

ADEQ

ARKANSAS
Department of Environmental Quality

January 11, 2012

Mr. Ronald Bowen
City of Jonesboro Water & Light
400 East Monroe
Jonesboro, AR 72401

RE: NPDES Permit Number AR0043401, AFIN 16-00152

Dear Mr. Bowen:

A recent review of the NPDES file for the City of Jonesboro Water & Light (East) has revealed the following violations for the monitoring period ending **December 31, 2011**.

DISCHARGE NUMBER	PARAMETER	VIOLATION	LIMIT	UNITS
TX1Q	Whole Effluent Toxicity (7 DA MIN)	56	100	%
TX1Q	Whole Effluent Toxicity (DLY AV MIN)	56	100	%

As you know, Arkansas Pollution Control and Ecology Commission regulations and your NPDES Permit require you to take all reasonable measures necessary to eliminate or prevent the occurrence of violations. Please note that any violation of your permit can lead to enforcement action by ADEQ pursuant to the Arkansas Water and Air Pollution Control Act. Also, be aware that we maintain records of violations and of non-compliance reports documenting corrective action to determine the appropriateness and level of the enforcement action.

Thank you for your attention to this matter. Please refer to NPDES Permit Number AR0037907 and AFIN 16-00152 in any written correspondence to ADEQ. Should you have any questions, feel free to contact me at 501-682-0632 or e-mail at bolenbaugh@adeq.state.ar.us.

Thank you,



Jason R. Bolenbaugh
Enforcement Analyst
Water Division Enforcement Branch

ICIS-NPDES

ENFORCEMENT ACTION CODING FORM

EA Initials: JRB

ICIS Staff Initials: _____

FACILITY NAME: <u>Jonesboro Water & Light – East Plant</u>	
NPDES PERMIT #: <u>AR0043401</u>	TRANS CODE: <u>N</u>
Enforcement Action Type: <u>Warning Letter</u>	ACTION Tracking #: _____
Issued By: <u>State</u>	PENALTY: \$ _____
Effective Date: <u>1/11/2012</u>	SEP Contribution #1: \$ _____
Regional Court Docket (LIS) #: _____	SEP Contribution #2: \$ _____
Programs Violated: <u>NPDES – Base Program Limits</u>	

Specify the TYPES OF VIOLATIONS addressed by this enforcement action below.

DMR VIOLATIONS			Violation Types: D80/D90/E90	
DISCHARGE NUMBER	PARAMETER NUMBER	PARAMETER NAME	MONITORING PERIOD END DATE	VIOLATION CODE

NARRATIVE CONDITION/COMPLIANCE SCHEDULE VIOLATIONS			Violation Codes: C10, C20, C30, C40	
NUMBER-TYPE-EVENT	SCHEDULE EVENT	SCHEDULE DATE	VIOLATION CODE	

SPECIFIC SINGLE EVENT VIOLATIONS <i>(entered manually)</i>		
SINGLE EVENT VIOLATION #	SINGLE EVENT VIOLATION DESCRIPTION	VIOLATION DATE
A0013	Effluent Violations - Failed Toxicity Test: permittee violated permit limits for Whole Effluent Toxicity (7 DA MIN and DLY AV MIN).	12/31/2011

EA Initials: **JRB**

**ICIS-NPDES
ENFORCEMENT ACTION CODING FORM**

ICIS Staff Initials: _____

Enforcement Actions & Violation Types

Enforcement Action Type:

Describes the nature of the enforcement action taken in response to a violation.

Formal Enforcement Actions	Informal Enforcement Actions
State Administrative Order of Consent (CAO)	Phone Call/ EMAIL
State CWA Penalty AO (DAO)	Letter of Violation/ Warning Letter
State CWA Non Penalty AO (DAO)	Enforcement Meeting
Emergency Order - Governor	Notice of Violation

Effective Date:

The effective date or actual date of the corresponding enforcement action. For CAOs without penalties, DAOs and Emergency Orders, it is the date the document is signed by the Director. For CAOs that include a penalty, the effective date is 30-days from the date of public notice of the order. For informal actions use: the date the Phone Call (ROC) call was made; the date the Email was sent; the date of the Warning Letter; the date the Enforcement Meeting was held; the date the Notice of Violation was signed by the Director.

Issued By:

Used to indicate whether the enforcement action was issued by US EPA or by an authorized State. Default to **State**.

Regional Court Docket (LIS)#:

The LIS # associated with the enforcement action. The LIS # from a formal enforcement action must be coded with all compliance schedule events.

Programs Violated:

The environmental programs violated by the permittee that lead to the enforcement action.

NPDES Regulatory Programs	
Emergency Actions	NPDES - Section 308 Information Requests
FRP	NPDES - Sludge/Biosolids
NPDES - Base Program (Limits, Reporting, Schedule)	NPDES - Stormwater - Construction
NPDES - Combined Sewer Overflows (CSO)	NPDES - Stormwater - MS4
NPDES - Concentrated Animal Feeding Operations (CAFOs)	NPDES - Stormwater - Non-Construction
NPDES - OPA	NPDES - Violation of Administrative Compliance Order
NPDES - Other Unpermitted Discharges	SPCC
NPDES - Post Administrative Penalty Case (Settlement)	Spills
NPDES - Pretreatment	Wetlands
NPDES - Sanitary Sewer Overflow (SSO)	

Violation Types:

Indicates the type(s) of violation(s) addressed by an enforcement action. This allows enforcement actions to be linked to the violations in ICIS.

Type Code	Violation Type	Violation Type Description
D80	DMR Non-Receipt	Required monitoring DMR value overdue
D90	DMR Non-Receipt	Limited value overdue
E90	Effluent	Reported DMR value exceeds maximum or average limit value, or is below minimum limit value
C10	Schedule	Schedule event reported late
C20	Schedule	Schedule event achieved late, but reported
C30	Schedule	Schedule event unachieved, but reported
C40	Schedule	Schedule event unachieved and not reported (not received)
Various	Single Event	Any manually determined violation (See Single Event Violation table)

Single Event Violations

Code	Description
A0011	Effluent Violations - Unapproved Bypass
A0012	Effluent Violations - Numeric effluent violation
A0013	Effluent Violations - Failed Toxicity Test
A0015	Effluent Violations - Unauthorized Discharge of Brine
A0016	Effluent Violations - Reported Fish Kill
A0017	Effluent Violations - Inspection sample above historic DMR range
A0018	Effluent Violations - Approved Bypass
A0022	Effluent Violations - Narrative Effluent Violation
A0023	Effluent Violations - Industrial Spill
B0011	Management Practice Violations - Failure to Develop/Enforce Standards
B0012	Management Practice Violations - Failure to Conduct Inspections
B0017	Management Practice Violations - Failure to develop any or adequate SWPPP/SWMP
B0018	Management Practice Violations - Failure to Implement SWPPP/SWMP
B0019	Management Practice Violations - Best Management Practice Deficiencies
B0020	Management Practice Violations - Improper Operation and Maintenance
B0021	Management Practice Violations - Laboratory Not Certified
B0022	Management Practice Violations - No Licensed/Certified Operator
B0023	Management Practice Violations - Improper Land Application (non-503, non-CAFO)
B0024	Management Practice Violations - Biosolids/Sewage Sludge Violation (Part 503)
B0025	Management Practice Violations - Inflow/Infiltration (I/I)
B0026	Management Practice Violations - Failure to Allow Entry
B0027	Management Practice Violations - Failure to Develop Adequate SPCC Plan
B0028	Management Practice Violations - Failure to Implement SPCC Plan
B0040	Management Practice Violations - Improper Chemical Handling
B0041	Management Practice Violations - Failure to Maintain Records
B0042	Management Practice Violations - Violation of a milestone in an order
C0011	Monitoring Violations - Failure to Monitor for non-Toxicity Requirements
C0014	Monitoring Violations - Invalid/Unrepresentative Sample
C0015	Monitoring Violations - Frequency of Sampling Violation
C0016	Monitoring Violations - No Flow Measurement Device
C0017	Monitoring Violations - Analysis not Conducted
C0018	Monitoring Violations - Improper Analysis or Lab Error
C0021	Monitoring Violations - Failure to Monitor for Toxicity Requirements
D0011	Permitting Violations - Discharge Without a Valid Permit
D0012	Permitting Violations - Failure to submit required permit application information
D0013	Permitting Violations - Unapproved Operation
D0014	Permitting Violations - Application Incomplete
D0015	Permitting Violations - Failure to Pay Fees
D0016	Permitting Violations - Failure to Submit Timely Permit Renewal Application
D0017	Permitting Violations - Violation Specified in Comment
A0014	Pretreatment - IU Violation of Pretreatment Standards
B0013	Pretreatment - Failure to Enforce Against I/U
B0014	Pretreatment - Failure to Issue SIU Permits
B0015	Pretreatment - Failure to Establish Local Limits
B0016	Pretreatment - Failure to Meet Inspection and Sampling Plan for SIUs
B0P11	Pretreatment - Failure to Develop/Enforce Standards
B0P12	Pretreatment - Failure to Conduct Inspections
B0P40	Pretreatment - Improper Chemical Handling
C0012	Pretreatment - Baseline Monitoring Report Violation
C0013	Pretreatment - Failure to Establish Self-Monitoring Requirements
E0015	Pretreatment - Failure to submit required report (non-DMR)
E0011	Reporting Violations - Late Submittal of DMRs
E0012	Reporting Violations - Failure to Submit DMRs
E0013	Reporting Violations - Improper/ Incorrect Reporting
E0014	Reporting Violations - Noncompliance with Section 308 Information Request
E0016	Reporting Violations - Failure to submit required report (non-DMR, non-pretreatment)
E0017	Reporting Violations - Failure to Notify
A0020	WW SSO - Discharge to Waters

A0026	WW SSO - Overflow to Dry Land or Building Backup
A0S11	WW SSO - Related Unapproved Bypass
A0S12	WW SSO - Numeric effluent violation
A0S18	WW SSO - Approved Bypass
A0S22	WW SSO - Narrative effluent violation
B0046	WW SSO - Violation of sewer moratorium or restriction
B0S20	WW SSO - Improper Operation and Maintenance
B0S41	WW SSO - Failure to Maintain Records or Meet Record Keeping Requirements
BS42A	WW SSO - Violation of milestone in an administrative order
BS42J	WW SSO - Violation of milestone in judicial decree
C0S11	WW SSO - Failure to monitor
D0S11	WW SSO - Discharge without a valid permit (includes satellite systems)
D0S12	WW SSO - Failure to submit required permit application info (includes satellite systems)
E0018	WW SSO - Failure to report other violation
E0019	WW SSO - Failure to report violation that may endanger public health 122.41(l)(7)
E0S14	WW SSO - Noncompliance with section 308 Information Request
A0R12	WW Storm Water Construction - Numeric Effluent Violation
A0R22	WW Storm Water Construction - Narrative effluent violation
B0C17	WW Storm Water Construction - Failure to develop any or adequate SWPPP/SWMP
B0C18	WW Storm Water Construction - Failure to Implement SWPPP/SWMP
B0R12	WW Storm Water Construction - Failure to Conduct Inspections
B0R41	WW Storm Water Construction - Failure to Maintain Records
B0R42	WW Storm Water Construction - Violation of a milestone in an order
BR19A	WW Storm Water Construction - Failure to properly install/implement BMPs
BR19B	WW Storm Water Construction - Failure to properly operate and maintain BMPs
C0R11	WW Storm Water Construction - Failure to Monitor Where required by permit
D0R11	WW Storm Water Construction - Discharge without a permit/ No permit
D0R12	WW Storm Water Construction - Failure to submit required permit application information
D0R18	WW Storm Water Construction - Failure to apply for a notice of termination
E0R14	WW Storm Water Construction - Noncompliance with section 308 Information Request
E0R16	WW Storm Water Construction - Failure to submit required report (non-DMR)
A0M12	WW Storm Water MS4 - Numeric Effluent Violation
A0M22	WW Storm Water MS4 - Narrative effluent violation
B0M12	WW Storm Water MS4 - Failure to Conduct Inspections
B0M17	WW Storm Water MS4 - Failure to develop any or adequate SWPPP/SWMP
B0M18	WW Storm Water MS4 - Failure to Implement SWPPP/SWMP
B0M41	WW Storm Water MS4 - Failure to Maintain Records or Meet Record Keeping Requirements
B0M42	WW Storm Water MS4 - Violation of a milestone in an order
BM19A	WW Storm Water MS4 - Failure to properly install/implement BMPs
BM19B	WW Storm Water MS4 - Failure to properly operate and maintain BMPs
C0M11	WW Storm Water MS4 - Failure to Monitor
D0M11	WW Storm Water MS4 - Discharge without a permit
D0M12	WW Storm Water MS4 - Failure to submit required permit application information
E0M14	WW Storm Water MS4 - Noncompliance with section 308 Information Request
E0M16	WW Storm Water MS4 - Failure to submit required report (non-DMR)
A0N12	WW Storm Water Non-Construction - Numeric Effluent Violation
A0N22	WW Storm Water Non-Construction - Narrative effluent violation
B0N12	WW Storm Water Non-Construction - Failure to Conduct Inspections
B0N17	WW Storm Water Non-Construction - Failure to develop any or adequate SWPPP/SWMP
B0N18	WW Storm Water Non-Construction - Failure to Implement SWPPP/SWMP
B0N41	WW Storm Water Non-Construction - Failure to Maintain Records
B0N42	WW Storm Water Non-Construction - Violation of a milestone in an order
BN19A	WW Storm Water Non-Construction - Failure to properly install/implement BMPs
BN19B	WW Storm Water Non-Construction - Failure to properly operate and maintain BMPs
C0N11	WW Storm Water Non-Construction - Failure to Monitor
D0N11	WW Storm Water Non-Construction - Discharge without a permit
D0N12	WW Storm Water Non-Construction - Failure to submit required permit application information
D0N18	WW Storm Water Non-Construction - Failure to apply for a notice of termination
E0N14	WW Storm Water Non-Construction - Noncompliance with section 308 Information Request
E0N16	WW Storm Water Non-Construction - Failure to submit required report (non-DMR)