

RESOLUTION NO. 2026-_____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

A RESOLUTION EXPRESSING THE OPPOSITION OF THE TONTITOWN CITY COUNCIL TO THE ISSUANCE OF THE PROPOSED TITLE V OPERATING AIR PERMIT RENEWAL FOR THE ECO-VISTA LANDFILL; AUTHORIZING TRANSMITTAL OF THE CITY'S POSITION TO THE ARKANSAS DEPARTMENT OF ENERGY AND ENVIRONMENT; AND FOR OTHER PURPOSES.

WHEREAS, Eco-Vista, LLC - Waste Management of Arkansas, Inc. ("Waste Management") owns and operates a municipal solid-waste landfill located at 2210 Waste Management Drive, within the municipal limits of the City of Tontitown, Arkansas (the "City"); and

WHEREAS, Waste Management submitted an application to renew its Title V operating air permit, identified by the Arkansas Department of Energy and Environment, Division of Environmental Quality ("ADEQ"), as pending Permit No. 1884-AOP-R9, AFIN 72-00144; and

WHEREAS, pursuant to the Arkansas Operating Air Permit Program, 8 CAR § 42-502, ADEQ issued a draft permitting decision for public comment, with a 30-day comment period beginning July 26, 2026, and expiring at 5:00 p.m. on August 25, 2026; and

WHEREAS, ADEQ scheduled an informational public meeting and public hearing beginning at 6:00 p.m. on August 25, 2026, at St. Joseph's Catholic Church, Parish Hall, 192 East Henri De Tonti Boulevard, Tontitown, Arkansas, with the hearing concluding at 8:00 p.m.; and

WHEREAS, ADEQ's public notice states that the renewal application includes the addition of a flare, gas tank, natural-gas fueling station, and leachate tank, together with revisions to emission estimates, operating scenarios, regulatory conditions, and landfill-capacity information; and

WHEREAS, the draft permit proposes changes to Waste Management's permitted emissions, including increases in certain air pollutants and decreases in others; and

WHEREAS, the draft permit also revises assumptions concerning the effectiveness of emission-control measures and identifies additional air contaminants that may be produced by landfill operations; and

WHEREAS, citizens of Tontitown have repeatedly reported odors and other air-quality concerns associated with landfill operations, and the Tontitown City Council has previously expressed its concerns regarding noxious gases, odors, air pollution, fires, and other effects of the landfill on the health, safety, and welfare of residents; and

WHEREAS, ADEQ has undertaken multiple air-monitoring events in the Tontitown community, and ADEQ and the United States Environmental Protection Agency (EPA) continue efforts to evaluate and identify potential sources of certain detected air contaminants; and

WHEREAS, the Tontitown City Council recognizes that ADEQ is the permitting authority, but finds that the City's direct experience with recurring complaints and the landfill's proximity to residents warrant an unequivocal statement of opposition to issuance of the proposed permit renewal; and

WHEREAS, after considering the draft permit, the history of community concerns, and the City's responsibility to protect the public health, safety, and welfare, the Tontitown City Council finds that approval of the proposed Title V permit renewal is not in the best interests of the citizens of Tontitown.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Tontitown, Arkansas:

Section 1. The Tontitown City Council hereby affirmatively states its opposition to the issuance of the proposed Title V operating air permit renewal for Waste Management pending Permit No. 1884-AOP-R9, AFIN 72-00144, and respectfully requests that DEQ deny the permit application and decline to issue the draft permit.

Section 2. This Resolution constitutes the City's formal written comment on the draft permit pursuant to 8 CAR § 11-208. The City Clerk-Treasurer is directed to transmit a certified copy of this Resolution to the ADEQ Office of Air Quality for inclusion in the administrative record for the pending permit decision before expiration of the public-comment period.

Section 3. The Mayor, or any member of the City Council, is authorized to present this Resolution at the August 25, 2026 public hearing and to provide ADEQ or other regulatory authorities with additional information consistent with the City's position stated herein.

Section 4. The City Council respectfully requests that the ADEQ Director, in making the final decision under 8 CAR § 11-211 and 8 CAR pt. 42, give due consideration to this Resolution, the City's prior resolutions concerning Waste Management, and the comments and experiences of Tontitown residents.

Section 5. This Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this _____ day of August 2026.

APPROVED:

Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)

SPONSORSHIP AND LEGISLATIVE HISTORY

Sponsor (Initiated By): _____

Motion to Introduce Made By: _____

Seconded By: _____

Adopted / Passed: _____

Vote: Ayes ____ Nays ____ Abstain ____ Absent ____

This requirement is in addition to, and does not supersede, any authentication, attestations, or signature requirements imposed by state law or other provisions of the Tontitown Municipal Code.