

**Enforcement Meeting Between  
Russellville City Corp. and ADEQ  
September 25, 2013  
Permit No. AR0021768    AFIN: 58-00105**

Present: A. Anderson, R. Healey, C. Uyeda, D. Gerst, ADEQ; Lance Bartlett, Steve Mallett, Larry D. Collins, Randy Bradley; City Corp; Andrew Pownall, CDM Smith; Clint Bell, CWB Engineers

Introductions were made. Mr. Anderson explained that he was concerned about the number of violations. He said that their violations are frequent and numerous enough for EPA to watch and monitor closely. He said he was very concerned with TRC and TSS violations. He said he did not know what they would propose to the Director, but he said ADEQ must do something.

Mr. Pownall said that July 31, 2012, a schedule of compliance was presented by City Corp to ADEQ. The plan included piping to the river. They were told that ADEQ did not have a problem with it, but it was not confident of their meeting limits during heavy rains. They did a violation test that had poor results.

They researched new methods. They came back to discuss the plan and ADEQ said they must keep the original date of July 31, 2012, on the schedule of compliance. To the City it seemed to put them in a "no-win situation" because they had researched other methods, but the schedule of compliance date did not allow enough time to implement a new plan.

The City explained that they have two clarifiers and plan to add an additional clarifier. They are working on that construction now. They estimate the construction to be done by February 1, 2014. Mr. Healey asked if they thought the new clarifiers would handle the problem. They acknowledged that they would.

It was noted that with rainfall for an extended time, some sludge must have accumulated in the system. I & I projects are currently going on that provide more capacity than I & I.

The City thought they would proceed with the pipeline to the river. When they met with ADEQ, they were given ten days to respond to the TSS violations. Mr. Pownall said the deadlines for projects were staggered, and they seemed to be addressing all the problems at once. He did note that the corrective action is moving forward. It is in place. But City Corp cannot really expedite the CAP at this point.

The TSS compliance was due on January 10, 2013. Mr. Shafii told them at that time that they could not amend the CAO. Their TSS had been in noncompliance for a long time. City Corp is a major facility and EPA would watch to make sure they were addressing these problems. He went on to say that EPA also wants to make sure that ADEQ does its part to bring Russellville into compliance. So, ADEQ will have to take some enforcement action. He told them it was

good that they have a plan and are working to prevent the problems. He said they appeared to be doing major things to come into compliance.

Mr. Pownall asked if the City could send a letter explaining what has been done to start bringing the facility back into compliance. Mr. Healey reminded them to discuss the plan, explain how long until the construction is complete. They were told they should explain how their sludge is handled and how TSS is being managed. The City was told to note in the letter that they have a plan in place with clarifiers. They should note that their plan may allow them to meet their limits before the deadline. They were encouraged to hire an engineering company to see if something can be done to fix the pumps.

Mr. Healey explained that they are out of compliance with the CAO because they did not meet the deadline. ADEQ has to take some action against City Corp. If City Corp. fills out a letter with actions and corrections taken to prevent noncompliance, and staff gives input to upper management to that affect, it might influence upper management in their decision making. He did stress that the goal is "compliance".

The City was told that they may face a civil penalty. Mr. Healey explained that the noncompliance went on for a long time and was significant. Mr. Healey told them that the Order may need to be amended or another order written. He said it would be better if it could be amended. Staff was not sure that it could be amended. Mr. Uyeda told them that by reporting what they have done in the past year to correct problems would certainly look good in the review.

Mr. Anderson noted that penalties in CAOs are geared more toward projects. He said it would be good to explain any projects and processes done to correct problems. It was noted that their letter should be e-mailed to Mr. Anderson by close of business, Friday, September 27. The meeting was adjourned at: 10:49 A.M.

Respectfully submitted,  
Deborah Gerst