

January 15, 2020

Senator Cecile Bledsoe, Co-Chairperson
Representative Jeff Wardlaw, Co-Chairperson
Arkansas Legislative Council
State Capitol Building
Little Rock, AR 72201

RE: Quarterly Status Report (2nd Quarter of SFY 2020) 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 Energy and Environment, Division of Environmental Quality (DEQ) respectfully submits the following status report on efforts made to address the conditions at the Trafalgar Road site in Bella Vista, Arkansas.

The Bella Vista Property Owners Association (BVPOA) agreed to take ownership over extinguishing the fire and site restoration. In May and June 2019, BVPOA contractors completed the fire suppression and they are currently working on official restoration plans.

DEQ contractors initiated work in the Third Quarter of FY2019. Second Quarter expenses of FY2020 were in the amount of \$193,178 and total expenses incurred to date are \$1,336,800. The final invoices will be paid once reviewed and approved.

DEQ will pay all expenses from the Hazardous Substance Remedial Action Trust Fund. DEQ will not require a loan from the Budget Stabilization Trust Fund to pay for expenses related to the Site.

Since the BVPOA has now responded to the incident, DEQ expenses related to the fire suppression have ceased. There still remains subsequent surface water and groundwater testing. As of this date, removal efforts are completed with vegetative growth underway. Water monitoring and restoration will continue into the 2020 calendar year. The data derived during water monitoring will ultimately determine when this project is completed.

Pursuant to Ark. Code Ann. § 8-7-501 *et seq.*, DEQ is actively investigating potentially responsible parties (PRPs) who could be liable to the state for cost of the remedial or removal actions referenced above. Evidence is being collected to establish the degree of liability for each PRP. In light of the Arkansas Pollution Control and Ecology Commission's Minute Order of January 24, 2020, the agreed order previously entered with Thomas Fredericks was rescinded by the Director on January 30, 2020.

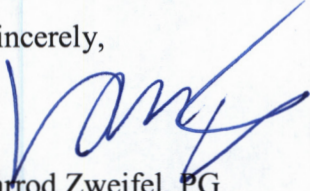
Division of Environmental Quality

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adeq.state.ar.us

DEQ will continue to 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.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jarrod Zweifel', is written over the typed name.

Jarrod Zweifel, PG
Associate Director
Office of Land Resources