

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

CARTER OFF ROAD PARK, LLC
7498 ANDERSON ST.
ALEXANDER, AR 72002

LIS NO. 17- 038
AFIN 63-01087

AND

MARK CARTER
23111 INTERSTATE 30
BRYANT, AR 72022

CONSENT ADMINISTRATIVE ORDER

This Consent Administrative Order (Order) is issued pursuant to the authority of the Arkansas Water and Air Pollution Control Act, Ark. Code Ann. § 8-4-101 *et seq.*; the Federal Water Pollution Control Act, 33 U.S.C. § 1311 *et seq.* and the regulations issued thereunder by Arkansas Pollution Control and Ecology Commission (APC&EC); the federal Clean Air Act, 42 U.S.C. § 7401 *et seq.* and the federal regulations issued thereunder; APC&EC Regulations 7, 8, 18, and 19; and the Arkansas Solid Waste Management Act, Ark. Code Ann. § 8-6-201 *et seq.*, and APC&EC Regulation 22.

The issues herein having been settled by the agreement of Mark Carter and Carter Off Road Park, LLC (CORP), collectively Respondents, and the Arkansas Department of Environmental Quality (ADEQ or Department), it is hereby agreed and stipulated that the following FINDINGS OF FACT and ORDER AND AGREEMENT be entered.

FINDINGS OF FACT

1. Respondents own and operate an outdoor park (the site) located at 7498 Anderson Street, Alexander, in Pulaski County and Saline County, Arkansas. According to Respondent CORP's website, the outdoor park has over 1000 acres for off-roading.

2. Respondent Mark Carter owns the real property upon which Respondents operate the outdoor park.
3. Respondent CORP was established in 2014 for the purpose of creating an outdoor park.
4. Respondent CORP is subject to regulation pursuant to the National Pollutant Discharge Elimination System (NPDES).
5. Respondents have constructed mud pits, trails, hill climbs, a four-thousand-foot obstacle course, tent camping sites, RV sites, a pavilion with rooms for rent, tree-house cabins, primitive cabins, and a restroom facility at the site.
6. Respondent CORP discharges stormwater to an unnamed tributary of Fourche Creek, thence to Fourche Creek.
7. Fourche Creek is listed on the 2008 Impaired Waterbodies 303(d) list and the Draft 2016 Impaired Waterbodies 303(d) list.
8. Pursuant to the federal Clean Water Act, 33 U.S.C. § 1311(a) et seq., the NPDES program prohibits the discharge of pollutants except as in compliance with a permit issued under the NPDES program in accordance with 33 U.S.C. § 1342(a).
9. ADEQ is authorized under the Arkansas Water and Air Pollution Control Act (the Act) to issue NPDES permits in the state of Arkansas and to initiate an enforcement action for any violation of an NPDES permit.
10. In May of 2015 and 2016, Respondent CORP hosted an annual event entitled Mud Daze at the site. The activities that took place at the site during the annual Mud Daze events included, but were not limited to the use of off-road vehicles in both dry and muddy conditions. Prior to and during the annual Mud Daze events, ADEQ Office of Water Quality field Inspectors conducted inspections and obtained samples from waters of the state at various locations around

the boundaries of the site. Analysis of the water samples indicated increases in turbidity as a result of vehicle usage in and around Fourche Creek and its tributary during the annual Mud Daze events.

11. ADEQ met with representatives of Respondents to discuss corrective actions and interim measures to be implemented prior to the 2017 Mud Daze event to reduce turbidity in both Fourche Creek and the unnamed tributary to Fourche Creek. It is the agreed objective of both ADEQ and Respondents that Respondents immediately implement interim corrective measures prior to the 2017 Mud Daze event and to subsequently implement permanent corrective measures for the long-term protection of Fourche Creek and the unnamed tributary of Fourche Creek. Both ADEQ and Respondents acknowledge that the development and implementation of permanent solutions to reduce turbidity and provide acceptable environmental protection of Fourche Creek and its tributary is an ongoing process, which includes sampling conducted by CORP after Mud Daze events or heavy rain events to determine the effectiveness of the implemented solutions. ADEQ and Respondents agree that due to the unique nature of the outdoor events held by CORP and the large number of patrons attending the annual Mud Daze events, the best management practices and corrective actions implemented by CORP to reduce turbidity may be revised on an annual basis to provide the best opportunity to achieve compliance with state laws and regulations.

12. In April and May of 2017, Respondents provided ADEQ with details of the proposed corrective actions and subsequently amended these corrective actions at the request of ADEQ, collectively CORP's Corrective Actions. CORP's Corrective Actions address the implementation of interim corrective measures prior to the 2017 Mud Daze event and the subsequent implementation of permanent corrective measures for the long-term protection of

Fourche Creek and the unnamed turbidity of Fourche Creek. CORP's Corrective Actions included a timeline for completion of those actions prior to the May 12, 2017 Mud Daze event and a timeline for future corrective actions.

ORDER AND AGREEMENT

WHEREFORE, in order to address the turbidity impacts to Fourche Creek and its tributary, as an interim corrective action Respondents and ADEQ do hereby agree and stipulate as follows:

1. Respondents shall take corrective actions to do the following prior to the May 12, 2017 commencement of Mud Daze activities on the site:
 - a. Initiate corrective actions and best management practices as set forth in CORP's Corrective Actions to reduce turbid water and sediment from being discharged from the mud pits on the site.
 - b. Initiate corrective actions and best management practices as set forth in CORP's Corrective Actions to reduce the potential for an increase in turbidity in Fourche Creek due to the vehicle activity of Respondent CORP's patrons.
 - c. Initiate corrective actions and best management practices as set forth in CORP's Corrective Actions to reduce turbid water from the large disturbed areas from entering waters of the state.
 - d. Dispose of solid waste properly.
 - e. Eliminate dust generation on the entrance road by paving it and providing dust suppression on unpaved the unpaved portion.
2. Respondents have submitted to ADEQ CORP's Corrective Actions which sets forth the interim corrective actions intended to mitigate or reduce possible exceedances of the turbidity

standard for Fourche Creek and its tributary. CORP's Corrective Actions are attached hereto as Exhibit A.

3. On initiation of CORP's Corrective Actions, Respondents shall maintain these preventative measures through the 2017 Mud Daze, and remove any temporary measures during cleanup activities that occur upon completion of the 2017 Mud Daze event. These corrective actions are intended to mitigate or reduce the reoccurrence of exceedances of turbidity standard for Fourche Creek and its tributary.

4. During the May 2017 Mud Daze event, including event preparation and clean-up, Respondents shall monitor the site and document the effectiveness of the corrective actions. Within thirty (30) calendar days of the effective date of this Order, Respondents shall submit to ADEQ a final event report detailing the specific actions taken to implement the terms of this Order and the effectiveness of those actions. Documentation of the corrective actions, including but not limited to photographs, shall be included in the submission.

5. In the event of any exceedances of turbidity standards or discharges of sediment in Fourche Creek or its tributary occur during the May 2017 Mud Daze event, Respondents shall within 30 days submit to ADEQ for review and approval a Remedial Action Plan that, upon approval by ADEQ, Respondents shall initiate at the site for protection of Fourche Creek and its tributary. If Respondents' final event report, as reviewed and approved by ADEQ, demonstrates that Respondents fully and timely implemented and maintained CORP's Corrective Actions in compliance with Paragraphs 1 through 4 above, then ADEQ shall consider implementation of the approved Remedial Action Plan as an alternative to the assessment of an administrative civil penalty to resolve those exceedances of turbidity standards or discharges of sediment stemming from the May 2017 Mud Daze event.

6. Failure to meet the limits, requirements, or deadlines of this Order or the applicable approved schedules provided for herein constitutes a violation of this Order. If Respondents fail to meet any limits, requirements, or deadlines, Respondents consent and agree to pay, on demand, to ADEQ stipulated penalties according to the following schedule:

- (a) First day through the fourteenth day: \$100 per day
- (b) Fifteenth day through the thirtieth day: \$500 per day
- (c) Each day beyond the thirtieth day: \$1000 per day

These stipulated penalties for delay in performance shall be in addition to any other remedies or sanctions which may be available to ADEQ by reason of Respondents' failure to comply with the requirements of this Order. Stipulated penalties shall be paid within thirty (30) calendar days of receipt of ADEQ's demand to Respondents for such penalties.

7. All of Respondents' required actions and submissions set forth by this Order are subject to approval by ADEQ. Unless otherwise specified herein, in the event of any deficiencies, Respondents shall, within fourteen (14) calendar days of notification by ADEQ, submit any additional information or changes requested, or take additional actions specified by ADEQ to correct any such deficiencies. Failure to adequately respond to such Notice of Deficiency within thirty (30) calendar days constitutes a failure to meet the requirements established by this Order and is subject to the stipulated penalties established above.

8. If any event, including but not limited to an act of nature, occurs that causes or may cause a delay in the achievement of compliance by Respondent with the requirements or deadlines of this Order, Respondents shall so notify ADEQ, in writing, as soon as reasonably possible after it is apparent that a delay will result, but in no case after the due dates specified in this Order. The notification shall describe in detail the anticipated length of the delay, the precise cause of the

delay, the measures being taken and to be taken to minimize the delay, and the timetable by which those measures will be implemented.

9. ADEQ may grant an extension of any provision of this Order, provided that Respondents requests such an extension in writing and provided that the delay or anticipated delay has or will be caused by circumstances beyond the control of and without the fault of Respondents. The time for performance may be extended for a reasonable period but in no event longer than the period of delay resulting from such circumstances. The burden of proving that any delay is caused by circumstances beyond the control of and without the fault of Respondents and the length of the delay attributable to such circumstances shall rest with Respondent. Failure to notify ADEQ promptly, as provided in the preceding Paragraph of this Section, shall be grounds for a denial of an extension.

10. This order is effective upon the Director's signature. This Order is subject to public review and comment in accordance with Ark. Code Ann. § 8-4-103(d). ADEQ retains the right to rescind this Order based upon the comments received within the thirty-day public comment period. The publication of this Order shall occur on or about the 10th or 25th day of the month following the date this Order is executed. As provided by APC&EC Regulation No. 8, this matter is subject to being reopened upon Commission initiative or in the event a petition to set aside this Order is granted by the Commission.

11. Nothing contained in this Order shall relieve Respondents of any obligations imposed by any other applicable local, state, or federal laws.

12. Nothing in this Order shall be construed as a waiver by ADEQ of its enforcement authority over alleged violations. Also, this Order does not exonerate Respondents from any past,

present, or future conduct, nor does it relieve Respondents of its responsibilities for obtaining any necessary permits.

13. By virtue of the signature appearing below, the individual represents that he or she is a Managing Member of Respondent CORP, being duly authorized to execute and bind Respondent CORP to the terms contained herein as attested by the secretary of the entity. Execution of this CAO by an individual other than a Managing Member of Respondent CORP shall be accompanied by a resolution granting signature authority to said individual as duly ratified by the governing body of the entity.

SO ORDERED THIS 11 DAY OF May, 2017.

Becky W Keogh
BECKY W. KEOGH, DIRECTOR

APPROVED AS TO FORM AND CONTENT:

MARK CARTER

BY: [Signature]
(Signature)

Mark Carter
(Typed or printed name)

DATE: 5-11-17

AND

CARTER OFF ROAD PARK, LLC

BY: [Signature]
(Signature)

Mark Carter
(Typed or printed name)

TITLE: _____

DATE: _____

Exhibit A

CORP's Corrective Actions



PMI

POLLUTION MANAGEMENT, INC.

April 4, 2017

Mr. Bob Blanz
Office of Water Quality
ARKANSAS DEPARTMENT OF
ENVIRONMENTAL QUALITY
5301 Northshore Drive
North Little Rock, AR 72118-5328

RE: Carter Off Road Park, LLC
Corrective Action Plan

Dear Mr. Blanz:

On behalf of Carter Off Road Park, attached is the Corrective Action Plan for your review. The Corrective Action Plan is written to correct issues that ADEQ has noted on the site. If an issue has been overlooked by this plan, please let us know and it will be addressed. Carter Off Road Park is working on the corrective action items and is attempting to complete the items prior to the Mud Daze event in May, if possible.

Should you have any questions or require additional information, please do not hesitate to contact me at 501-221-7122.

Respectfully,

POLLUTION MANAGEMENT, INC.

Wm. Doug Ford, P.E.

WDF:bsl
QUAT-10379

cc: Mark Carter, Carter Off Road Park
Al Eckert, Quattlebaum, Grooms & Tull
Chad Pekron, Quattlebaum, Grooms & Tull

CARTER OFF-ROAD PARK

CORRECTIVE ACTION PLAN

**PREPARED FOR: CARTER OFF-ROAD PARK, LLC
14824 CHICOT ROAD
MABELVALE, AR 72103**

**PREPARED BY: WILLIAM D. FORD, P.E.
POLLUTION MANAGEMENT, INC.
3512 S. SHACKLEFORD
LITTLE ROCK, AR 72205**

APRIL 4, 2017



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1.0 INTRODUCTION

Carter Off-Road Park, LLC (Carter) is located in southwest Pulaski County on the north end of Anderson Road; see Drawing No. 1, Vicinity Map. The main entrance to the park is located off of Anderson Road. Carter's property is approximately 1,050 acres with the Fourche Creek meandering through the property from the northwest to the southeast. The property is mostly undeveloped and used for an All Terrain Vehicle (ATV) park.

Carter has been inspected by the Arkansas Department of Environmental Quality (ADEQ) for complaints of dust along the entrance to the park and for water quality issues at Fourche Creek. ADEQ has made several inspections of Carter and noted environmental issues at the park. Carter does not have any ADEQ Permits and at the time of this plan does not fit into any required permit for the facility. Carter acknowledges some environmental issues and desires to correct the issues with ADEQ and Carter's neighbors.

2.0 CARTER OFF ROAD PARK FACILITY

The Carter facility consists of a main entrance located off the north end of Anderson Road, a series of ATV trails, stream crossings, mud holes, camping areas and rental cabins, see Drawing No. 2 for park layout. The rental cabins are located near the entrance of the park and on a hillside west of the entrance, see Drawing No. 2. An Entergy electric transmission line and right-of-way cross the Carter property from northwest to southeast. The property is 90 percent wooded, has several ponds and tributaries that flow into Fourche Creek. FEMA has mapped a floodplain and floodway on the Carter property along Fourche Creek, see Drawing No. 3.

The Carter facility does not have any industrial activity at the property and has completed the construction activities on the property. The sole purpose of the park is for the trail riding of ATVs and camping. Carter does allow campers to build fires for camping and Carter also constructs woodpiles for bon fires in two (2) to three (3) locations on the property. Carter does not accept wood debris from outside services for disposal on the property.

3.0 ADEQ CORRECTIVE ACTION ISSUES

As stated above, ADEQ has visited the Carter facility several times and has requested the following issues be addressed:

- a. Obtain a construction stormwater permit for all on-going construction projects;
- b. Meet water quality limits for turbidity and total suspended solids in Fourche Creek;
- c. Do not receive trees, tree debris, etc. for disposal on the property;
- d. Do not receive any solid waste for disposal on the property;
- e. Control dust along the entrance road off of Anderson Road;
- f. Permit septic systems for rental cabins;
- g. Place solid waste dumpsters on site for collection and disposal of solid waste;
- h. Vegetate disturbed earth areas;
- i. Locate buried solid waste, remove and dispose;
- j. Discontinue open burning of wood debris other than bon fires.

4.0 CARTER PROPOSED CORRECTIVE ACTIONS

The below list are corrective actions proposed by Carter to mitigate the ADEQ issues listed in Section 3.0 of this plan. The corrective actions listed below correspond to the items listed in Section 3.0.

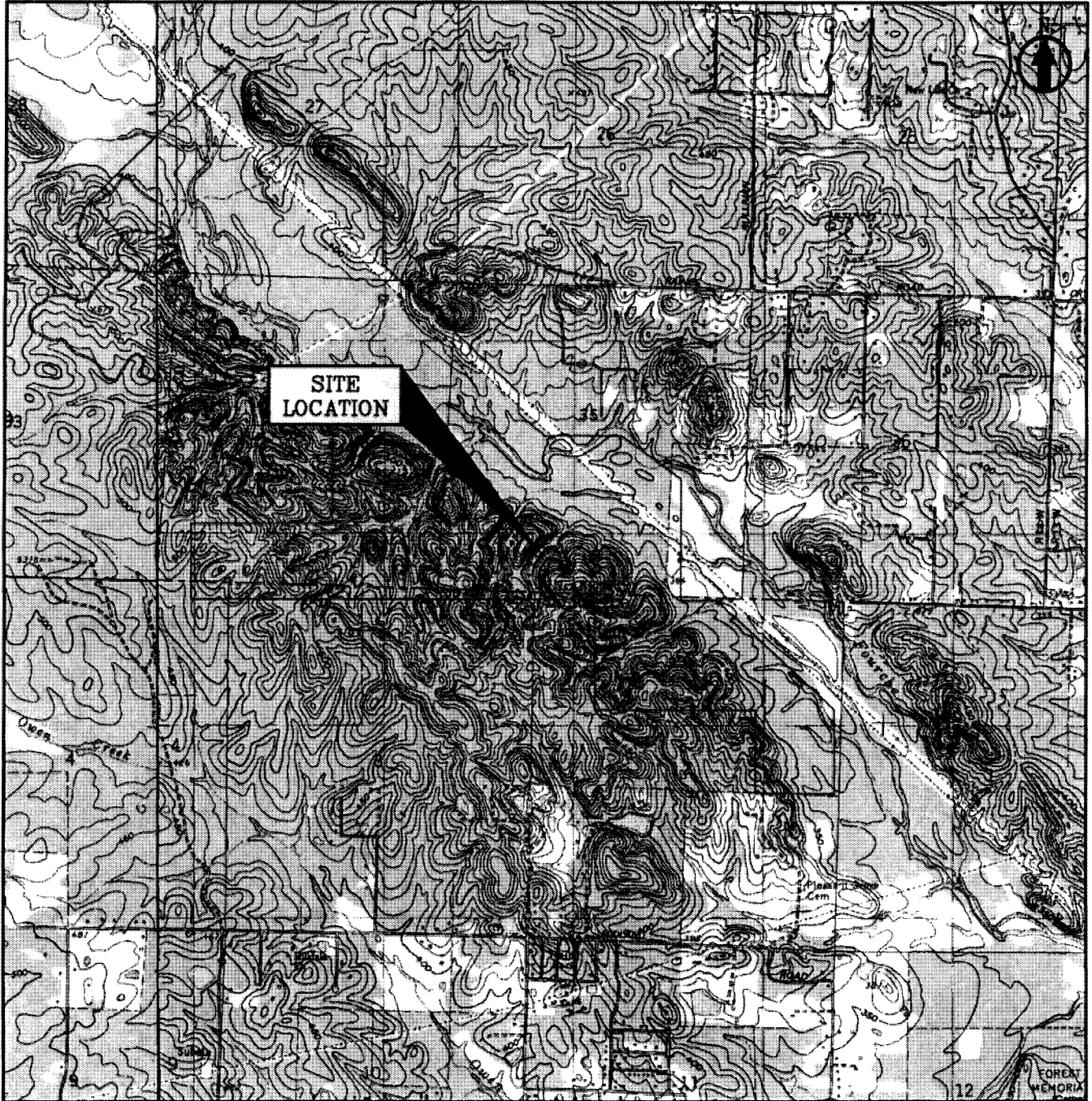
- a. Carter is complete with all construction at the Park and does not plan any new construction. If Carter plans new construction that will require an ADEQ permit, Carter will obtain a permit prior to construction, except for road maintenance.
- b. Carter proposes to reduce turbidity and total suspended solids in Fourche Creek by implementing the following Best Management Practices:
 1. Place signs at locations in the Park that limit crossings of Fourche Creek to

- designated areas.
2. Install rock check dams at the locations shown on Drawing Nos. 4, 5 and 6 to reduce transport of sediment.
 3. Construct sedimentation basins as shown on Drawings No. 4, 5 and 6.
 4. Install silt curtains a at locations across Fourche Creek as shown on Drawing No. 7. The silt curtains will be placed across Fourche Creek within the Carter property during the major Park events and allowed to remain in place for a few days after an event to reduce turbidity and total suspended solids. The silt curtains will be removed during normal operations and before rainfall events. The silt curtains will be removed to protect them from heavy creek flows and floods. A brochure of the silt curtain can be found in Appendix A of this report.
 5. Carter will seed disturbed earth surfaces in former construction areas.
- c. Carter will not receive trees, tree debris for disposal or open burning on the property. Carter will allow trees and tree limbs to be placed in designated areas for bon fires on the property.
 - d. Carter will not receive any solid waste for disposal on the property.
 - e. Carter will asphalt pave a segment of the existing gravel entrance road as shown on Drawing No. 8. The paving of the road will eliminate dust in the adjacent neighborhood. Carter will continue the use of a water truck for dust suppression on the main entrance road.
 - f. There are four (4) cabins at the main entrance; each cabin is one bedroom with one bathroom on one septic system. There are seven (7) cabins at another location that do not have bathrooms or showers. The castle building located to the east of the main entrance on a hill has seven (7) rooms with one toilet, lavatory and shower each. The castle's septic system was permitted through the Arkansas Department of Health. The cabins do not meet the ADEQ requirements for septic system permit. The cabins septic systems were installed by a licensed installer and permitted through the Arkansas Department of Health.
 - g. Carter will place solid waste dumpsters on the Park for collection of solid waste. The dumpster contents will be disposed of at a permitted landfill.
 - h. Carter will seed disturbed earth areas within the park that are not part of the ATV trails.
 - i. Carter will remove buried solid waste on site and dispose of it offsite at a landfill. Carter will submit a report to ADEQ documenting removal of the solid waste.
 - j. Carter will discontinue open burning of wood debris other than bon fires and campfires.

5.0 SCHEDULE FOR CORRECTIVE ACTIONS

- Sedimentation basins, rock check dams and silt curtains should be completed by the Mud Daze event.
- Additional water truck will be on hand for the Mud Daze event for dust control.
- Asphalt paving on the entrance road will be complete by July 1, 2017 – an attempt will be made to complete this work by Mud Daze event.
- Solid waste will be removed by August 1, 2017.
- New gravel for access roads is being installed now.
- Dumpsters will be placed on site for Mud Daze.
- All work will be completed by August 1, 2017.

DRAWINGS



DRAWING NO. 1

TOPOGRAPHIC MAP TAKEN FROM ALEXANDER & CONGO QUADRANGLE MAPS

**RESPONSE TO ADEQ COMMENTS
 CARTER OFF ROAD PARK, LLC
 23111 INTERSTATE 30
 BRYANT, ARKANSAS**



**CIVIL ENGINEERING AND
 ENVIRONMENTAL SERVICES**
 3512 South Shackelford Road
 Little Rock, Arkansas 72205
 (501) 221-7122 fax (501) 221-7775

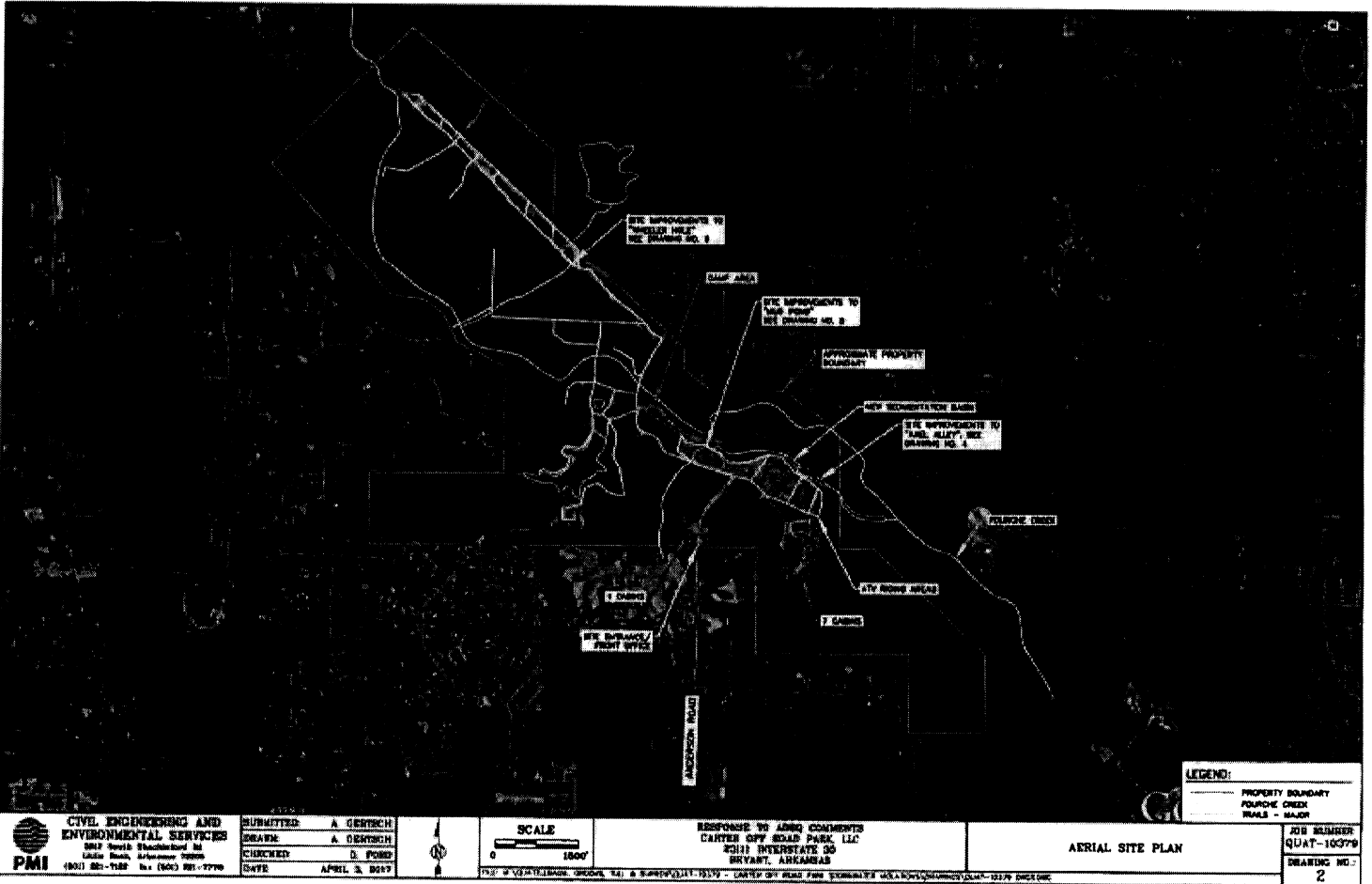
SUBMITTED:	D. FORD
DRAWN:	A. GERTSCH
CHECKED:	D. FORDZ
DATE:	APRIL 3, 2017

SCALE:

 0 2500'

**JOB NUMBER:
 QUAT-10379**

FILE: QUAT-10379 DRGS.DWG



PMI
CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES
 5015 North Washington Rd
 Little Rock, Arkansas 72205
 (501) 821-7188 Fax: (501) 821-7770

SUBMITTED: A. GERTSCH
 DRAWN: A. GERTSCH
 CHECKED: D. FORD
 DATE: APRIL 3, 2017



SCALE
 0 1000'

RESPONSE TO AEDC COMMENTS
 CARTER OFF ROAD PARK, LLC
 4311 INTERSTATE 50
 BRYANT, ARKANSAS

AERIAL SITE PLAN

JOB NUMBER: QUAT-10579
 DRAWING NO.: 2

THIS IS A PRELIMINARY DRAWING. IT IS SUBJECT TO CHANGE WITHOUT NOTICE. THE USER SHALL BE RESPONSIBLE FOR VERIFYING ALL INFORMATION SHOWN ON THIS DRAWING.

FROM THE 70
FLOOD PLAIN BOUNDARY



CIVIL ENGINEERING AND
ENVIRONMENTAL SERVICES
2414 South Shackleford Rd
Little Rock, Arkansas 72205
(501) 281-7129 fax (501) 281-7776

SUBMITTED: A. GERTSCH
DRAWN: A. GERTSCH
CHECKED: O. FORD
DATE: APRIL 2, 2017



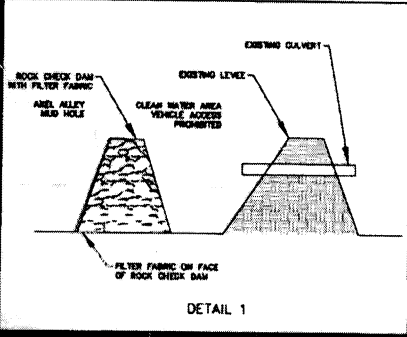
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CARTER OFF ROAD PARK, LLC
FMH INTERSTATE 30
BRYANT, ARKANSAS

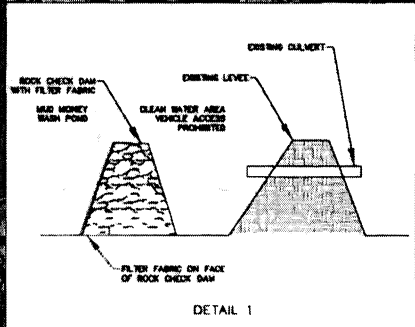
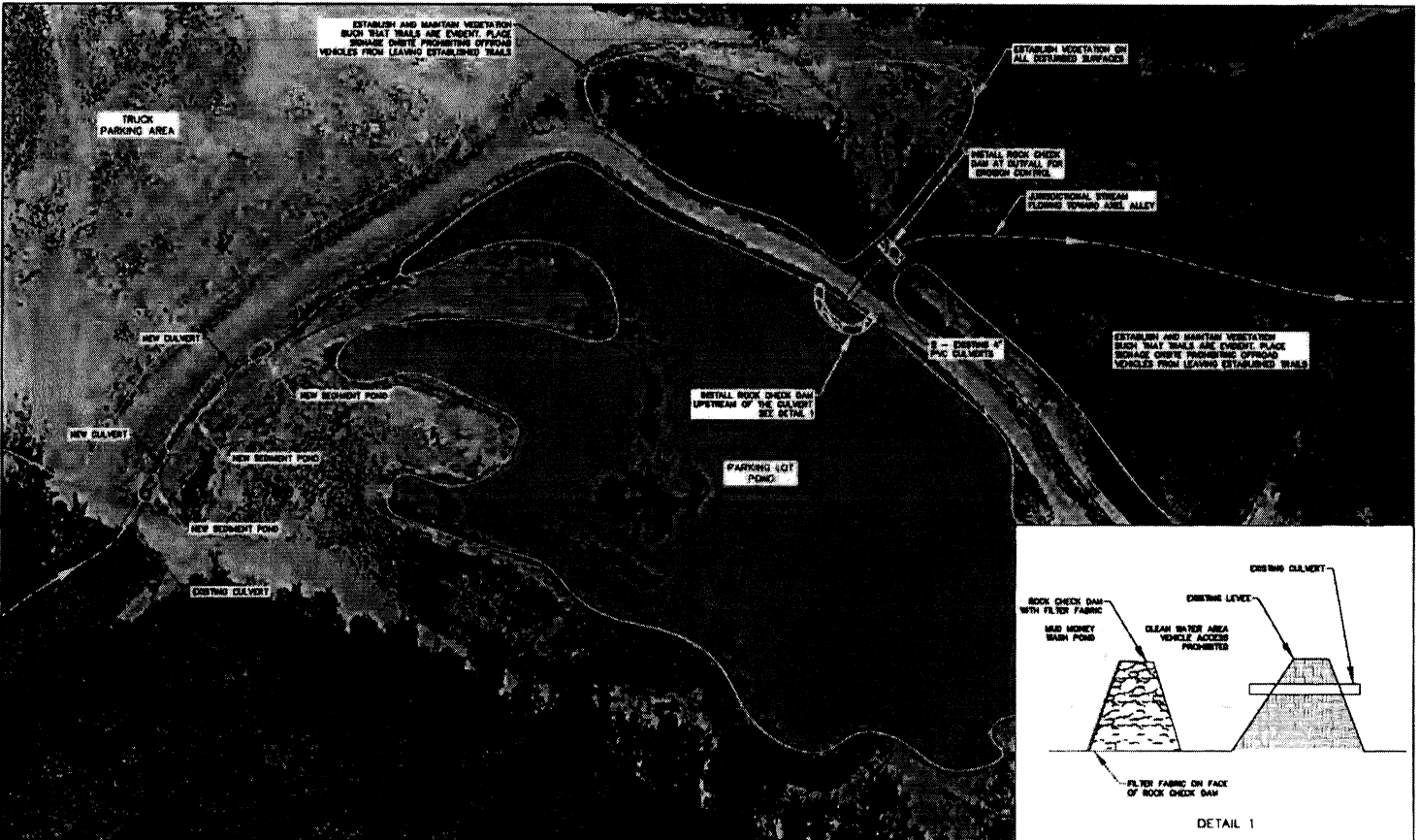
AERIAL SITE PLAN WITH
FEMA FLOOD PLAIN OVERLAY

JOB NUMBER
QUAT-10379
DRAWING NO.
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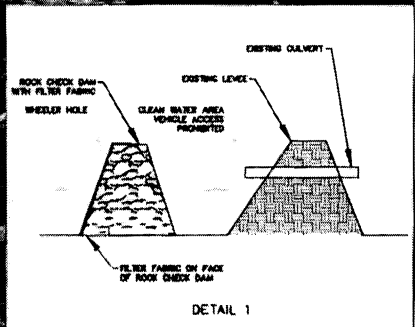
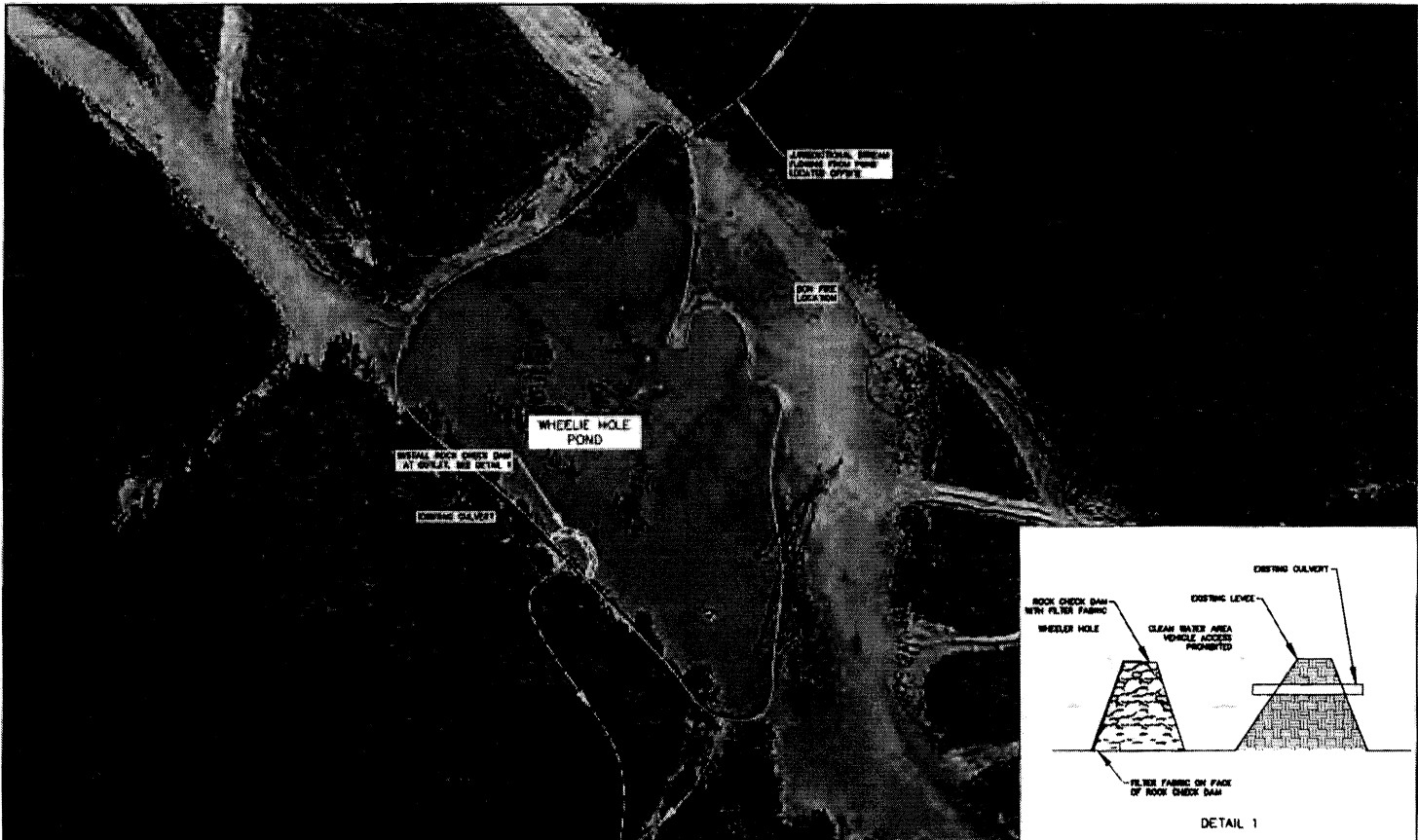
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	CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES 2612 South Shoemaker Rd Little Rock, Arkansas 72206 (501) 581-7122 fax (501) 581-7196	SUBMITTED: A. GERTSCH DRAWN: A. GERTSCH CHECKED: D. FORD DATE: APRIL 3, 2017	SCALE 0 120'	RESPONSE TO ADEQ COMMENTS CARTER OFF ROAD PARK, LLC 2311 INTERSTATE 30 BRYANT, ARKANSAS	AXEL ALLEY SITE IMPROVEMENTS	JOB NUMBER QUAT-10979 DRAWING NO.: 4
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CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES 2612 South Shreveport Rd Little Rock, Arkansas 72203 (501) 881-9182 Fax (501) 881-7776	SUBMITTED: A. GERTSCH DRAWN: A. GERTSCH CHECKED: D. FORD DATE: APRIL 3, 2017	SCALE 0 50'	RESPONSE TO ADDD COMMENTS CARTER OFF ROAD PARK, LLC 8311 INTERSTATE 30 BRYANT, ARKANSAS	PARKING LOT POND SITE IMPROVEMENTS	JOB NUMBER QUAT-10379 DRAWING NO.: 5
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PMI CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES
 5942 South Shattuck Road
 Little Rock, Arkansas 72209
 (501) 521-7422 Fax (501) 521-7776

SUBMITTED: A. GERTSCH
 DRAWN: A. GERTSCH
 CHECKED: S. FORD
 DATE: APRIL 3, 2007



SCALE
 0 60'



RESPONSE TO ADRS COMMENTS
 CENTER OFF ROAD PARK, LLC
 25111 HYPERSTATE RD
 BRYANT, ARKANSAS

WHEELIE HOLE
 SITE IMPROVEMENTS

JOB NUMBER
 QUAT-10379
 DRAWING NO.:
 8

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 CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES 5015 South Shoshone Rd Little Rock, Arkansas 72206 (501) 881-7122 fax (501) 881-7776	SUBMITTED: A. GERTSCH DRAWN: A. GERTSCH CHECKED: D. FORD DATE: APRIL 3, 2017	SCALE 	RESPONSE TO ASBQ COMMENTS CARTER OFF ROAD PARK, LLC 20111 INTERSTATE 30 BRYANT, ARKANSAS	ASPHALT PAVING IMPROVEMENTS	JOB NUMBER QUAT-10379 DRAWING NO.: 7
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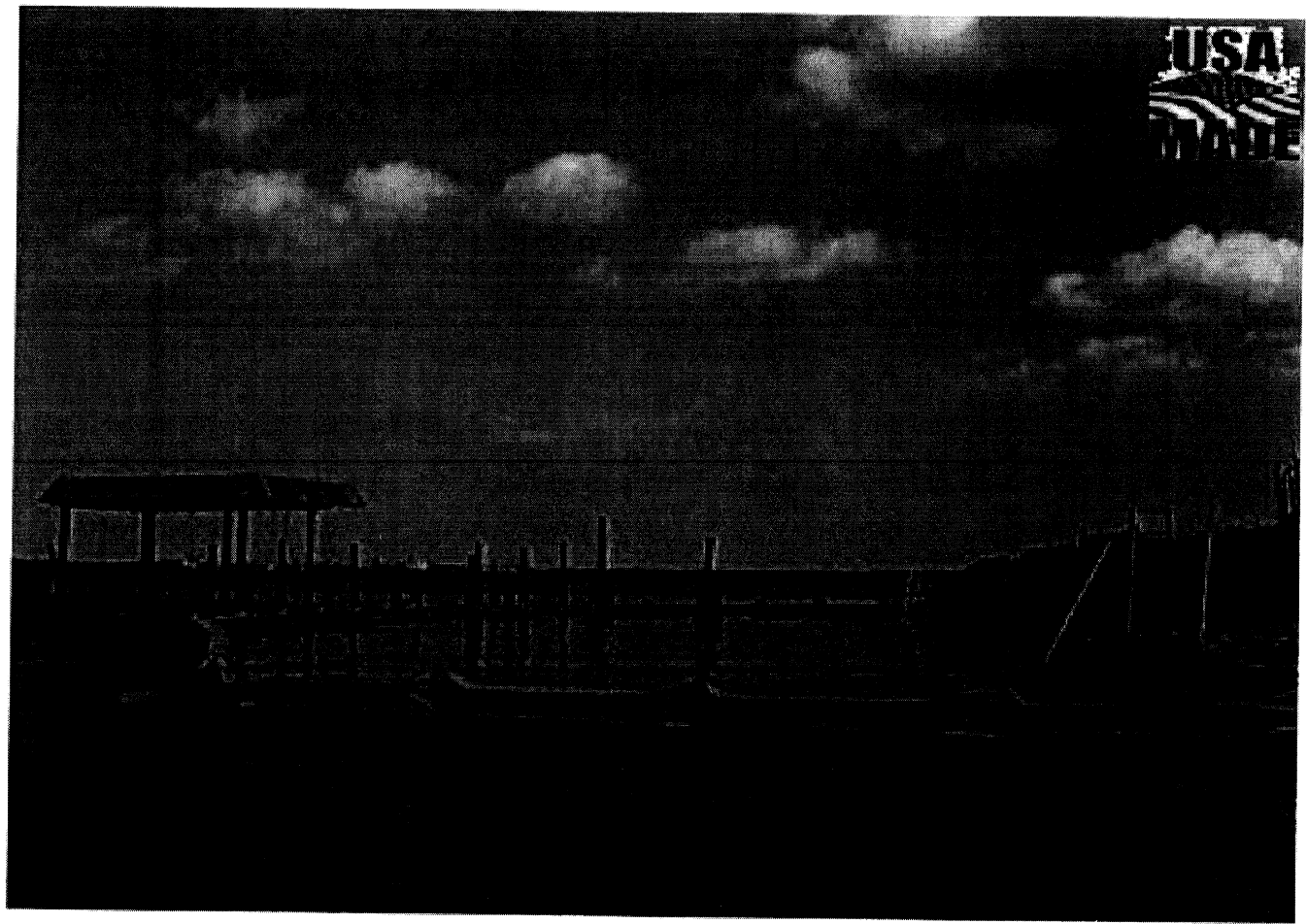


 CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES 2022 South Poplar Street Little Rock, Arkansas 72203 (501) 581-7322 Fax (501) 581-7779	SUBMITTED: A. GERTSCH DRAWN: A. GERTSCH CHECKED: D. FORD DATE: APRIL 3, 2019	SCALE 0 100'	RESPONSE TO AIGD COMMENTS CARTER OFF ROAD PARK, LLC CS11 BATTERY TO BENTLEY, ARKANSAS	JOB NUMBER QUAT-10070 DRAWING NO. 8
	TITLE: FLOATING SILT CURTAIN LOCATIONS			

APPENDIX A

Silt and Turbidity Barrier Brochure

USA
MADE



Triton Type III DOT Silt and Turbidity Barrier



Triton Type III DOT Curtains are designed to meet or exceed state DOT requirements for silt and turbidity control in areas with fast water, waves or demanding conditions. These barriers surround projects and help to contain materials until they have enough time to settle.



GEI
WORKS

Triton Type III DOT Silt and Turbidity Barrier

Constructed using robust and reliable components, these barriers actively work to contain silt, turbidity and displaced particles around your site. Triton Type 3 DOT Silt and Turbidity Curtains are the strongest available barrier for silt and turbidity control. Designed for fast water, waves or demanding conditions, these curtains add increased strength to any containment or control area. Type 3 DOT models are typically recommended for use in areas with flows up to 1.5 knots.

Applications:

- Inter-Coastal Projects
- Dredging Sites
- Remediation Projects
- Long Term Projects
- Fast Moving Water
- Projects in Bays and Harbors Areas Severely Affected by Wind or Waves

Accessories are an important component to the installation of any silt curtain or barrier in order to maximize effectiveness.

Turbidity Curtain Accessories:

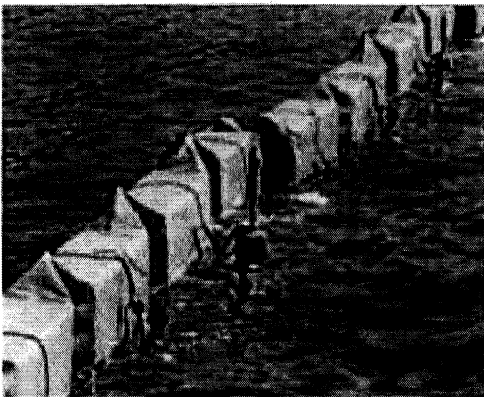
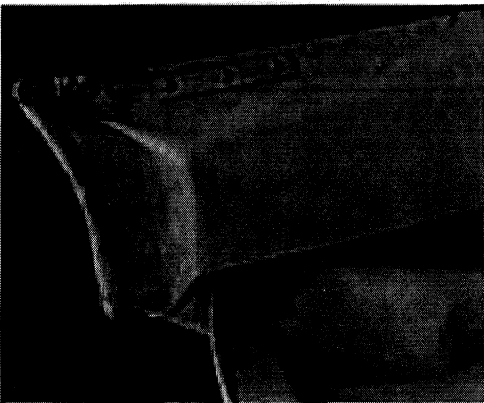
- Anchor Kits
- Buoys
- Marker Lights
- Tow Bridles

Importance of Anchoring:

Anchoring and anchor kits are one of the most important accessories for sites dealing with moving currents, waves, tides or other site factors. Having the right anchor pattern, installation design and anchors can significantly influence, reduce and redistribute loads placed on your barrier. Contact our technical team (+1 772.646.0597) for more information regarding anchor placement and use.



Triton Type III DOT Silt and Turbidity Barrier



How a Turbidity Curtain Works:

The main function of a silt screen or turbidity barrier is to control the dispersion of suspended silt and to improve settling times (Stokes Law). During a construction project, silt and other materials often become suspended in the water area. Curtains are placed within the water to create a confined zone of contained materials. Contained areas allow marine contractors to stay within Federal and State Clean Water Act and NPDES Phase II regulations. In turn, this helps sites to avoid fines and allows projects to be completed on time.

Please note, turbidity curtains are designed to act as a temporary area that increases the amount of time solids have to settle back down to the bottom of the area. They will not act as dams or walls.

Product Considerations:

Knowing these elements can help determine the right anchoring strategy, curtain model and deployment method.

Turbidity Curtains and Salt Water

When using the Type III Silt Barrier in salt water areas, consideration should be given to the tension cables and connectors. The following component adjustments are recommended for any location with salt water: Stainless Steel Cable and Zinc Anode Connectors upgrade, Stainless Steel Chain upgrade, or a combined Cable/Chain upgrade.

For short term projects, galvanized components can be used for a period of up to 12 months.

Fabric Considerations

Alternative fabrics are also available for extended deployment in areas with high pH levels, high temperatures, low temperatures or in areas where chemicals are present.

When should I use a Permeable Silt Curtain?

Permeable Type III Silt Barriers are most commonly used when they are either specified in a site project or when the curtain will be dealing with a significant amount of water pressure. Use of the bottom filter panel can help reduce pressure on the curtain by allowing water to continue to flow through the curtain.

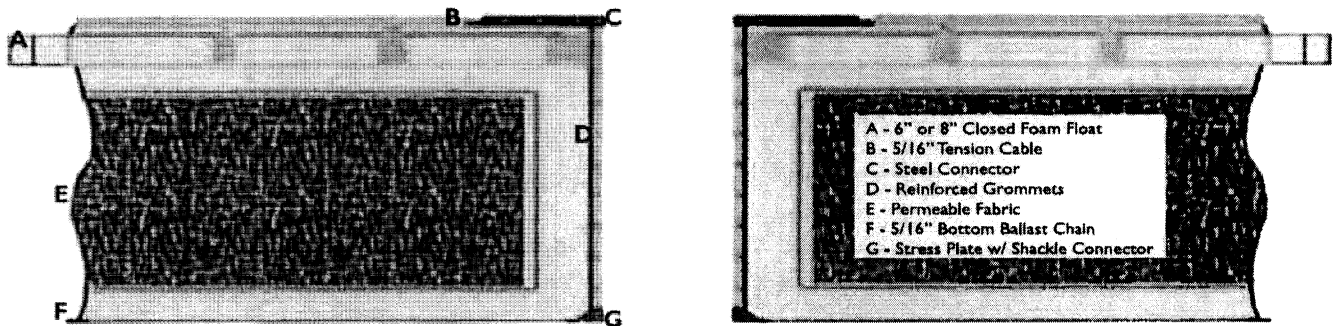
Water Conditions, Factors and Considerations

Consideration of site and water conditions is an important step for any location looking to control silt in a moving water body. Due to the current and waves in these areas, additional pressure is placed on the barrier during use. In order to accommodate and contain silt in these conditions, it is important to consider the following:

- Water Velocity
- Waves (height, frequency)
- Wind Speed and Direction
- Tides
- Soil Type (contaminated?)
- Project Duration

Triton Type III DOT

Silt and Turbidity Barrier



SPECIFICATIONS

Length	50' or 100'
Depth	5' STD (3' - 20' available upon request)
Fabric	18 oz. Impermeable PVC with 6 oz. monofilament
Flotation	Square Foam Filled Flotation
Flotation Size	6" or 8"
Tension Cable	5/16" Galvanized Steel Cable Sheathed in Vinyl
Bottom Ballast Chain	5/16" Galvanized Steel Chain
Section Connectors	Top Stress Plates with Grommets
Color	Yellow
Anchor Points	Every 50' to 100'

GEI Works is dedicated to developing innovative turbidity curtain solutions that provide superior performance and achieve the desired results for our customers. We work closely with our client team to design a deployment layout that takes into consideration all of your project requirements including water conditions, project progress, budget and water quality goals.

Our goal is to work with our clients to develop the best solution for their specific project and help them come in under budget and on time.

For more complete information on GEI Works products and solutions, visit us on the Web at www.geiworks.com.

Toll Free: 1-888-703-9889 | Phone: (1+) 772-646-0597 | info@geiworks.com

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GEI
WORKS
645-2015-11-1

ADEQ

ARKANSAS
Department of Environmental Quality

April 19, 2017

Mr. Doug Ford, P.E.
Pollution Management Inc.
3512 South Shackleford
Little Rock, AR 72205

Re: Carter Off-Road Park
Corrective Action Plan
AFIN 63-01087

Dear Mr. Ford:

Arkansas Department of Environmental Quality (ADEQ) staff has reviewed the Corrective Action Plan (CAP), dated April 4, 2017, submitted on behalf of Carter Off-Road Park (CORP). The CAP submittal included a narrative of proposed actions, diagrams, and attached maps.

This letter is to inform you the CAP, as submitted, does not adequately address all of the existing compliance concerns at CORP. For example, aerial figures in the CAP demonstrate that many of the activities at CORP are taking place in waters of the state as defined in 8-4-101 *et seq.* In addition, some of the proposed corrective actions would also occur in waters of the state. The CAP does not sufficiently address additional protections and safe guards that are necessary to prevent further pollution of the environment, including, but not limited to, the following:

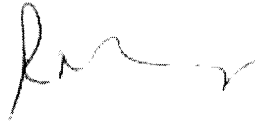
1. An individual NPDES Construction Stormwater Permit and Storm Water Pollution Prevention Plan (SWPPP) are required to control runoff during construction and reclamation activities through the use of Best Management Practices and/or structural controls. CORP must comply with the Water Quality Standards and the Total Maximum Daily Load (TMDL) in place for Fourche Creek, which is listed as impaired for turbidity and total dissolved solids on the state's 303(d) List as approved by the Environmental Protection Agency. It is a violation of the law to cause or contribute to a violation of the TMDL or Water Quality Standards. This entails more than reducing the pollution or "limiting crossings."
2. An individual Industrial Stormwater Permit and SWPPP are required to control runoff during routine activities at the CORP. This entails shielding tributaries and the main channel of Fourche Creek from vehicular activities such that the applicable standards are met in the waters of the state.

3. The silt curtains proposed in the CAP are not designed to be placed in flowing water. Control measures must be taken before the sediment laden runoff enters the waters of the state, not after. Additionally, the placement of these structures in the stream requires a Section 404 permit from the U.S. Army Corp of Engineers (Corps) and a Section 401 Certification from ADEQ.
4. According to the submitted maps, certain ponds or pits that are designated for recreational use are located in jurisdictional streams. Check dams cannot be placed in jurisdictional waters without a Corps permit and ADEQ certification as noted above. These ponds and pits include, but are not limited to, areas noted as Wheeler Hole, Mud Pond, Axle Alley, and Parking Lot Pond. Additionally, there are various trails, stream crossings, camping, lodging, vehicle washing, vehicle storage, outdoor pavilions, bonfire stations, and other activities generally associated with the CORP that do not include buffer zones and may also constitute various environmental risks.
5. Discharges from sedimentation basins are direct, point-source discharges that are required to have an Individual NPDES permit. The proposed check dams may be inadequate to filter or slow the flow of excessively turbid water because these check dams are sited in ponds that are in the direct path of the tributary. As the flow of the tributary increased, those check dams would become less effective.
6. APC&EC Regulation 18.602 prohibits the open burning of trade waste—trade waste includes trees and tree limbs from a tree service or other business.
7. The proposed bonfires do not fit within the exceptions identified in Ark. Code Ann. §8-4-305. Specifically, these bon fires are neither “barbecue equipment or outdoor fireplaces used in connection with any residence” nor are they “land clearing operations or land grading.”
8. Paving the entrance road should help with dust suppression. However, ADEQ has conflicting information about how much of the entrance road will be paved and the location of nearby residences.
9. Septic tanks and field lines are not to be placed in flood-prone areas and must have a permit from ADEQ pursuant to APC&EC Regulation 17.401 when serving more than 20 people per day.
10. The CAP did not include a proposal for activities regarding vehicle washing noted by ADEQ inspections. Car/Truck wash activities may be covered by ADEQ general permit ARG750000 or other suitable coverage for the discharge and any additives must be clearly identified with the application.
11. There should be a plan to identify, list, characterize, and remove all solid waste, including but not limited to buried solid waste, on site and properly manage all solid waste generated or currently present on site, along with a report to ADEQ documenting removal and disposal of onsite solid waste.
12. The site should not receive solid waste of any type, including but not limited to trade waste, for disposal on the property, and “No Dumping” signs should be placed at the entrances of the site.
13. Any solid waste generated at the site should be disposed of at a permitted landfill or transfer station, and documentation of proper disposal should include disposal receipts and photographic evidence of the removal of that waste.

Please provide ADEQ with an updated CAP to address these issues as soon as possible, but no later than May 5, 2017.

ADEQ reserves the right to request additional corrective actions and take enforcement action to prevent activities at CORP from causing pollution of the environment.

Sincerely,



Robert Blanz, Ph.D., P.E.
Chief Technical Officer
Director's Office

CC: Tori Gordon, Associate Director, Office of Land Resources
Caleb Osborne, Associate Director, Office of Water Quality
Stuart Spencer, Associate Director, Office of Air Quality
Basil V. Hicks III, Office of Law and Policy
Chad W. Pekron, Quattlebaum, Grooms & Tull PLLC
Mark Carter, Carter Off-Road Park



POLLUTION MANAGEMENT, INC.

April 26, 2017

Mr. Bob Blanz, Ph.D.
Office of Water Quality
ARKANSAS DEPARTMENT OF
ENVIRONMENTAL QUALITY
5301 Northshore Drive
North Little Rock, AR 72118-5328

RE: Carter Off-Road Park
Environmental Impact Reduction Plan for Mud Daze

Dear Mr. Blanz:

On behalf of Carter Off-Road Park (CORP) this letter/plan is a follow up from our meeting with Arkansas Department of Environmental Quality (ADEQ) on April 21, 2017. At that meeting we discussed the items that are enumerated in the ADEQ response letter dated April 19, 2017. The main topic discussed at the meeting was the effects that off-road vehicles that use CORP have on turbidity in Fourche Creek and the tributaries in CORP that flow into Fourche Creek. ADEQ wants CORP patrons to limit or not ride their vehicles through or in Fourche Creek and the tributaries. PMI and Quattlebaum Grooms Law Firm met with CORP to discuss these two main topics as well as the other items. CORP has a large event, Mud Daze, scheduled for May 11 – 14, 2017 and will not have had enough time prior to that event to eliminate crossings of Fourche and the tributaries. CORP will implement the following interim measures to reduce environmental impacts during the Mud Daze event.

Interim/Temporary Measures

1. CORP will place silt fence in Fourche Creek downstream of the crossings as a temporary event-impact reduction to contain turbid water. The silt fence will be removed after the event.

2. CORP will place silt fence across the tributaries flowing into Fourche Creek as a temporary event impact reduction to contain turbid water as shown on Drawing No. 4, 5 and 6. The silt fence will be removed after the event.
3. CORP will only burn bon fires in areas shown on Drawing No. 4, 6, and 8. The bon fires will be from trees and limbs brought from off-site for the bon fires only. No commercial or trade waste will be accepted. CORP will not receive trees, limbs or wood debris as disposal.
4. CORP will pave the entrance road into the park as shown on Drawing No. 7. The paving will be completed prior to Mud Daze 2017.
5. CORP will place solid waste containers at collection points within the park to collect patron waste. The waste will be disposed of at a landfill off-site.

Long Term Environmental Impact Reduction Plan

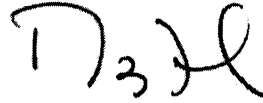
1. CORP will prepare a long term environmental impact reduction plan for submittal to ADEQ. The long term plan will be submitted by July 1, 2017.
2. CORP will reduce/limit the number of vehicle crossings in Fourche Creek. This will require construction/rerouting vehicle trails to direct patrons to designated crossings. CORP will determine the best types of crossings of Fourche Creek to reduce turbidity. CORP proposes to complete this work by Mud Daze 2018 (May 2018).
3. CORP will isolate the current tributaries from the current "mud holes" and isolate vehicle traffic riding through the tributaries. The isolation is an attempt to eliminate flows of turbid water into the tributaries. CORP proposes to complete this work by Mud Daze 2018 (May 2018).
4. CORP will look at areas around Fourche Creek to establish vegetative buffers. CORP proposes to complete this work by Mud Daze 2018 (May 2018).
5. CORP will apply to ADEQ for an individual industrial stormwater permit per the requirement of ADEQ. CORP will make application for the permit by July 1, 2017.
6. CORP will excavate, remove and dispose of buried solid waste on the property. CORP will dispose of the waste at a landfill. CORP will complete this work by July 30, 2017.

another
drawing

Should you have any questions or require additional information, please do not hesitate to contact me at 501-221-7122.

Respectfully,

POLLUTION MANAGEMENT, INC.

A handwritten signature in black ink, appearing to read "D3 JH".

Wm. Doug Ford, P.E.
Project Manager

WDF:tlr

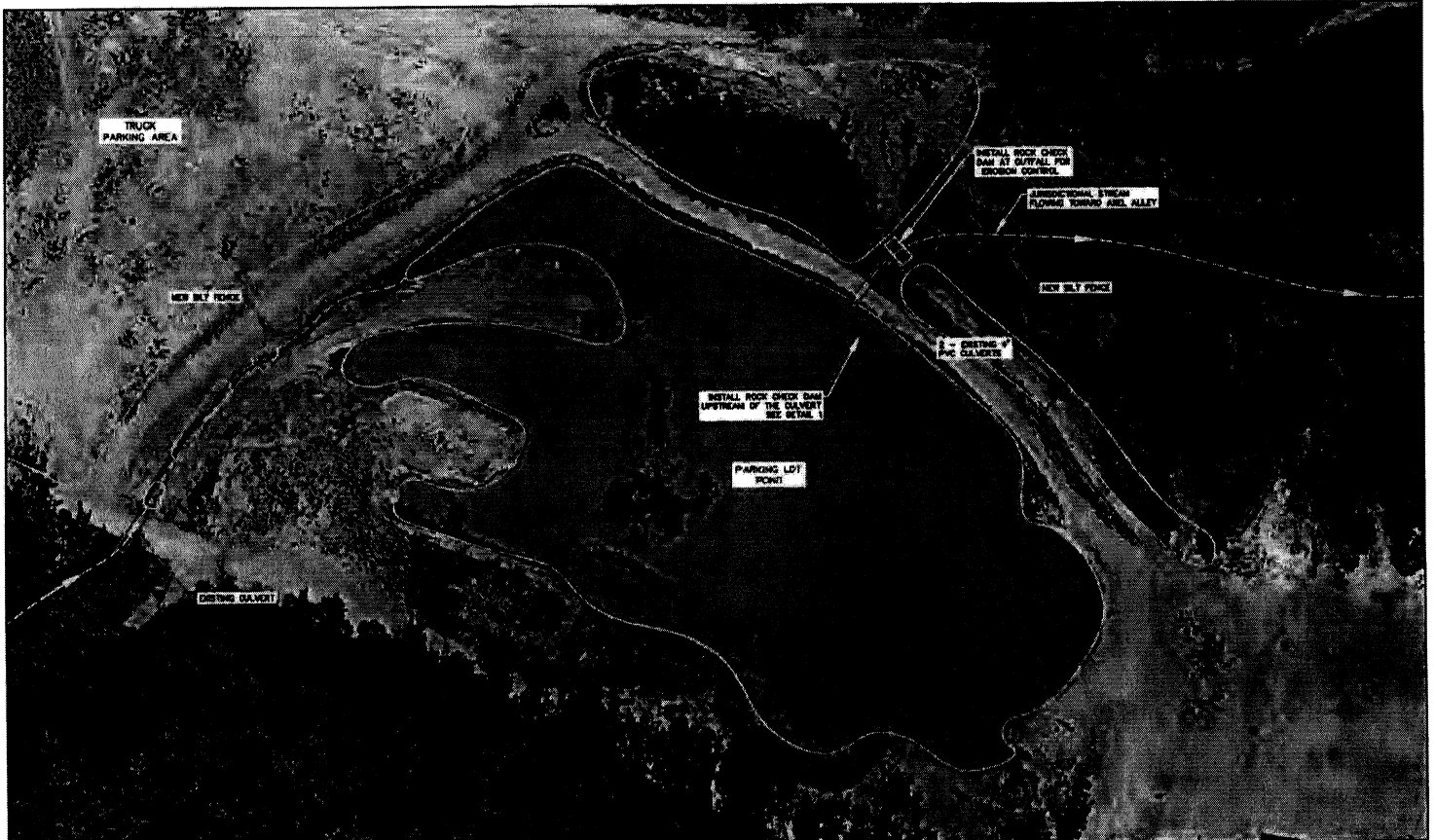
cc: Mr. Mark Carter
Mr. Chad Pekron, Quattlebaum, Grooms, Tull & Burrow
Mr. Al Eckert, Quattlebaum, Grooms, Tull & Burrow

QUAT-10379

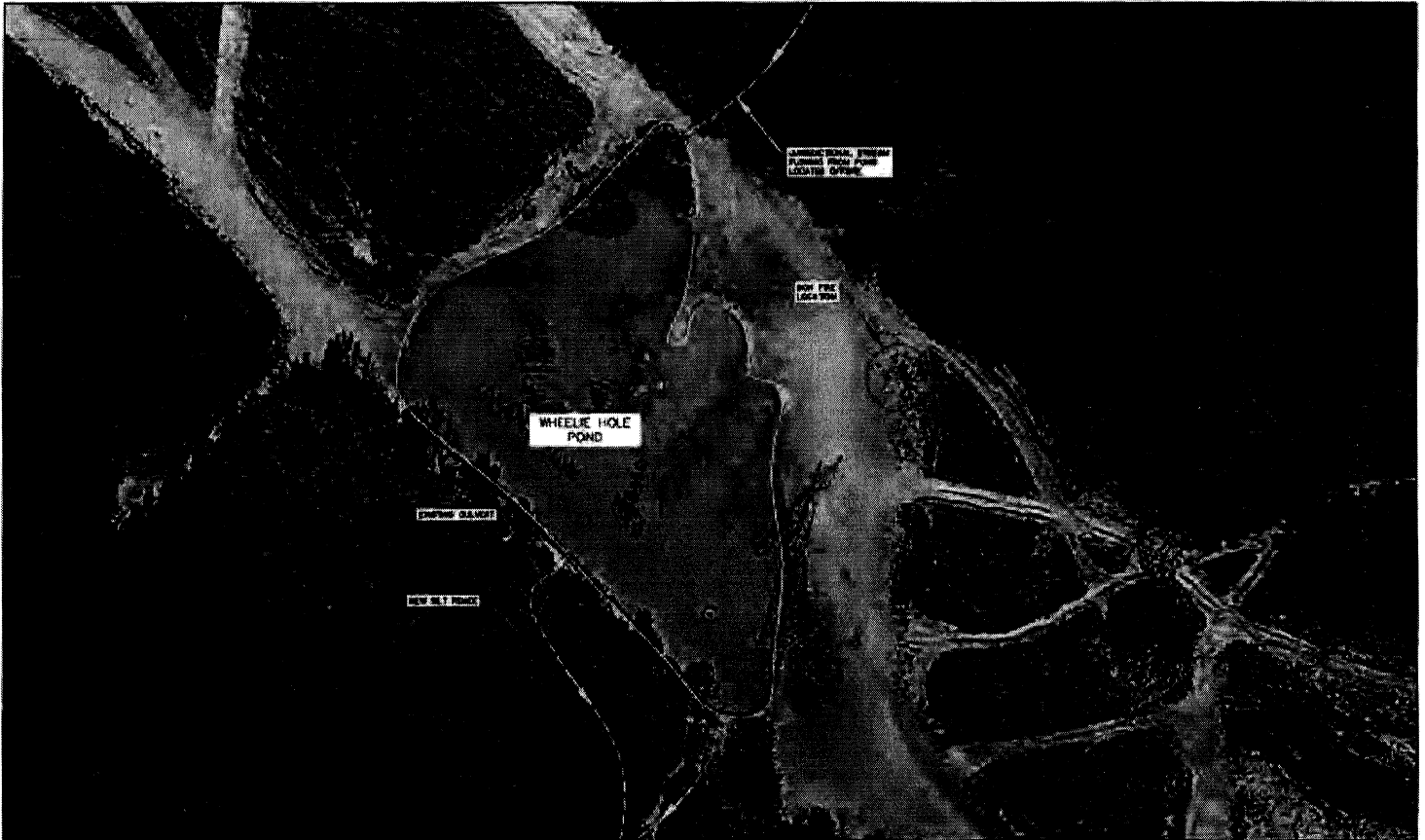


Google

 CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES 5815 South Shiloh Road Little Rock, Arkansas 72209 (501) 581-7188 fax (501) 581-7776	SUBMITTED: A. GERTSCH DRAWN: A. GERTSCH CHECKED: D. FORD DATE: APRIL 3, 2017	SCALE 	RESPONSE TO ADEQ COMMENTS CARTER OFF ROAD PARK LLC 2011 INTERSTATE 30 BRYANT, ARKANSAS	AXEL ALLEY INTERIM IMPACT REDUCTIONS	JOB NUMBER QUAT-10379 DRAWING NO.: 4
	<small>FILE: M:\VOLANTE\BAMM_GRODINS_T&E_BURROV\QUAT-10379 - CARTER OFF ROAD PARK STORMWATER VIOLATION\DRAWINGS\QUAT-10379-010.DWG</small>				



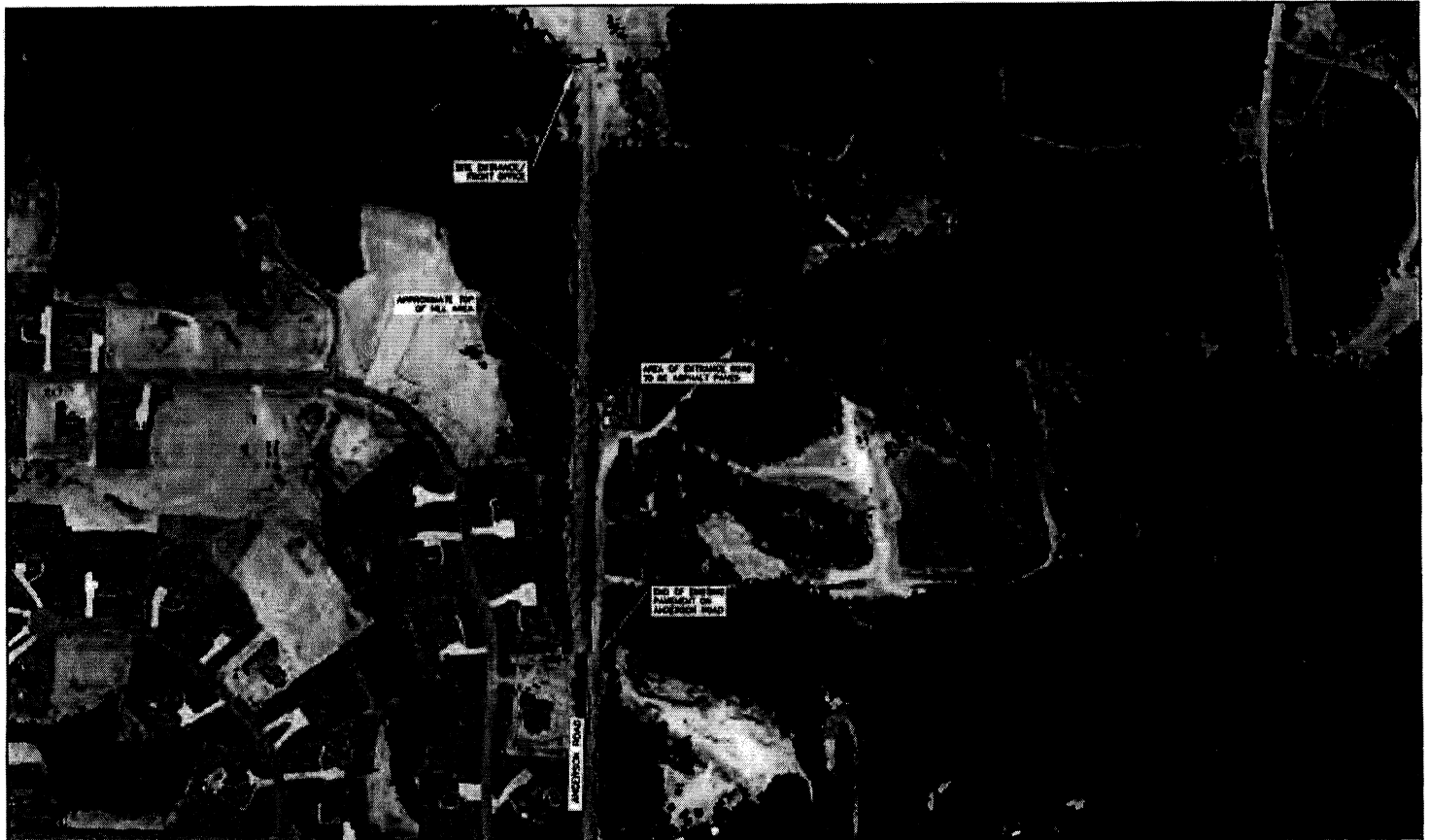
 CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES 2515 South Elmwoodway Rd Little Rock, Arkansas 72206 (501) 581-7100 Fax (501) 581-7776	SUBMITTED: A. GERTSCH DRAWN: A. GERTSCH CHECKED: D. FORD DATE: APRIL 3, 2017	SCALE  0 50'	RESPONSE TO ADEQ COMMENTS CARTER OFF ROAD PARK LLC 8311 INTERSTATE 30 BRYANT, ARKANSAS	PARKING LOT POND INTERIM IMPACT REDUCTIONS	JOB NUMBER QUAT-19376 DRAWING NO.: 5
	<small>FILE: W:\QUAT\LEADWORK\GROUPS\TOL & SHADOW\QUAT-19376 - CARTER OFF ROAD PARK STORMWATER W/LA TOWNSHIP\DRAWINGS\QUAT-19376-0505.DWG</small>				



 CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES 2842 South Woodlawn Blvd Little Rock, Arkansas 72205 (501) 585-7187 fax (501) 585-7976	SUBMITTED BY: A. GERPICH DRAWN BY: A. GERPICH CHECKED BY: D. FORD DATE: APRIL 3, 2007	 SCALE 0 60'	RESPONSE TO ADEQ COMMENTS CARRIED OFF SOIL PARK, LLC 20111 INTERSTATE 30 BRYANT, ARKANSAS	WHEELIE HOLE INTERIM IMPACT REDUCTIONS	JOB NUMBER QUA7-10599 DRAWING NO.: 6
	<small>IN THE STATE OF ARKANSAS, I, _____, COUNTY OF _____, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF ARKANSAS.</small>				



CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES 5925 South MacArthur Blvd Little Rock, Arkansas 72205 (501) 582-1122 Fax (501) 582-1123	SUBMITTED: A. CERYCH DRAWN: A. CERYCH CHECKED: D. FORD DATE: APRIL 3, 2017	SCALE 0 300'	RESPONSE TO ADED COMMENTS CARTER OFF ROAD PARK LLC 25411 INTERSTATE 30 ORTYANT, ARKANSAS	BON FIRE LOCATIONS	JOB NUMBER QUAT-165778 DRAWING NO.: 8
	<small>THE INFORMATION ON THIS DRAWING IS THE PROPERTY OF CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES, INC. (PMI) AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. © 2017 CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES, INC.</small>				



 CIVIL ENGINEERING AND ENVIRONMENTAL SERVICES 8042 Stock Road, Manassas, VA 20108 (801) 881-7182 fax (801) 881-7996	SUBMITTED: A. GERTSCH DRAWN: A. GERTSCH CHECKED: D. FORD DATE: APRIL 3, 2017	 SCALE 0 100'	RESPONSE TO ADD COMMENTS CARTER OFF ROAD PARK, LLC 23111 INTERSTATE 30 BRYANT, ARKANSAS	ASPHALT PAVING IMPROVEMENTS	JOB NUMBER QUAT-10379
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Blanz, Bob

From: Blanz, Bob
Sent: Thursday, April 27, 2017 4:49 PM
To: 'Doug Ford'
Cc: 'Chad W. Pekron'; Al Eckert; Hicks, Basil; McAdoo, Erica; Leamons, Bryan; Bolenbaugh, Jason
Subject: RE: Carter Off-Road Park - Ltr to ADEQ re Environmental Impact Reduction Plan

Doug: We propose the following temporary measures prior to Mud Daze;

1. Install check dams as shown on drawings 4,5, and 6 of the original submittal and a plan for operation and maintenance
2. Install silt fences as shown on drawings 4,5,and 6 of the most recent submittal and a plan for operation and maintenance
3. Block entrances to Fourche Creek at the Range Road crossing so patrons cross the bridge instead of the creek
4. Review location of Bon fire on drawing # 6 of the most recent submittal
5. Other Temporary measures as listed on the most recent submittal with the exception of # 1, the silt fence across Fourche Creek
6. Evaluate NW most crossing of Fourche Creek at coordinates 34 deg 41 min 02.95 min N; -92deg 29 min 17.05 sec W

Please lets us know if these are viable measures by Friday, April 28 with confirmation submittal on Monday May 1, 2017

We would also like to add the condition that CORP monitor the effectiveness of these temporary measures during Mud Daze.

From: Doug Ford [<mailto:DFord@pmico.com>]
Sent: Thursday, April 27, 2017 8:31 AM
To: Blanz, Bob
Cc: 'Chad W. Pekron'; Al Eckert
Subject: FW: Carter Off-Road Park - Ltr to ADEQ re Environmental Impact Reduction Plan

Dr. Bob:

Attached is the revised Environmental Impact Reduction Plan. I revised the plan to add item number 6 in the Long Term Plan to remove and dispose of the buried solid waste.

Please let me know if you have questions or comments.

Respectfully,

William D. Ford, P.E.
Pollution Management, Inc.
3512 S. Shackleford Road
Little Rock, AR 72205
501-221-7122
Direct Line: 501-687-1704
Cell Phone: 501-837-5610
dford@pmico.com

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From: Terri Hunt
Sent: Thursday, April 27, 2017 8:28 AM
To: Doug Ford <DFord@pmico.com>
Subject: Carter Off-Road Park - Ltr to ADEQ re Environmental Impact Reduction Plan

Terri Lynn Rasburry
Technical Writer
PMI
3512 S. Shackleford Road
Little Rock, AR 72205
Office: 501-221-7122
Direct: 501-687-1708
Fax: 501-221-7775
Email: thunt@pmico.com

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