



## **Resolution 2012-01**

**A Resolution of the Boston Mountain Solid Waste District Board affirming the Arkansas Department of Environmental Quality decision to NOT require the District to provide a Certificate of Need for the District's Transfer Station.**

**Whereas**, The Boston Mountain Solid Waste District and its predecessors, the Four County Solid Waste District, the Tri-County Solid Waste District and the North Arkansas Planning and Development District, did make all the public processes for a Certificate of Need in planning and constructing the West Washington County Transfer Station; and

**Whereas**, The Boston Mountain Solid Waste District and the Arkansas Department of Environmental Quality staff since 1998, when this project was first put on paper, has never required the local District to submit such a plan for inspection on any document or future permitting documents; and

**Whereas**, the ADEQ in 2012 pointed out to the District that a Certificate Of Need would be required for renewal of the General Permit for the Solid Waste Transfer Station and that such a requirement even retroactively might be necessary; and

**Whereas**, the Director of the District appealed that suggestion to the current Director of ADEQ, Ms. Teresa Marks for allowing an exception to this requirement. A letter was received by the District on Feb. 21, 2012, granting this exception that reads, in part, "...No certificate of need is required at this time for continued coverage of your existing facility under the general permit."

**Therefore:** The Boston Mountain Solid Waste District Board, by a vote of its members, concurs with the ADEQ decision that the West Washington County Transfer Station does not need to be required to have a Certificate of Need and shall not be required to have one in the future as ADEQ did not require the documents at the time of construction or permitting.

Approved this day, March 23, 2012

Chair: \_\_\_\_\_