceed against the Performance Bond or take any other action available in Circuit Court. All liability of the County under this Agreement to Collector shall cease and the County shall be free to negotiate with other contractors for the operation of said collection service. Such agreement with another contractor shall not release Collector herein of its liability to the County for such breach of this Agreement.

Section 31. Default.

(a) The failure on the part of Collector to comply in any substantial respect with any the provision of this Agreement shall be grounds for default.

- (b) Upon default, the County may proceed against Collector's Performance Bond. The County shall also be entitled to seek any and all rights it may have in Circuit Court.
- (c) No such default shall take effect, except for a default because of insolvency or bankruptcy, until the County has served upon Collector written notice of default setting forth the nature and extent thereof. Collector shall have thirty (30) days following the notice of default correct the same. In the event of insolvency or bankruptcy of Collector, default shall be decimmediately.

Section 32. Right to Require Performance.

The failure of the County at any time to require performance by Collector of any provisions hereof shall not serve as a waiver of such performance and in no way affect the right of the County thereafter to enforce same. Nor shall waiver by the County of any breach of any provision hereof be taken or held to be a waiver of any succeeding breach of such provision or as a waiver of the provision itself.

Section 33. Entire Agreement.

This Agreement contains the entire Agreement between the County and Collector, and there are no other terms, conditions, promises, undertakings, statements or representations, express or implied, concerning this Agreement.

Section 34. Notice.

Any notice required by this Agreement shall be addressed and sent by Certified Mail via the United States Postal Service to the County and Collector as follows:

County:

Greene County Judge County Judge's Office 320 West Court Street Paragould, Arkansas 72450

Collector:

Alan Shelton Shelton Sanitation P.O. Box 327 Rector, Arkansas 72461

Section 35. Illegal Provisions.

If any provision of this Agreement shall be declared illegal, void or unenforceable, the other provisions that may be given effect without the illegal, void or unenforceable provision shall remain in full force and effect.

Section 36. Force Majeure.

Collector's performance hereunder may be suspended and its obligations excused in the - and during the period that such performance is reasonably prevented by a cause or causes be-

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storm, lack of fuel, judicial, administrative or governmental laws, regulations or requirements, labor strike, lock-out or injunction.

Section 37. Repeal by Voters.

In the event that the voters of Greene County, Arkansas, vote to rescind, void or any special or general election, the ordinance by which the County establishes the Refuse County Service, this Agreement shall become null and void.

Section 38. Modification.

This Agreement constitutes the entire Agreement and understanding between the parties hereto and it shall not be considered modified, altered, changed, or amended in any respect unless in writing and signed by the parties hereto.

Section 39. Headings.

The headings to the sections hereof have been inserted for convenience of reference only and shall in no way modify or restrict any provisions hereof or be used to construe any such provisions.

Dated this 31st day of Octobee , 2003.

GREENE COUNTY, ARKANSAS

Greene County Judge

Linda Heritage, County Clerk

SHELTON SANFTATION, INC.

Alan Shelton, President

Valerie Shelton

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The primary purpose of evaluating collection systems is to insure affordable and convenient collection services for all residents. Household cost, service area coverage, frequency of collection, and the effectiveness and convenience of collection for the resident must be considered in the needs assessment. The larger cities and towns in the District have their own sanitation departments collecting in the city limits. These are Paragould, Walnut Ridge, Hoxie, and Pocahontas. The following information provides an at a glance look at the collection systems for the rural areas of the District. The full text of the agreements (contracts) made between the counties quorum courts and private hauling companies are included in the Appendix of this year's needs assessment to answer any further questions the reader may have concerning a county's collection system.

Clay County: (western half of county)

NOTE: Succes Sanitation went out of business during year 2006. Therefore, waste in the western half of Clay County is collected by Shelton Sanitation.

Quorum Court Exclusive Agreement with Success Sanitation.

Agreement dated: November 15, 1999

Term of Agreement: 3 years Beginning January 1, 2000

Specific area:all roads west of 317 North of McDougal, south to 141 at McDougal, all west of 141 south to Boydsville all west of Boydsville including highway 90 west and road 415. all south and west of Boydsville up to road 406B

Charges to customers: \$21.60 per household per month

Solid Waste Collections are made once per week per household

Clay County: (eastern half of county)

Quorum Court Exclusive Agreement with Shelton Sanitation. Agreement dated: November 15, 1999

Term of Agreement: 3 years Beginning January 1, 2000

Specific area:all roads west of 317 North of McDougal, south to 141 at McDougal, all west of 141 south to Boydsville all west of Boydsville including highway 90 west and road 415, all south and west of Boydsville up to road 406B

Charges to customers: \$20.00 per household per month Solid Waste Collections are made once per week per household

Lawrence County: (western half of county, west of the Black River)

Quorum Court Exclusive Agreement with Independent Environmental Services Inc.

(I.E.S.I.)

Agreement dated: October 15, 1999

Term of Agreement: 3 years Beginning October 12, 1999

Charges to customers: \$13.00 per household per month

Discounts: 10% for persons over 65 years

Billings are done on a monthly or quarterly basis by I.E.S.I. Bills are sent to households

for collection.

Solid Waste Collections are made at least once per week per household

Lawrence County: (eastern half of county, east of the Black River)

Quorum Court Exclusive Agreement with Downum's Disposal Services

Agreement dated: October 15, 1999

Term of Agreement: 3 years Beginning October 12, 1999

Charges to customers: \$13.00 per household per month

Discounts: 10% for persons over 65 years

Billings are done on a monthly or quarterly basis by Downum's. Bills are sent to

households for collection.

Solid Waste Collections are made at least once per week per household

Greene County:

Quorum Court Exclusive Agreement with Shelton's Sanitation

Agreement dated: October 31, 2003

Term of Agreement: 2 years Beginning January 1, 2004 Ending December 31, 2005

Portion of County collected: Entire county

Charges to customers: \$20.30 per household per month

Discounts: 10% for persons 65 years or colder

Billings are done on a quarterly basis by Waste Management. Bills are sent to

households for collection.

Solid Waste Collections are made once per week per household

Randolph County:

No formal agreements exist between the Quorum Court and a solid waste hauler. County officials have advised the haulers of the District's Regulation concerning out of District transfer of waste and the haulers have signed statements verifying their understanding of the District's policy.

Cost of Class 1 disposal cell construction Phase 3, Units 1 through 6; and Phase 4 Units 1A & 1B East Valleys:

UNITS 1 and 2: ACRES: 3.46 and 3.12 for a total of 6.58 acres

 CONTRACTOR:
 BEC All-Waste
 BID PRICE:
 \$369,134.22

 WE PAID:
 \$464,100.11
 COST PER ACRE:
 \$70,531.93

 INVITE BIDS:
 December 23, 1996
 OPEN BIDS:
 January 16, 1997

 START WORK:
 March 10, 1997
 END WORK:
 October 20, 1997

NOTE: units 1 and 2 were re-bid to require **all** work to be done in one contract. Original bid was \$369,134.22. Change orders totaling \$94,965.89 caused the total paid to be \$464,100.11.

UNIT 3: ACRES: 4.56

CONTRACTOR: CEG Construction BID PRICE: \$347,324.00 WE PAID: \$341,699.00 COST PER ACRE: \$74,933.99

INVITE BIDS: October 26, 1998 OPEN BIDS: November 12, 1998 START WORK: November 25, 1998 END WORK: February 24, 1999

NOTE: unit 3 was originally bid for \$347,324.00. Refunds of \$5,625 by the contractor caused the total paid to be \$341,699.00.

UNIT 4: ACRES: 6.57

CONTRACTOR: **CEG Construction** BID PRICE: \$491.326.00 \$472,407.85 COST PER ACRE: \$71,903.78 WE PAID: January 16, 2000 February 7, 2000 INVITE BIDS: **OPEN BIDS:** START WORK: March 19, 2000 **END WORK:** June 29, 2000

NOTE: unit 4 was originally bid for \$491,326.00. Refunds of \$18,918.15 by the contractor caused the total paid to be \$472,407.85.

UNIT 5: ACRES: 6.44

CONTRACTOR: CEG Construction BID PRICE: \$430,861.00 \$403.800.95 WE PAID: COST PER ACRE: \$62,702.01 INVITE BIDS: March 4, 2001 **OPEN BIDS:** March 20, 2001 March 27, 2001 START WORK: **END WORK:** July 25, 2001

UNIT 6: ACRES: 6.05

CONTRACTOR: CEG Construction BID PRICE: \$353,089.82 WE PAID: \$353,089.82 COST PER ACRE: \$58,361.95 INVITE BIDS: February 19, 2002 **OPEN BIDS:** March 20, 2002 START WORK: March 28, 2002 June 21, 2002 END WORK:

Cost of Class 1 disposal cell construction Phase 3, Units 1 through 6; and Phase 4 Units 1A & 1B East Valleys:

UNIT 4-1A: CONTRACTOR: WE PAID: INVITE BIDS: START WORK:	ACRES: 9.0 CEG Construction Add for 1 foot protect Minus saved amount \$695,746.40 May 7, 2008 June 1, 2008	TOTAL:	\$685,152.96 + 22,000.00 \$707,152.96 - 11,406.56 \$695,746.40 \$ 77,305.16 May 27, 2008 October 10, 2008
UNIT 4-1B: CONTRACTOR: WE PAID: INVITE BIDS: START WORK:	ACRES: 6.0 CEG Construction Minus saved amount \$385,180.50 May 13, 2009 June 1, 2009	BID PRICE: for less dirt work TOTAL: COST PER ACRE: OPEN BIDS: END WORK:	\$385,972.00 - 791.50 \$385,180.50 \$ 64,196.75 May 28, 2009 October 21, 2009
UNIT 4-1C: CONTRACTOR:	ACRES: 4.3 CEG Construction	BID PRICE:	\$406,147.91
WE PAID: INVITE BIDS: START WORK:	\$397,192.91 May 7, 2011 June 1, 2011	TOTAL: COST PER ACRE: OPEN BIDS: END WORK:	\$406,147.91 \$ 92,370.44 May 25, 2011 September 1, 2011
INVITE BIDS: START WORK: UNIT Class 4 Landi Close out Class 4:	May 7, 2011 June 1, 2011 	COST PER ACRE: OPEN BIDS: END WORK:	\$ 92,370.44 May 25, 2011 September 1, 2011
INVITE BIDS: START WORK: UNIT Class 4 Land	May 7, 2011 June 1, 2011	COST PER ACRE: OPEN BIDS:	\$ 92,370.44 May 25, 2011

District Summary of Industrial Survey Forms

The report period requested is for materials received January 1 to December 31, 2017

Type of Industrial Waste	Annual Est. Volume In Tons	Material Disposition Landfill, Recycled, etc.	In-State Disposal Location	Out of State Disposal Location	Hauler of Material
MSW	320T	Landfill	The contraction was contracted and the contraction of the contraction	Section States and Control of Management and	Shelton Sanitation
Liquid Waste	NIA				
Sludge Waste	NA				
Medical Waste	NIA				
Other	NIA				

Provide a list of businesses surveyed.

La Kegicle Metal Specialtics
International Procurement and Distribution

La Keside Construction Fasteners

What is the approximate annual cost of current waste transportation and disposal at facilities in the District?

\$ 17,000

If any, please explain any predicted changes in types or quantities of industrial non-hazardous waste in the foreseeable future?

NIA

Do any industries in the District have a waste diversion or sustainability plan?

NA

If yes, please explain, include a copy, or provide access, if possible.

NIA

List any suggestions for State Regulations that area business see as beneficial if implemented or changed in the future?

AIM

District Summary of Industrial Survey Forms

The report period requested is for materials received January 1 to December 31, 2017

Type of Industrial Waste	Annual Est. Volume in Tons	Material Disposition Landfill, Recycled, etc.	In-State Disposal Location	Out of State Disposal Location	Hauler of Material
MSW	NA	Charles are what the his 200 of 12 house are a version would a	" - 1, will I' with re-mountain with the cold they also I will us lick and the graph of the lick and the lick	the plant where there is no were no way and well to see a second the second section of the section of the second section of the section	en granten de manten de tempo por la cida de Las de Albamon de Espainio de La nova de La de La de La de Albamon de La de
Liquid Waste	NA				
Sludge Waste	NA				
Medical Waste	NA				
Other					
MISC. TRASH	384 tons				THIELE MIER HAVLIN
MISC. TRASH (plantic wood,					THIELE MIER HAVLING (870-892-5128)
etc)		-			

Provide a list of businesses surveyed.

Pinnacle Frame

What is the approximate annual cost of current waste transportation and disposal at facilities in the District?

\$ 46,715.00

If any, please explain any predicted changes in types or quantities of industrial non-hazardous waste in the foreseeable future?

NA

Do any Industries in the District have a waste diversion or sustainability plan?

NO

If yes, please explain, include a copy, or provide access, if possible.

List any suggestions for State Regulations that area business see as beneficial if implemented or changed in the future?

NA

GRT Rubber technologies

District Summary of Industrial Survey Forms

The report period requested is for materials received January 1 to December 31, 2017

Type of Industrial Waste	Annual Est. Volume in Tons	Material Disposition Landfili, Recycled, etc.	In-State Disposal Location	Out of State Disposal Location	Hauler of Material
MSW	3,400 tons	Landf:11	NEA Landfill	bleeg blee en dies mit de name i en e veen egen veels versteels Chale mit de beste view die de name die steels	Marck
Liquid Waste	NA				
Sludge Waste	N/A				
Medical Waste	N/A				
Other	N/A				

Provide a list of businesses surveyed.

What is the approximate annual cost of current waste transportation and disposal at facilities in the District?

If any, please explain any predicted changes in types or quantities of industrial non-hazardous waste in the foreseeable future?

Do any industries in the District have a waste diversion or sustainability plan?

If yes, please explain, include a copy, or provide access, if possible.

List any suggestions for State Regulations that area business see as beneficial if implemented or changed in the future?

District Summary of Industrial Survey Forms

The report period requested is for materials received January 1 to December 31, 2017

Type of Industrial Waste	Annual Est. Volume In Tons	Material Disposition Landfill, Recycled, etc.	In-State Disposal Location	Out of State Disposal Location	Hauler of Material
MSW	5.24	Landfill	NEA Land till	of dissociation beginning a south time. It is assessed beauty is subtracted throught to the design of the distribution of the design of the de	Downoms Waste Service
Liquid Waste	0		A THE SAME OF THE		
Sludge Waste	10				
Medical Waste + Biol	2.9	Autoclave		SOU Rivergate Rb.	Stericycle
Other					
Incidental Spill Clea	1 901	Landfill	NEA candtill		Cline Environental

Provide a list of businesses surveyed.

What is the approximate annual cost of current waste transportation and disposal at facilities in the District?

If any, please explain any predicted changes in types or quantities of industrial non-hazardous waste in the foreseeable future?

Do any industries in the District have a waste diversion or sustainability plan?

If yes, please explain, include a copy, or provide access, if possible.

List any suggestions for State Regulations that area business see as beneficial if implemented or changed in the future?

FAX SHEET

RANDOLPH COUNTY JUDGE'S OFFICE

107 WEST BROADWAY

POCAHONTAS, AR. 72455

PHONE:870-892-5264 FAX: 870-892-2269

Transfer Station Survey Form

Name of Owner Rando	olph County	Contact Person Da	le Craft
Physical Address [각5	Landfill Rd	Permit Number 0	092-ST5W-C
	92-3489	Effective Date of Perm	May 13- 2021
The report period	requested is for mater	ials received January 1	to December 31, 2017
Type of Material	Annual In-District Volume in Tons	Out-of-District Volum in Tons	e Disposal Facility
MSW (Res. & Comm.)	85 27.12		Near Solid Waste
Industrial	N/A		
C & D Waste	2100.18		Near Solid Waste
Special Waste	N/A		
Liquid Waste	N/A		
Medical Waste	N/A		
Other Tin Scrap	42.22		Sharp Recycling
Totals	10669.52		

District Summary of Transfer Station Survey Forms

List of Facilities:	desides qui vilir garane e quas de equi propriate alimptete e e que e e estat	appropriate de State (Control of the State Control of the Control	
er organismissionismissionismidik (n. 10. 1. 10.) er omin deum einspielen eine film für einstelle einstelle ein Mit self 14 gegenstell 1800 mit gegen einem deuts einem einstelle einem einsche einstelle einstelle einstelle Mit self 14 gegenstellt 1800 mit gegen einem einstelle einem einstelle einstelle einstelle einstelle einstelle	elijki prilipija kuusuudisti di vali kuita vasta tersitä suurustataiseksi tii mittiija, ja sa kuutut 1900 – 180 (1 kuliusuus ausesta Essaina pilipinasia tepatataiseksi essaina ja viitaiseksi.	g. (2 km.) – 1 km. (4 f. g.) stageman prings groupe i vidente no i vidente mar i vidente sorrere para delle i de Pille. I Vidente significati de grife stageman principal de la principal de service de grife de la principal de service de la principal de la principal de service de la principal del principal de la principal del principal de la principal del la principal del la principal de la principal del la prin	S Comment of the Comm
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The report perio	d requested is for ma	iterials received January 1 to	December 31, 2017
material processing and the second of the se		Out-of-District Volume in	and which the state of the stat
Turns of Africanial	Annual In-District Volume in Tons	Tons	Disposal Facility
Type of Material	VOIGING IN TOUS	COID	with the same of t
MSW (Res. & Comm.)		·	
In death in I			
Industrial			
C & D Waste			illing on a second programmed a responsive position of the little of the second little of the second little of
Cryscial Macto			
Special Waste		May a come thrown approximate, of manufactured on the foresteening approximate	raffilige, regue i submitte andalitérate des préparables de l'étre, lange e duis à l'étre, est il le gape a commette
Liquid Waste	physical lives or war a frequency detailed the part of the stands field in dry		iki dalah gujuda wasa Mililina kasuwa mpinan pana sam maja da alam sa sambaya sambaya.
		the first approximating \$1,4 miles according to adults transport or the approximation of the approximation and	de viede an arme a rake Mausenth committel ermer it over tild i de fill til ene og refigershell flyss alltadissipable delpr
			oper tills alleg ett anskriftligsmellelle i tellsa signe fyrsterler till finlet pay var deterdel i signer sagstenhar
gans as resembled by the relative to a public security crisis. Property of		and the contract of the contra	alis a destribules careful arrespondente de relación qualen las e accesar e escriberar compres trapación de la
	Apparentinguation on approximate according to apparent order that		Palabireth Michigan employ can strate companies and see your companies to do to the place to companies with a displacement
The state of the s		The state of the s	
See See Section Section 16 to resident Section			er tilligi vanna av Frank fillingar förstydeltinghallt kannant skilpföljagningar dan som dalltin reprise f
and gray have my horizontal man and an analysis			
Physician with the substitute annual annual substitutes and a substitute of the subs	a san significance de la mara que mayo mayo mayo mayo de angalina da mayo pagalina da mayo na mandan na	ngg – de pasialeuterregeneraleitfelus enne. Menne tr genesantet ettersjel des enn bles ernist fis de erk ups. de mank	allow argains a source and standard and date the consequences that these being around associated design and work top
			tright your til helis maken me i even transformationsplagtimen flysta frittigen av
The same to the sa			
Totals			

District Summary of Hauter Survey Forms

Distri	 		
INSTE		3 111	ο.
23.31.11			

The report period requested is for materials received January 1 to December 31, 2017

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential	10,500	10,800	4	4	Kesidential Vaste
Commercial	1,000	6,480	3	3	commercial wreste
Medical Waste					
C & D Material					
Recycling	600	N/A	1	1	Malerial Malerial
Industrial			Minight 1 2 res 1 1 res		
Other					
Totals				∇	

Attach a list of Haulers and the Disposal Facilities they use with this completed form.

Include a highlighted District-wide street-level map showing the combined Haulers' Services Areas.

District	Summany	១ខែ	Mauler	San	Farans

Shelton Sanitation Inc

District Name:

The report period requested is for materials received January 1 to December 31, 2017

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential	9045	8702.72	6	27	residential waste
Commercial	672	2501.2	4	7	commercial waste
Medical Waste	Ø	Ø	Ø	Ø	N/A
C & D Material	219	2277	3	on-call	Construction+Demolition Waste
Recycling	Ø	Ø	Ø	Ø	N/A
Industrial	3	3770.4	3	on-call	Construction + Demolition wast
Other	ϕ	Ø	Ø	Ø	N/A
			4		
Totals	9939	17,251.32	13	34	

Attach a list of Haulers and the Disposal Facilities they use with this completed form.

Include a highlighted District-wide street-level map showing the combined Haulers' Services Areas.

District Summary of Hauler Survey Forms

Distri			
LHICTE	CT	m_{2}	mo.
DISLI		140	me.

The report period requested is for materials received January 1 to December 31, 2017

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential			No. William wild automate and a		
Commercial					
Medical Waste			And a second processing		
C & D Material			The special and the special an		
Recycling	1	15	1	0	
Industrial	1	15	1	0	
Other			and the state of t		
Totals	2	30	1	0	

Attach a list of Haulers and the Disposal Facilities they use with this completed form.

Include a highlighted District-wide street-level map showing the combined Haulers' Services Areas.