



# CITY CORPORATION

Russellville Water and Sewer System

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May 9, 2014

Mr. Alan Anderson  
Enforcement Analyst  
Water Division/Enforcement Branch  
Arkansas Department of Environmental Quality  
5301 Northshore Dr.  
North Little Rock, Arkansas 72118

RE: NPDES Permit No. AR0021768, AFIN 58-00105  
Proposed Amended Consent Administrative Order LIS. No 09-146-001

Dear Mr. Anderson:

This letter shall serve as a response to your letter dated April 25, 2014 regarding the proposed amendment to Consent Administrative Order LIS No. 09-146. City Corporation staff has reviewed the documents and we have visited with our Board of Directors regarding this response. We are submitting a check in the amount of \$20,000 along with this correspondence per the penalty clause of the amended CAO. We appreciate your agency's willingness to reduce the original penalty in light of efforts we have made to date as well as our commitments moving forward.

We are, however, disappointed that the language that we suggested be added to the "Amended Findings of Facts" was rejected by ADEQ, the majority of which we feel illustrates City Corporation's efforts to date to comply with the CAO and also outlines the reasons that the original deadline was not met. While we will concede the proposed language does not directly affect the "meat" of the amended order listed in the "Amended Order and Agreement" section, we do feel it helps define the circumstances for future reference. For clarification, the referenced language is cited below:

*"The Respondent had originally requested an extension in a letter dated August 4, 2011. The extension was requested as a result of a poor pilot test for TSS removal equipment. The extension was requested through the revision of the Corrective Action Plan (CAP), but was denied by ADEQ in a letter dated August 16, 2011. The Respondent again requested an extension for the TSS deadline through a revised CAP submitted on January 13, 2012, and a*

subsequent meeting was held on February 1, 2012, at the offices of ADEQ. The extension request was denied in a letter dated February 15, 2012."

"City Corporation has undertaken measures to address the treatment issues cited in the Consent Administrative Order LIS. 09-146 (CAO), specifically TRC, TSS and Nitrates. Due to delays resulting from the poor pilot test as mentioned in Item 3 above, it was decided, in the interest of time, to separate the proposed improvements at the Wastewater Treatment Plant (WWTP) into two schedules. Schedule I included improvements needed to address the Total Residual Chlorine issues cited in the CAO. This project was completed in February, 2014 and is currently being operated in manual mode until such time that Schedule II is complete, which should allow for automated chemical feed based on pre and post monitoring. Permit limits related to TRC are currently being met. Construction cost for Schedule I totaled \$599,674.75. Schedule II will primarily address the TSS and Nitrate issues and was awarded in May, 2013. This project is the largest in the history of the City Corporation wastewater system and is currently estimated at over 30% complete with construction scheduled to be substantially complete in January of 2015. The contract amount for Schedule II is \$10,751,750.00. The total cost for both schedules including engineering is in the range of \$13 million, which has or is currently being spent to primarily address the items listed herein."

We would appreciate reconsideration of the above language, but will respectfully accept the agency's decision on the matter. City Corporation is in agreement with all other provisions of the amended order.

Should you have any questions or need other info please contact me at 479-968-2080 ext 113.

Sincerely,



Steve Mallett  
General Manager

cc: City Corporation Board of Directors  
Larry Collins  
Randy Bradley  
CWB Engineers  
File

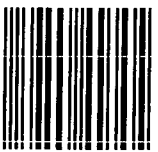
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City Corporation



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To:

Arkansas Department of Environmental Quality  
Att: Mr. Alan Anderson  
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