

Mitchell, Williams, Selig, Gates &amp; Woodyard, P.L.L.C.

# Waste Tire Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality Notice of Violation Addressing Jefferson County Waste Tire Processing Facility

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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("ADEQ") issued a January 20th Notice of Violation ("NOV") to Jefferson County Waste Tire Processing Facility ("Jefferson County") addressing alleged violations of the waste tire regulations and a waste tire processing facility Permit. See LIS No. 26-002.

ADEQ is stated to have issued a waste tire processing facility Permit to Jefferson County on January 20, 2025.

ADEQ is stated to have conducted an inspection of the facility on June 3, 2024. The following violations were allegedly identified:

- Exceeded storage limits for tires.
- Exceeded allowable tire storage area.
- Inadequate fire lanes between the piles of tires on-site.
- Vegetation in and around the storage piles.
- No licensed solid waste management facility operator at the site.

Follow-up inspections are stated to have been conducted on September 18, 2024, December 12, 2024, March 2, 2025, and May 13, 2025. The inspection reports are stated to have indicated that the violations had not been addressed.

ADEQ and Jefferson County are stated to have met on December 17, 2025, to discuss the requirements of a Consent Administrative Order ("CAO"). Jefferson County is stated to have requested an extension of compliance deliverables and ADEQ proposed certain requirements:

1. Respondent shall immediately hire a professional engineer (P.E.) licensed in the state of Arkansas to develop a Corrective Action Plan (CAP).
2. Respondent shall notify DEQ immediately upon hiring a P.E. and submit contact information for the P.E.

3. Within thirty (30) calendar days of the date of the meeting, Respondent shall submit a CAP developed by the P.E.
4. Respondent shall promptly submit to DEQ the updated registration for the licensed Class 3C operator or the expected licensure date.

Jefferson County is stated to have subsequently:

- Submitted the licensing fee for the Class 3C operator.
- Submitted a Corrective Action Plan ("CAP").

The CAP is stated to have been determined to be insufficient because it was not developed with a P.E. licensed in the state of Arkansas.

The NOV proposes a total civil penalty of \$7,600 and various measures described as "corrective action."

A copy of the NOV can be found [here](#).