

Landfill/Solid Waste Enforcement: Arkansas Department of Environmental Quality and City of Morrilton Enter into Consent Administrative Order



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The Arkansas Department of Environmental Quality (“ADEQ”) and the City of Morrilton (“Morrilton”) entered into a July 24th Consent Administrative Order (“CAO”) addressed alleged violations of Arkansas Pollution Control and Ecology Commission Regulation No. 22 (Solid Waste Management Code). LIS 18-068.

Morrilton is stated to own and operate a Class 1 Landfill (“Facility”) in Conway County, Arkansas.

An ADEQ inspector is stated to have conducted a quarterly inspection of the Facility on September 19, 2016.

The ADEQ inspector is alleged to have observed the following violations of Arkansas Pollution Control and Ecology Commission Regulation 22. The alleged violations are described as:

- The following equipment at the landfill had not been routinely maintained and was in need of repairs at the time of the inspection: a compactor, two dozers, and a dirt hauler. Additionally, the Facility did not have adequate backup equipment.
- The active working face was not confined to the smallest practical area.
- The Facility did not have any surface water controls to control erosion on the west, east, and north slopes of the landfill. Additionally, erosion rills and cuts were observed in several areas throughout the landfill.
- The south slope of Cell 3 was not contoured to drain surface water. Consequently, surface water was standing on the south end of Cell 3 near the active portion of the landfill.
- The Facility did not have adequate vegetation on the north slope of Cell 3, the east slope of Cell 5, and the west slope of Cell 1.
- Erosion with exposed waste was observed on the north slope of Cell 3, the east slope of Cell 5, and the west slope of Cell 1. Additionally, leachate leaks were observed on the north slope of Cell 4 and the west slope of Cell 1.
- Leachate was discharging from the north slope of Cell 4 into a storm water ditch.

A consultant on behalf of the City submitted an August 7th letter to ADEQ on behalf of Morrilton to address the violations noted during the previously referenced inspection. The consultant is stated to have

indicated that corrective actions are ongoing at the facility. Further, the consultant is stated to have submitted a proposed Correction Action Plan (“CAP”) and implementation schedule outlining the activities to be performed to correct the violations noted during the inspection.

The Order requires that Morrilton undertake, within 10 calendar days of the document’s effective date, submittal of documentation that all non-operational equipment at the landfill has been repaired and is fully operational. Certain equipment is specified and Morrilton is also required to ensure that provisions are in place providing for adequate backup equipment within 24 hours of any equipment failure.

Morrilton is further required to immediately undertake measures to ensure that the active working face of the landfill is confined to the smallest practical area.

The CAO provides that within 30 days of the document’s effective date Morrilton submit documentation that surface water controls have been constructed in order to minimize and control erosion on steep slopes at the landfill. During the same time period, Morrilton is required to submit documentation that the surface of the landfill has been properly contoured in order to alleviate ponding of surface water and provide documentation that seeding and soil stabilization have been completed in order to minimize and prevent erosion of the cover system for the specified slopes.

Morrilton is also required within 30 days of the effective date of the CAO to submit documentation that all defects in the cover system have been repaired and that it is being properly maintained. Repairs are also required to be undertaken addressing leachate seepage or areas exhibiting evidence of leachate seepage.

Immediate measures must be undertaken to cease any and all leachate discharges from the landfill. Documentation of run-on and run-off control systems designed, constructed, and operated as necessary to comply with this requirement must be provided to ADEQ.

The CAO assesses a civil penalty of \$10,000 of which \$8,000 may be used for one or more Supplemental Environmental Projects. The Supplemental Environmental Projects must be approved by ADEQ’s Director pursuant to procedures specified in the CAO.

A [copy of the CAO](#) can be downloaded here.