



ARKANSAS
Department of Environmental Quality

September 15, 2009

*Tommy Lawson, Manager
Stuttgart Municipal Waterworks
P.O. Box 130
Stuttgart, Arkansas 72160*

RE: Waste Water Collection System

AFIN: 01-00041 NPDES Permit No.: AR0034380

Dear Mr. Lawson:

On September 9, 2009, I conducted a reconnaissance inspection of the waste water collection system in accordance with the provisions of the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, and the regulations promulgated thereunder. This inspection revealed the following violation:

Inadequate maintenance of the waste water collection system. It is apparent that some progress has been and is being made to correct this issue. However, evidence from the previous overflow of ash from the system still exists.

*The above item requires your immediate attention. Please submit a written response to Cindy Garner, Water Division Enforcement Branch Manager, of this Department. The response should be mailed to the address below. The response should contain documentation describing the course of action taken to correct each item noted. This corrective action should be completed as soon as possible, and the written response is due by **September 25, 2009**.*

For additional information you may contact the enforcement section by telephone at 501-682-0639 or by fax at 501-682-0910.

*Tommy Lawson, Manager
Stuttgart Municipal Waterworks
September 10, 2009
Page 2*

If I can be of any assistance, please contact me at (870) 247-5155.

Sincerely,

A handwritten signature in black ink that reads "Steven L. Henderson". The signature is written in a cursive, flowing style.

*Steven L. Henderson
District 6 Inspector
Water Division*

*cc: Water Division Enforcement Branch
Water Division Permits Branch*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

NPDES Compliance Inspection Report

Form Approved
OMB No. 2040-0003

Section A: National Data System Coding

Transaction Code	NPDES	Yr/Mo/Day	Inspec. Type	Inspector	Fac. Type																				
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A	F	I	N	0	1	-	0	0	0	4	1														
Inspection Work Days 67 <input type="text"/> <input type="text"/> <input type="text"/> 69	Facility Evaluation Rating 70 N	BI 71 N	QA 72 N	Reserved----- 73 <input type="text"/> <input type="text"/> <input type="text"/> 74 75 <input type="text"/> <input type="text"/> <input type="text"/> 80																					

Section B: Facility Data

Name and Location of Facility Inspected (<i>For industrial users discharging to POTW, also include POTW name and NPDES permit number</i>) City of Stuttgart Waste Water Collection System 10th Street Extension West Section 29, Township 3 South, Range 2 West Arkansas County, Arkansas	Entry Time/Date 1:00 p.m. 9/9/09	Permit Effective Date September 1, 2009
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Tommy Lawson, Manager (870) 674-7115	Other Facility Data	
Name, Address of Responsible Official/Title/Phone and Fax Number Tommy Lawson, Manager (870) 674-7115 Stuttgart Municipal Water Works P.O. Box 130 Stuttgart, Arkansas 72160	Contacted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

N	Permit	N	Flow Measurement	U	Operations & Maintenance	N	Sampling
N	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
N	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	N	Storm Water	U	Other: Collection System

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

A reconnaissance inspection was conducted of the City of Stuttgart Waste Water Collection System to determine if corrective measures had been completed to solve the issue with the overflow of rice hull ash in the area of East Lincoln and East Harrison Streets. According to Tommy Lawson, Manager, Stuttgart Municipal Water Works, the main lines have been hydro cleaned, smoke tests have been conducted in the area to determine infiltration problems, and Agritech Sorbents, LLC was to shut down on the evening of September 9, 2009 to install new equipment that would eliminate rice hull ash from entering the waste water collection system. However, the evidence of rice hull ash from previous overflow events still exists. Mr. Lawson revealed that the ally way will be cleaned up and new gravel applied as soon as possible. Also, Mr. Lawson revealed that Agritech Sorbents, LLC has offered to clean up and provided soil to the residents affected.

Name(s) and Signature(s) of Inspector(s) <i>Steven L. Henderson</i> Steven L. Henderson	Agency/Office/Telephone/Fax ADEQ/ White Hall/ (870) 247-5155/ (870) 247-5185	Date September 10, 2009
Signature of Reviewer	Agency/Office/Phone and Fax Numbers	Date

Water Division NPDES Photographic Evidence Sheet

Location: *Ally between East Lincoln and East Harrison Streets, Stuttgart, Arkansas*

Photographer: *Steven L. Henderson* **Witness:** *None*

Photo # *1* **Of** *2* **Date:** *9/9/09* **Time:** *1:00 p.m.*

Description: *Evidence of rice hull ash from previous sanitary sewer overflow*



Photographer: *Steven L. Henderson* **Witness:** *None*

Photo # *2* **Of** *2* **Date:** *9/9/09* **Time:** *1:03 p.m.*

Description: *Evidence of rice hull ash from previous sanitary sewer overflow*



Stuttgart Municipal Water Works

612 S College – PO Box 130 – Stuttgart Arkansas 72160

Tommy Lawson
Manager

September 22, 2009

Cindy Garner
Ark. Dept. of Environmental Quality
Enforcement Section
5301 Northshore Drive
North Little Rock AR 72118-5317

RE: Waste Water Collection System

Dear Ms. Garner:

This letter is in response to the inspection performed by Mr. Henderson on September 9, 2009. Agritec Sorbents LLC ceased operations at the plant on September 10, 2009 to install new equipment that will capture carbon getting through their filters and going into the city sanitary sewer system. The plant will not resume operations until this equipment is installed.

The Sewer Department will add on to the existing forcemain and extend approximately 820 ft. west to a deeper manhole. The present manhole is 2 ½ ft. deep, and the manhole where the forcemain will be installed is 8 ½ ft deep. The new pipe should be installed by mid October 2009, and hopefully this will prevent any more surges in the line. The city will continue to smoke-test sewer lines in the area, and send letters to homeowners who are in violation.

Also, Agritec Sorbents has offered to help the homeowners clean up any carbon residue remaining in their yards.

If you have any questions, please call me at 870-673-3246.

Sincerely,



Tommy Lawson

STUTTGART MUNICIPAL WATER WORKS

612 SOUTH COLLEGE - P.O. BOX 130
STUTTGART, ARKANSAS 72160-0130

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09/22/2009

US POSTAGE

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Cindy Garner
Ark. Dept. of Environmental Quality
Water Branch Enforcement Branch
5301 Northshore Drive
North Little Rock AR 72118-5317

72118+5317



ADEQ

ARKANSAS
Department of Environmental Quality

October 8, 2009

Tommy Lawson, Manager
Stuttgart, City of
Wastewater Treatment Facility
P.O. Box 130
Stuttgart, AR 72160

RE: NPDES Permit AR0034380, AFIN 01-00041
Response to Inspection

Dear Mr. Lawson:

ADEQ has received your response to the September 9, 2009 reconnaissance inspection of your facility by our District Field Inspector, Steven L. Henderson. Your letter appears to adequately address the discrepancies identified during the visit. ADEQ assumes the corrective actions taken will be maintained to ensure consistent compliance with the requirements of the permit. Acceptance of this response by the Department does not preclude any future enforcement action deemed necessary at this site or any other site.

The Department will keep the inspection and your response on file and will consider them in determining the amount of a civil penalty, if required, that may be necessary for any violations. Please note that Arkansas Pollution Control and Ecology Commission Regulation No. 7: Civil Penalties requires the Department to consider several factors when determining a civil penalty. Enclosed for your information with this letter is a list of the Regulation 7 factors, among which are the past compliance history of your company and how expeditiously violations are addressed.

Thank you for your attention to this matter. If we need further information, we will contact you. Should you have any questions, feel free to contact me by phone at 501-682-0632 or e-mail at robertsa@adeq.state.ar.us. Please remember to refer to NPDES Permit AR0034380 and AFIN 01-00041 in any written correspondence to this Department.

Sincerely,



Anne Roberts
Enforcement Analyst
Enforcement Branch
Water Division

Enclosure

Arkansas Pollution Control and Ecology Commission Regulation No. 7 – Civil Penalties

Section 9. Determination of Amount

In determining the amount of a civil penalty to be assessed hereunder, the Department shall consider the following factors which may increase or decrease the amount of the assessed fine:

- (a) The seriousness of the noncompliance and its effect upon the environment, including the degree of potential or actual risk or harm to the public health caused by the violation.
- (b) Whether the cause of the noncompliance was an unavoidable accident.
- (c) The violator's cooperativeness and expeditious efforts to correct the violation.
- (d) The history of a violator in taking all reasonable steps or procedures necessary or appropriate to correct any noncompliance.
- (e) The violator's history of previous documented violations regardless of whether or not any administrative, civil, or criminal proceeding was commenced therefore.
- (f) Whether the cause of the violation was an intentional act or omission on the part of the violator.
- (g) Whether the noncompliance has resulted in economic benefit or pecuniary gain to the violator, including but not limited to cost avoidance.
- (h) Whether the pursuit and the execution of the enforcement action has resulted in unusual or extraordinary costs to the Department or the public.
- (i) Whether any part of the noncompliance is attributable to the action or inaction of the state government.
- (j) Whether the violator has delayed corrective action.