

## Anderson, Alan

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**From:** Healey, Richard  
**Sent:** Wednesday, October 07, 2015 1:34 PM  
**To:** Evans, Parthy  
**Cc:** Don Clark; Steven Gorszczyk; Tom Myers; Leah Anderson; McAlister, Michael; Carpenter, Ellen; Shafii, Mo; Bailey, John; Ungerank, Colby; Solaimanian, Jamal; Anderson, Alan; Johnson, Miles; Bolenbaugh, Jason; Gilliam, Allen  
**Subject:** City of Siloam Springs, Arkansas, NPDES Permit No. AR0020273

Ms. Evans-

The Department received your email below, with proposed modifications to the existing agreement between the City and Sager Creek Foods. The Department does not object to implementation of the proposal and any additional BMPs by the City and Sager Creek Foods, with the caveat that the City of Siloam Springs must ensure operation of its POTW in compliance with the conditions of the City's NPDES Permit No. AR0020273.

In addition, as requested, the following were in attendance for the conference call in morning:

Ellen Carpenter, Water Division Manager, ADEQ  
Mo Shafii, Water Division Asst. Manager, ADEQ  
Jason Bolenbaugh, Inspection Branch Manager, Water Division, ADEQ  
John Bailey, Permits Branch Manager, Water Division, ADEQ  
Jamal Solaimaniam, Engineer Supervisor, No-Discharge Section, Water Division, ADEQ  
Colby Ungerank, Engineer, No-Discharge Section, Water Division, ADEQ  
Richard Healey, Enforcement Branch Manager, Water Division, ADEQ  
Alan Anderson, Enforcement Analyst, Water Division, ADEQ  
Miles Johnson, Enforcement Coordinator, Water Division, ADEQ  
Michael McAlister, Supervising Attorney, Legal Division, ADEQ

If you have any questions, please do not hesitate to contact me.

Thanks

Richard C. Healey  
Enforcement Branch Manager  
Water Division  
Arkansas Department of Environmental Quality  
501-682-0640  
[healeyr@adeq.state.ar.us](mailto:healeyr@adeq.state.ar.us)

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**From:** Evans, Parthy [mailto:parthy.evans@stinson.com]  
**Sent:** Wednesday, October 07, 2015 11:55 AM  
**To:** Healey, Richard; McAlister, Michael  
**Cc:** Don Clark; Steven Gorszczyk; Tom Myers; Leah Anderson  
**Subject:** City of Siloam Springs, Arkansas

Good Day: Thank you and all the ADEQ representatives that participated in the conference call this morning regarding the September 28, 2015 Siloam Springs POTW upset and the City's plans to allow Sager Creek Foods, Inc. to resume discharges to the City's collection system. At the conclusion of this email I am providing a list of the Siloam Springs

representatives that participated in the call and would appreciate a list of the ADEQ representatives that participated in the call.

As we discussed, the following are the conditions under which the City will allow Sager Creek Foods to resume discharge:

1. Sager Creek Foods is ordered to cease all discharges into the City's POTW except as provided in this Cease and Desist Order and the Pretreatment Permit.
2. The discharge requirements in this Cease and Desist Order supersede discharge requirements of the Pretreatment Permit Part I, Section A for discharge flow and BOD to the extent that this Cease and Desist Order imposes alternative requirements. All other provisions of the Pretreatment Permit remain in full force and effect.
3. Discharge from Sager Creek Foods to the City POTW is prohibited until October 8, 2015.
4. Beginning October 8, 2015 and until the conditions of paragraph 34 of this Cease and Desist Order are fulfilled, Sager Creek Foods may discharge pretreated wastewater to the City POTW as follows:

(a) Discharge limits:

<u>Parameter</u>	<u>Maximum Discharge</u>
Flow	500,000 gallons per day
BOD	1125 mg/l

(b) Monitoring requirements for discharges authorized above:

Flow shall be monitored with a magnetic flow meter and recorded daily. BOD shall be monitored daily with 24 hour time composite flow proportional sampling representative of the discharges authorized above. Monitoring procedures of the Pretreatment Permit shall be implemented.

(c) Monitoring data shall be reported to the City as follows:

(i) Sager Creek Foods shall request that its contract laboratory provide a verbal report of the data to the Siloam Springs Wastewater Superintendent at 479-228-0934 as soon as analytical information becomes available. If the Wastewater Superintendent does not answer the telephone, the contract laboratory shall leave a message indicating that analyses are available and shall send an email to the Wastewater Superintendent at [tmyers@siloamsprings.com](mailto:tmyers@siloamsprings.com) providing the analytical information.

(ii) Sager Creek Foods shall request that its contract laboratory directly email all analytical reports of Sager Creek Foods wastewater analysis directly to the Wastewater Superintendent at [tmyers@siloamsprings.com](mailto:tmyers@siloamsprings.com).

(iii) In addition, all reporting requirements of the Pretreatment Permit shall be followed.

5. After Sager Creek Foods has demonstrated consistent compliance with all requirements of the Pretreatment Permit for a period of 4 weeks, including Part I. Section A requirements, the

discharge of pretreated wastewater to the City POTW pursuant to the terms of the Pretreatment Permit may resume.

These conditions will be included in a Cease and Desist Order that the City intends to serve on Sager Creek Foods this afternoon. As we also discussed during our conference call this morning, there may be changes to the conditions for resuming discharge and the City will provide ADEQ any changes to the conditions. For your convenience, the current Sager Creek Foods pretreatment permit is attached.

Thank you for the time that ADEQ has spent on the upset and has spent in consultation and coordination with the City.

Sincerely,  
Parthy Evans

Present on the call for Siloam Springs:  
Don Clark, Community Services Director  
Tom Myers, Wastewater Superintendent  
Steve Gorszcyk, Water and Wastewater Manager  
Leah Anderson, Water and Wastewater Administrative Assistant

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