



**DIVISION OF
ENVIRONMENTAL QUALITY**

Sarah Huckabee Sanders
GOVERNOR

Shane E. Khoury
SECRETARY

December 12, 2023

Todd Pedersen, General Manager
Benton Utilities Wastewater Treatment Plant
1827 Dale Avenue
Benton, AR 72015

EMAIL: tpedersen@bentonutilities.com

**RE: NPDES Permit No. AR0036498, AFIN 63-00063
Sanitary Sewer Overflows Manholes #Q-15 & #Q-14 at the Wastewater Treatment
Plant, 616 West Hazel Street, Benton, Arkansas
Request for Corrective Action Plan**

Dear Mr. Pederson:

The Division of Environmental Quality's Office of Water Quality (OWQ) has conducted a file review of City of Benton NPDES Permit for the period of January 1, 2020 through December 11, 2023. The review reveals the City of Benton has reported forty-four (44) Sanitary Sewer Overflows (SSOs) totaling 235,170 gallons at manhole #Q-14 located at the east side of oxidation basin #2 and manhole #Q-15 located between the sludge building and drying bed #1. Both manholes are located at the Wastewater Treatment Plant at 616 West Hazel Street in Benton. The sewage from these SSOs went into an unnamed tributary of Depot Creek, then to Depot Creek, then to the Saline River. These SSOs are unpermitted discharges and are therefore a violation of the federal Clean Water Act, 33 U.S.C. § 1311(a) *et seq.*; Arkansas Water and Air Pollution Control Act, Ark. Code Ann. § 8-4-101 *et seq.*; and Arkansas Pollution Control and Ecology Commission Rule 6.

Raw sewage contains high levels of Fecal Coliform Bacteria and *E. coli*, both of which are harmful to human health and the environment. Because of the on-going SSOs and the close proximity to a residential neighborhood and waters of the state, DEQ requests the following immediate actions:

- **By the close of business on January 19, 2024**, the City of Benton shall submit a Corrective Action Plan (CAP), certified by a Professional Engineer licensed in the state of Arkansas. The CAP shall include:
 - a milestone schedule and reasonable expected date of final compliance;
 - a detailed report of the work that is being done or will be done to identify the cause of these ongoing SSOs and correct the issues;
 - identify areas requiring improvements and to prioritize those improvements; and
 - a procedure to estimate the volume of all reported SSOs using the Sewer Spill Estimation Guide linked at <https://www.deq.nc.gov/water-quality/surface-water-protection/percs/wcs-sso-documents/ssoflowestimationguiderevi/download>.

ARKANSAS DEPARTMENT OF ENERGY AND ENVIRONMENT

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Should you have any questions concerning this matter, please do not hesitate to contact me at 501-682-0640 or at richard.healey@adeq.state.ar.us.

Sincerely,



Richard C. Healey
Enforcement Branch Manager
Office of Water Quality

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