

**FOR OFFICE USE ONLY:
AIR HW RST SW WATER
MINING**

**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY
P. O. BOX 8913, LITTLE ROCK, AR 72219-8913**

COMPLAINT REPORT

LOCATION: <i>Latitude 36.0647 Longitude 92.0484</i>	AFIN#: <i>N/A</i> PERMIT#: <i>N/A</i>
DATE RECEIVED: <i>06/10/08</i>	COUNTY: <i>Izard</i>
COMPLAINANT NAME: <i>Art Jones</i>	COMPLAINT AGAINST: <i>George Bartmess and James P. Hardy</i>
ADDRESS: <i>HC 77 Box 1215 Melbourne, AR 72556</i>	<i>B&H Resources, LLC. 1057 Riding Club Lane Shreveport, LA 71118</i>
PHONE: <i>870-297-3166</i> FAX: <i>N/A</i>	PHONE:

PERSON RECEIVING REPORT: <i>Dale Washam</i>	DATE: <i>06/10/08</i>	SUPERVISOR REFERRAL:	DATE:
INSPECTOR REFERRED:	DATE:	MEDIA SUPERVISOR REFERRAL:	DATE:
PHONE REFERRAL CONTACT:	DATE:	RECEIVING INSPECTOR: <i>Tony Morris</i>	DATE: <i>05/10/08</i>

DESCRIPTION (IN DETAIL)

The complainant stated that the land owner is deforesting the riparian vegetation along Mill Creek and Peorogue Creek for a proposed sand mining operation. The removal of the riparian vegetation is causing bank erosion and channel instability on the creeks.

LOCATION (IN DETAIL)

The property is located along Mill Creek and Peorogue Creek which are tributary to Piney Creek. Piney Creek empties into the White River approximately 5 miles southeast (down stream) of Calico Rock in Izard County.

PREVIOUS COMPLAINT? YES NO **DATES:** *Numerous complaints have been received regarding the activities along the creeks.*

DISCHARGE TO STREAM? YES NO **NAME OF STREAM:** *Mill Creek, Peorogue Creek, Piney Creek*

HOW COMPLAINT WAS RECEIVED: PHONE LETTER VERBAL FAX E-MAIL

FOLLOW UP ON COMPLAINT

COMPLAINT #:

AFIN #:

INSPECTOR: Tony Morris

DATE: 06/17/08

ACTION TAKEN: On site investigation on 6/13/08, phone conversation with James Hardy of B&H Resources, Inc. on 6/16/08

PHOTOS TAKEN: Yes, see attached

The land along Mill Creek was visited on 06/13/08. Mill Creek has a drainage area of approximately 68 square miles and empties into Piney Creek approximately 2 miles above the White River. The drainage basin lies within the Ozark Plateau Physiographic Province and is underlain by sandstone of the St. Pete Formation. The area is characterized by horizontally bedded sandstone plateaus which have been dissected by the streams forming deeply entrenched, relatively narrow, meandering valleys. Soils in the narrow alluvial valleys are composed of white sand with very little fine grained sediment content. The absence of silt and clay within the alluvial soils results in the sand being particularly susceptible to erosion.

A large tract of land along Mill Creek was sold by George Bartmess to a company by the name of B & H Resources, LLC. The company submitted a mining application to the ADEQ Mining Division in the spring of 2008. According to the application, the company intends to mine silica sand on 249 acres of land located in alluvial fields along Mill Creek. In addition, there were two smaller tracts of land located away from the stream included in the sale which are intended as processing areas.

According to adjacent land owners, the company began clear cutting timber on the mine site, including the riparian areas, in January 2008. Clearing of stumps and residual vegetation began in April of 2008. At the time of this investigation there was equipment parked near the confluence of Peorogue Creek with Mill Creek and signs of recent dozer operation on the stream banks. As a result of the removal of the riparian vegetation, massive bank erosion is occurring along Mill Creek over an approximately one mile reach within the proposed mine site. No effort is being made to control erosion and as a result, the gravel substrate is smothered in sediment and the pools are filled with sediment through the length of stream on the mine site to below the confluence with Piney Creek a distance approaching 2 miles. The massive sediment loss from the mine site to area streams is causing a significant alteration of habitat.

FURTHER ACTION TAKEN/TO BE TAKEN: Enforcement action recommended

INSPECTOR SIGNATURE:

Tony Morris



DATE:

06/17/08



HOURS WORKED:

16 hours


**Arkansas Department of Environmental Quality (ADEQ)
Official Photograph Sheet**

Location:		B&H Resources, LLC., Izard County					
Photographer:		Tony Morris			Witness:		
Photo #	1	Of	6		Date:	06/13/08	Time: 10:21
Description:		An over view of a portion of the recently deforested 249 acre mine site with Mill Creek in the foreground.					
							
Photographer:		Tony Morris			Witness:		
Photo #	2	Of	6		Date:	06/13/08	Time: 10:38
Description:		A barren stream bank on Mill Creek in the proposed mine site.					
							

Arkansas Department of Environmental Quality (ADEQ) Official Photograph Sheet

Location:		B&H Resources, LLC., Izard County					
Photographer:		Tony Morris			Witness:		
Photo #	3	Of	6		Date:	06/13/08	Time: 11:20
Description:		The erosion prone alluvial sediment on the banks of Mill Creek in the mine site.					
							
Photographer:		Tony Morris			Witness:		
Photo #	4	Of	6		Date:	06/13/08	Time: 11:39
Description:		The gravel substrate (darker material) of Mill Creek with recently deposited sediment at a location just down stream of the mine site western property line.					
							

**Arkansas Department of Environmental Quality (ADEQ)
Official Photograph Sheet**

Location:		B&H Resources, LLC., Izard County						
Photographer:		Tony Morris			Witness:			
Photo #	5	Of	6		Date:	06/13/08	Time:	12:10
Description:		The confluence of Mill Creek (Left) with Piney Creek (Right) with the lighter colored sediment plume originating from the mine site visible.						
								
Photographer:		Tony Morris			Witness:			
Photo #	6	Of	6		Date:	06/13/08	Time:	12:19
Description:		Sediment smothering the gravel substrate in Piney Creek below the confluence with Mill Creek at approximately one mile below the mine site western property line.						
		