



ARKANSAS
Department of Environmental Quality

January 4, 2012

Jim Shempert
City of Marion WWTP
P.O. Box 717
Marion, AR 72364

RE: City of Marion, Wastewater Treatment Plant

AFIN: 18-00110 NPDES Permit No.: AR0021971

Dear Mr. Shempert:

On November 30, 2011, fellow inspector Brent Walker and I performed a reconnaissance inspection of the above referenced waste water treatment facility. Follow-up inspections were also performed on December 1, 2011 and December 2, 2011. These inspections were conducted in accordance with the provisions of the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, and the regulations promulgated thereunder. These inspections revealed the following violations:

1. On November 30, 2011, partially treated wastewater was flowing over the top of the north levee from the primary (East) treatment pond. This is an unpermitted discharge in violation of the Arkansas Water and Air Pollution Control Act- A.C.A. §8-4-217 (b)(1).
2. Improper operation and maintenance. This violates Part II, Section B. Item 1.a. of the permit, which requires that the permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. The following items were noted:
 - a) The treatment ponds did not have adequate freeboard and an overflow of partially treated wastewater was observed on the northeast levee of the primary treatment pond. Arkansas Pollution Control and Ecology Commission Minute Order # 80-21 and Regulation 6.202 (B) require that the basic design criteria for wastewater treatment plants be based on the latest edition of the "Recommended Standards for Sewage Works," published by the Great Lakes- Upper Mississippi Board of State Sanitary Engineers known as 10 States Standards. 10 States Standards - 93.415 specifies minimum freeboard shall be 3 feet, except that for small systems 2 feet may be acceptable.
 - b) Excessive growth of vegetation was observed on the levees of the treatment ponds.

Mr. Jim Shempert, City of Marion WWTP

January 4, 2012

Page 2

The above items require your immediate attention. Please submit a written response to these findings to the Water Division Enforcement Branch of this Department. This response should be mailed to the address below, or e-mailed to Water-Enforcement-Report@adeq.state.ar.us. This 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 with all necessary documentations (i.e. photos) is **due by January 17, 2012**.

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

If I can be of assistance, please contact me at greenway@adeq.state.ar.us or 870-935-7221 ext.-15.

Sincerely,



Michael B. Greenway
District 3 Field 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
1 N 2 5 3 A R 0 0 2 1 9 7 1 11 12 1 1 1 1 3 0 17 18 R 19 S 20 1					
Remarks					
1 8 - 0 0 1 1 0 C R I T I C A L T E N D E N					
Inspection Work Days	Facility Evaluation Rating	BI	QA	-----Reserved-----	
67 69	70 N	71 N	72 N	73 	74 75 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 Marion WWTP 5054 Hardin Rd. West of Hwy 118, South of the UP Railroad Marion, AR Crittenden County	Entry Time/Date 12:35 / 11-30-2011 13:45 / 12-01-2011 16:25 / 12-02-2011	Permit Effective Date March 1, 2007					
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Jim Shempert / Water Utilities Manager / 870-739-5413 / fax: 870-739-5415	Other Facility Data 35.190443 -90.228506 PDS # 063123						
Name, Address of Responsible Official/Title/Phone and Fax Number Mr. Jim Shempert / Utility Manager / 870-739-5413 / fax 870-739-5415 City of Marion WWTP P.O. Box 717 Marion, AR 72364	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)							
S	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	N	Other:

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

On November 30, 2011 fellow inspector Brent Walker and I performed a reconnaissance inspection of the Marion Wastewater Treatment facility. At the time, the primary treatment pond was overflowing near the northeast corner. Mr. Jim Shempert, Marion Utilities Manager, was contacted and was unaware of the overflow. Follow up inspections on 12-01-2011 and 12-02-2011 revealed the overflow was stopped with sandbags and a portable pump was used to increase effluent flow and assist in lowering the water level in the treatment ponds.

Refer to the attached letter and photos for more information and a complete list of violations. .

Name(s) and Signature(s) of Inspector(s) Michael B. Greenway	Agency/Office/Telephone/Fax AR Dept. of Environmental Quality-Jonesboro (870) 935-7221 ext. 15 / (870) 935-4715 (Fax)	Date January 3, 2012
Signature of Reviewer	Agency/Office/Phone and Fax Numbers	Date

Water Division NPDES Photographic Evidence Sheet

Location:	City of Marion WWTP						
Photographer:	Michael Greenway			Witness:	Brent Walker		
Photo #	1	Of	12	Date:	11/30/2011	Time:	12:42
Description:	The southeast corner of the primary treatment pond, influent is pumped into the pond in this area. Also shown is excessive growth of vegetation on the levee.						



Photographer:	Michael Greenway			Witness:	Brent Walker		
Photo #	2	Of	12	Date:	11/30/2011	Time:	12:46
Description:	Partially treated wastewater is shown flowing over the northeast levee of the primary treatment pond. Also note the excessive growth of vegetation on the levee.						



Water Division NPDES Photographic Evidence Sheet

Location:	City of Marion WWTP						
Photographer:	Michael Greenway			Witness:	Brent Walker		
Photo #	3	Of	12	Date:	11/30/2011	Time:	12:47
Description:	Partially treated wastewater flowing over the levee of the primary treatment pond.						



Photographer:	Michael Greenway			Witness:	Brent Walker		
Photo #	4	Of	12	Date:	11/30/2011	Time:	12:47
Description:	Partially treated wastewater flowing over the levee of the primary treatment pond.						



Water Division NPDES Photographic Evidence Sheet

Location:	City of Marion WWTP						
Photographer:	Michael Greenway			Witness:	Brent Walker		
Photo #	5	Of	12	Date:	11/30/2011	Time:	13:10
Description:	Excessive growth of vegetation on the levee that divides the two western treatment ponds.						



Photographer:	Michael Greenway			Witness:	Brent Walker		
Photo #	6	Of	12	Date:	11/30/2011	Time:	13:36
Description:	The wastewater from the overflow was traveling along Hardin Rd.						



Water Division NPDES Photographic Evidence Sheet

Location:	City of Marion WWTP
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Photographer:	Michael Greenway	Witness:	Brent Walker
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Photo #	7	Of	12	Date:	11/30/2011	Time:	13:36
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Description:	The wastewater from the overflow traveled near what appeared to be a well and a water treatment facility.
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Photographer:	Michael Greenway	Witness:	Brent Walker
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Photo #	8	Of	12	Date:	12/01/2011	Time:	13:51
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Description:	Excessive growth of vegetation on the north levee of the primary treatment pond.
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Water Division NPDES Photographic Evidence Sheet

Location:	City of Marion WWTP						
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Photographer:	Michael Greenway			Witness:	Brent Walker		
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Photo #	9	Of	12	Date:	12/01/2011	Time:	13:54
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Description:	Excessive growth of vegetation on the north levee of the primary treatment pond.						
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Photographer:	Michael Greenway			Witness:	Brent Walker		
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Photo #	10	Of	12	Date:	12/01/2011	Time:	14:01
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Description:	Excessive growth of vegetation and woody debris on the east levee of the primary treatment pond.						
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Water Division NPDES Photographic Evidence Sheet

Location:	City of Marion WWTP						
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Photographer:	Michael Greenway	Witness:	Brent Walker		
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Photo #	11	Of	12	Date:	12/01/2011	Time:	13:56
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Description:	Sandbags were used to stop the overflow on the northeast levee of the primary treatment pond.						
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Photographer:	Michael Greenway	Witness:	Brent Walker		
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Photo #	12	Of	12	Date:	12/02/2011	Time:	16:35
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Description:	This portable pump was used to assist in lowering the level of water in the treatment ponds. This unit pumped wastewater from the final treatment pond, directly into one of the rock reed filters.						
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Marion Water Department

MAYOR
FRANK A FOGLEMAN

WATER UTILITIES MANAGER
JIM SHERPERT

31 MILITARY ROAD
P.O. BOX 814
MARION, ARKANSAS 72364
PHONE: 870-739-3073
FAX: 870-739-5415

WATER & SEWER COMMITTEE

JIM SPENCE, CHAIRMAN
OAKLEA PHILLIPS
RICHARD COCKRILL

January 10, 2012

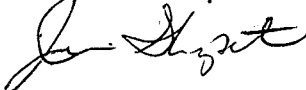
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock Arkansas 72118-5317

RE: Reconnaissance Inspection November 30, 2011

As reported by Mr. Walker and Mr. Greenway we did stop this overflow with sandbags and a portable 4" pump. We have worked diligently to lower our lagoon system after these abnormal rainfalls. We currently have achieved about 18" to 24" of freeboard on our lagoons. On January 10th we started shoring up our levees with rip-rap stored in our 3rd lagoon. We also are preparing to bush-hog the excessive growth issue as weather permits.

Sincerely,

Jim Shempert



Water/wastewater Utilities Manager

ADEQ

ARKANSAS
Department of Environmental Quality

January 4, 2012

Jim Shempert
City of Marion WWTP
P.O. Box 717
Marion, AR 72364

RE: City of Marion, Wastewater Treatment Plant

AFIN: 18-00110 NPDES Permit No.: AR0021971

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The following items were noted:

- a) The treatment ponds did not have adequate freeboard and an overflow of partially treated wastewater was observed on the northeast levee of the primary treatment pond. Arkansas Pollution Control and Ecology Commission Minute Order # 80-21 and Regulation 6.202 (B) require that the basic design criteria for wastewater treatment plants be based on the latest edition of the "Recommended Standards for Sewage Works," published by the Great Lakes- Upper Mississippi Board of State Sanitary Engineers known as 10 States Standards. 10 States Standards - 93:415 specifies minimum freeboard shall be 3 feet, except that for small systems 2 feet may be acceptable.
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ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

5301 NORTHSHORE DRIVE / NORTH LITTLE ROCK / ARKANSAS 72118-5317 / TELEPHONE 501-682-0744 / FAX 501-682-0880

www.adeq.state.ar.us

Mr. Jim Shempert, City of Marion WWTP

January 4, 2012

Page 2

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If I can be of assistance, please contact me at greenway@adeq.state.ar.us or 870-935-7221 ext.-15.

Sincerely,



Michael B. Greenway
District 3 Field Inspector
Water Division

cc: Water Division Enforcement Branch
Water Division Permits Branch

 <p style="text-align: center;">UNITED STATES ENVIRONMENTAL PROTECTION AGENCY Washington, D.C. 20460</p> <h2 style="text-align: center;">NPDES Compliance Inspection Report</h2>	Form Approved OMB No. 2040-0003
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Section A: National Data System Coding

Transaction Code	NPDES	Yr/Mo/Day	Inspec. Type	Inspector	Fac. Type
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Remarks					
1 8 - 0 0 1 1 0 C R I T I C A L E N D E N T					
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Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Jim Shempert / Water Utilities Manager / 870-739-5413 / fax: 870-739-5415	Other Facility Data 35.190443 -90.228506 PDS # 063123	
Name, Address of Responsible Official/Title/Phone and Fax Number Mr. Jim Shempert / Utility Manager / 870-739-5413 / fax 870-739-5415 City of Marion WWTP P.O. Box 717 Marion, AR 72364	Contacted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	



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Refer to the attached letter and photos for more information and a complete list of violations.

Name(s) and Signature(s) of Inspector(s)  Michael B. Greenway	Agency/Office/Telephone/Fax AR Dept. of Environmental Quality-Jonesboro (870) 935-7221 ext. 15 / (870) 935-4715 (Fax)	Date January 3, 2012
Signature of Reviewer 	Agency/Office/Phone and Fax Numbers MARION WATER MANAGER 870-739-5415	Date 1/11/2012

Water Division NPDES Photographic Evidence Sheet

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Photographer:	Michael Greenway			Witness:	Brent Walker		
Photo #	11	Of	12	Date:	12/01/2011	Time:	13:56
Description:	Sandbags were used to stop the overflow on the northeast levee of the primary treatment pond.						



Photographer:	Michael Greenway			Witness:	Brent Walker		
Photo #	12	Of	12	Date:	12/02/2011	Time:	16:35
Description:	This portable pump was used to assist in lowering the level of water in the treatment ponds. This unit pumped wastewater from the final treatment pond, directly into one of the rock reed filters.						



Subject: marionwater

From: Jim Shempert (jshempert.waterdept@yahoo.com)

To: anderson@adeq.state.ar.us;

Date: Monday, December 5, 2011 3:18 PM

Mr. Anderson

The City of Marion (Marion Water Department) experienced a wastewater overflow on the Northeast corner of pond #1 of our 3 pond lagoon system. We were aware of our levels becoming very high and were in the process of repairing clogged lines when Mr. Brent Walker discovered it and made us aware of the overflow at some time around 1:00PM on 11/20/2011. We immediately started sand bagging and building a levee to stop the overflow. We had it repaired at about 4:00-4:30PM on 11/20/2011. We are currently working to clear our discharge lines in our rock bed system. The overflow is stopped.

I have also called and made ADEQ aware of my discharge monitoring graph being sent in for repairs today, 12/01/2011 by Van Brocklynn and Associates.

Thank you for your cooperation.
Jim Shempert

Subject: wastewater overflow

From: Jim Shempert (jshempert.waterdept@yahoo.com)

To: anderson@adeq.state.ar.us;

Date: Wednesday, December 7, 2011 12:20 PM

Mr. Anderson:

The City of Marion after receiving another additional 5 & 1\2 " of rainfall 12/3/11- 12/5/11 had another overflow within a few feet west of our last overflow reported 11/30/11. We became aware of the overflow Monday morning 12/5/5 at about 7:00 A.M. we had it repaired by Tuesday 12/6/11. We have been operating a pump to help lower the water level since Friday 12/2/11.

Thanks Again for your cooperation,

Jim Shempert

MARION WATER
31 MILITARY RD.
MARION, AR.
72364



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 001.08⁰
0003115686 JAN 11 2012
MAILED FROM ZIP CODE 72364

ENFORCEMENT
DIVISION

ADEQ
5301 NORTHSORE DRIVE
NORTH LITTLE ROCK, AR.
72118-5317



ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2012

Jim Shempert
City of Marion
P.O. Box 804
Marion, AR 72364

RE: NPDES Permit No.: AR0021971, AFIN: 18-00110, Response to Inspection

Dear Mr. Shempert:

The Department has reviewed the response pertaining to the November 30, 2011 inspection of the City of Marion's wastewater treatment facility by District Field Inspector Brent Walker. The information provided sufficiently addresses the violations referenced in the inspection report. However, the Department has the following comments:

- Please take all necessary measures to maintain adequate freeboard in the treatment pond system.
- Please remove the excessive vegetation from the treatment pond levees no later than February 14, 2012, and inform the Department in writing that compliance has been achieved no later than February 21, 2012.

The Department will keep the inspection and response on file. If future violations occur that require enforcement action, the Department will consider the inspection and response as required by the Pollution Control and Ecology Commission Regulation No. 7, Civil Penalties. This regulation requires the Department to consider the past history of your facility and how expeditiously the violations were addressed in determining any civil penalty that may be necessary for any future violations.

If we need further information concerning this matter, we will contact you. Thank you for your attention to this matter. Should you have any questions, feel free to contact me at 501-682-0635 or you may e-mail me at anderson@adeq.state.ar.us.

Sincerely,



Alan Anderson
Enforcement Analyst
Water Division Enforcement Branch