



April 15, 2019

Senator Bill Sample, Co-Chairperson
Representative Jim Dotson, Co-Chairperson
Arkansas Legislative Council
State Capitol Building
Little Rock, AR 72201

RE: Quarterly Status Report on Hazardous Waste Removal Activities at the Trafalgar Road Site in Bella Vista, Arkansas

Dear Co-Chairs:

Pursuant to Section 2 of Act 345 of 2019, the Arkansas Department of Environmental Quality (ADEQ) respectfully submits the following status report on efforts made to address the conditions at the Trafalgar Road site in Bella Vista, Arkansas ("the Site").

I. Site Overview

On August 2, 2018, ADEQ received a complaint of an underground fire at the Site. The site is approximately 4.75 acres in area and 60 feet deep. It consists of layers of compacted clay, extensive amounts of vegetative debris, wiring, miscellaneous construction debris, refined petroleum products, automotive batteries, and swimming pool liners which are known contaminant sources containing volatile organic carbons. ADEQ Director Becky W. Keogh issued Emergency Orders 18-102 and 19-003, empowering ADEQ contractors to, *inter alia*, formulate a plan to extinguish the fire and remove all hazardous substances from the Site. Further, Governor Asa Hutchinson issued Emergency Proclamation DR 19-1, which declared that the Site presents a potential ongoing threat to public health and safety and ordered all State departments to render maximum assistance to ADEQ to ensure remediation of the Site.

II. Progress at the Site

ADEQ contractors have developed a removal action plan to address the conditions at the Site. Phase 1 of the project is currently underway, which includes mobilization of equipment, construction of an access road, and preparation of the Site for Phase 2. During Phase 2, ADEQ contractors will suppress the on-site fire with multiple low-emission air curtain incinerators. Once fire suppression is complete, the resulting ash will be removed for disposal at a permitted facility.

III. Expenditure of Funds

ADEQ contractors initiated work in the 3rd Quarter of FY2019. Total expenses incurred to date are \$651,928. ADEQ contractors issued their first invoice on Friday, March 29, 2019. These invoices will be paid once reviewed and approved. Services rendered or in process include:

- (1) Preliminary project research;
- (2) Project planning and design development
- (3) Implementation of a cut-off trench to prevent the spread of the fire;
- (4) Contractor and design support;
- (5) Surface water and soil sampling; and
- (6) Site preparation and access road construction.

IV. Source of Funds Expended

ADEQ will pay all expenses from the Hazardous Substance Remedial Action Trust Fund (RATFA).

V. Estimated Expenditures and Time of Completion

ADEQ estimates total expenses for the project at \$17,000,000. The estimated date for project completion is December 31, 2019.

VI. Efforts to Recover Costs from Responsible Parties

ADEQ is actively investigating potentially responsible parties (PRPs), including those PRPs that have: (1) owned, operated, or exercised control over the Site at any time; (2) dumped waste at the Site; or (3) contributed to the waste at the Site. Evidence is being collected to establish the degree of liability for each PRP. ADEQ will seek cost recovery against responsible parties when the investigation is complete and there is a final accounting of all expenses incurred by the State of Arkansas.

ADEQ will continue to provide status reports to the ALC as required by Act 345 of 2019.

Sincerely,



Becky W. Keogh
Director