



ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

FOR IMMEDIATE RELEASE:

May 3, 2019

Bella Vista POA to Assume Responsibility of the Trafalgar Site

NORTH LITTLE ROCK—The Arkansas Department of Environmental Quality (ADEQ) has announced that the Bella Vista Property Owners Association (POA) will assume responsibility of the fire extinguishment and removal action of the Trafalgar Road site in Bella Vista today, Friday, May 3, 2019. ADEQ will maintain inspection duties and provide oversight during the execution of the POA’s work.

In January, ADEQ notified the POA that the Department considered the POA a potential responsible party with an obligation to contribute to the management and suppression of the fire and remediation of the site. ADEQ has received reasonable assurance from the POA that it is committed to and is capable of initiating corrective and removal action in a timely manner that will extinguish the fire and assure it will not reignite. The POA’s reasonable assurance has terminated ADEQ’s authority to conduct the removal action. ADEQ’s authority to conduct removal is governed by Ark. Code Ann. § 8-7-508(g), which states in pertinent part that:

“Removal actions are not authorized when the director has reasonable assurance that the person liable for a release or threatened release has committed to and is capable of initiating corrective and removal action in a timely manner and that the actions will achieve results equivalent to the results from removal action authorized in this section.”

ADEQ Director Becky W. Keogh:

“We believe this agreement facilitates immediate actions consistent with ADEQ’s proposed response action plan. The remedial action includes extinction of the fire at the site within thirty days after the POA’s contractor mobilizes at the site. ADEQ and coordinating state agencies will work to assure continued protection to public health and the environment.”

The General Assembly passed a \$20 million appropriation in the 2019 legislative session to facilitate the extinguishment of the fire and subsequent cleanup of the Trafalgar Road site. With the POA assuming responsibility of the site from the state, the appropriation may no longer be necessary, which will result in a reduced cost to the state.

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