

CONSTRUCTION PERMIT
Permit Number: AR0036498C

TO:

Consulting Engineer:

City of Benton
616 W. Hazel
Benton, AR 72015

McClelland Consulting Engineers, Inc.
P.O. Box 34087
Little Rock, Arkansas 72203-4087

This permit is your authority to construct or modify the wastewater treatment system in accordance with the permit application and plans and specifications which were received on 06/02/2006. This permit is issued subject to the provisions of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended, Arkansas Code Annotated § 8-4-101 et seq.), and the following terms and conditions:

1. The permittee shall **notify** the Department when construction **begins**. The treatment/disposal system shall be constructed or modified in accordance with the final plans and specifications as approved by the Arkansas Department of Environmental Quality. In case any statement or representation in the aforementioned documents is found to be incorrect, this Approval may be revoked.
2. Within **thirty (30)** days of completion of construction, a Professional Engineer (PE) registered in Arkansas shall submit written certification to the Department (Enforcement Section of the Water Division) that the facility has been constructed or modified in accordance with the approved plans and specifications.
3. This permit is issued in reliance upon the statements and representations made in the application and the plans and specifications and the Department has no responsibility for adequacy or proper functioning of the disposal system. Approval of the plans and specifications by the Department does not constitute assurance that the disposal system will achieve the effluent limitations required by the final NPDES permit, or that the NPDES discharge permit will be issued.
4. The equalization basins must have a pond bottom liner with a permeability of less than 0.0000001 cm/sec and a thickness of at least 1 foot or equivalent in accordance with Sections 3.7(A), (B), and (C) of the specifications.
5. If the construction site will disturb in excess of one (1) acre, the permittee must comply with the terms of ARR150000 prior to the start of construction.
6. This facility is located as follows: Latitude: 34° 33' 10"; Longitude: 92° 35' 30"; south on Sevier Street at I-30 exit to South Street, then to Richards, turn right onto Hazel from Richards, 616 W. Hazel in Section 15, Township 2 South, Range 15 West in Saline County, Arkansas.
7. The receiving waters named: unnamed tributary of Depot Creek, thence to Depot Creek, thence to the Saline River in Segment 2C of the Ouachita River Basin. The outfall is located at the following coordinates:
Outfall 001: Latitude: 34° 33' 10"; Longitude: 92° 35' 30".
8. Proposed Construction will include a 57 million gallon equalization basin. The design flow of the facility will remain unchanged at 6.3 MGD.

Issue Date: September 30, 2006

Effective Date: October 1, 2006

Martin Maner, P.E.
Chief, Water Division

STATEMENT OF BASIS

for issuance of a draft Construction Permit Number AR0036498C.

The issuing office is:

Arkansas Department of Environmental Quality
8001 National Drive
Post Office Box 8913
Little Rock, Arkansas 72219

The applicant is:

City of Benton
616 W. Hazel
Benton, AR 72018

1. CONSTRUCTION PERMITTING AUTHORITY

This permit is your authority to construct or modify the wastewater treatment system in accordance with the permit application and plans and specifications which were received on 06/02/2006. This permit is issued subject to the provisions of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended, Arkansas Code Annotated § 8-4-101 et seq.) and Section 6.202 of Arkansas Pollution Control and Ecology Commission Regulation No. 6.

2. DISCLAIMER

This permit is issued in reliance upon the statements and representations made in the application and the plans and specifications. The Department has no responsibility for adequacy or proper functioning of the disposal system. Approval of the plans and specifications by the Department does not constitute assurance that the disposal system will achieve the effluent limitations required by the final NPDES permit, or that the discharge permit will be issued.

3. CONSTRUCTION PROPOSED IN APPLICATION

The following is a general description of the construction to be permitted, as described in the construction permit application. The proposed construction will include a 57 million gallon equalization basin. The design flow of the facility will remain unchanged at 6.3 MGD.

4. RECEIVING STREAM SEGMENT AND DISCHARGE LOCATION.

The receiving waters named: unnamed tributary of Depot Creek, thence to Depot Creek, thence to the Saline River in Segment 2C of the Ouachita River Basin. The outfall is located at the following coordinates: Outfall 001: Latitude: 34° 33' 10"; Longitude: 92° 35' 30".

5. PUBLIC NOTICE

The public notice describes the procedures for the formulation of final determinations and shall provide for a public comment period of 30 days. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues

involved in the permitting decision. A request for a public hearing shall be in writing and shall state the nature of the issue(s) proposed to be raised in the hearing.

6. **CONTACT PERSON**

For additional information, contact:

Loretta Reiber, P.E.
Arkansas Department of Environmental Quality
8001 National Drive
Post Office Box 8913
Little Rock, Arkansas 72219-8913
Telephone: (501) 682-0622



A R K A N S A S
Department of Environmental Quality

October 3, 2006

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (7005 1820 0006 2081 6613)

Terry McClennahan
City of Benton
616 W. Hazel
Benton, AR 72015

Re: Construction Permit Number AR0036498C

Dear Mr. McClennahan:

Enclosed is the public notice, Statement of Basis, and a copy of the draft construction permit that the Arkansas Department of Environmental Quality has prepared, as required by Act 163 of 1993.

All draft construction permits prepared by this Department must complete a 30 day public notice period. The enclosed public notice will be published by ADEQ in a newspaper of general circulation. Act 163 of 1993 requires the permit applicant to bear the expense of the notice's publication. Therefore, an invoice for the cost of publishing the public notice and proof of publication will be sent to you by the advertising newspaper. The permittee must send proof of publication and payment to:

Arkansas Department of Environmental Quality
NPDES-Water Division
P.O. Box 8913
Little Rock, AR 72219-8913
501-682-0622 Fax: 501-682-0910

Until this Department receives proof of publication of the public notice, no further action will be taken on the issuance of your construction permit.

Comments must be received at ADEQ prior to the close of the public comment period as shown in the enclosed public notice. Under the provisions of Act 163, all persons, including applicants, who believe any condition of a draft permit is inappropriate must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by the close of the public comment period.

Should you have any questions concerning any part of the permit, please contact the Arkansas Department of Environmental Quality, NPDES Branch, at (501) 682-0622.

Sincerely,

Martin Maner, P.E.
Chief, Water Division

MM:lr

Enclosure

**DRAFT CONSTRUCTION PERMITTING DECISION
CONSTRUCTION PERMIT NUMBER AR0036498C**

This is to give notice that the Water Division of the Arkansas Department of Environmental Quality (ADEQ) has developed a draft construction permit AR0036498C for the construction and/or modification of the wastewater treatment plant for the following facility:

City of Benton
616 West Hazel
Benton, AR 72015

This facility is located as follows: Latitude: 34° 33' 10" Longitude: 92° 35' 30"; south on Sevier Street at I-30 exit to South Street, then to Richards, turn right onto Hazel from Richards, 616 W. Hazel in Section 15, Township 2 South, Range 15 West in Saline County, Arkansas.

The receiving waters named: unnamed tributary of Depot Creek, thence to Depot Creek, thence to the Saline River in Segment 2C of the Ouachita River Basin. The outfall is located at the following coordinates: Outfall 001: Latitude: 34° 33' 10"; Longitude: 92° 35' 30".

The proposed construction will include a 57 million gallon equalization basin. The design flow of the facility will remain unchanged at 6.3 MGD.

The permit application and the administrative record are available for review and copying in the Central Records Section, ADEQ, State Police Headquarters, One State Police Plaza, near Interstate 30 and Geyer Springs, Little Rock, Arkansas.

The ADEQ contact person for submitting written comments, requesting information, or obtaining copies of the application, permit and the Statement of Basis is:

Loretta Reiber, P.E.
NPDES Branch, Water Division
Arkansas Department of Environmental Quality
Post Office Box 8913
Little Rock, Arkansas 72219-8913
(501) 682-0622

The public notice describes the procedures for the formulation of final determinations and shall provide for a public comment period of 30 days. During this period, any interested persons may submit written comments on the draft construction permit and may request a public hearing to clarify issues involved in the permitting decision. A request for a public hearing shall be in writing and shall state the nature of the issue(s) proposed to be raised in the hearing.

After the public comment period, and public hearing if one is held, ADEQ will issue a final permitting decision. ADEQ will notify the applicant and each person who has submitted written comments or requested notice of the final permitting decision. A final permitting decision means a final decision to issue, deny, modify, revoke and reissue, or terminate a permit. Any interested person who has submitted comments may appeal a final decision by ADEQ in accordance with the Arkansas Pollution Control and Ecology Commission Regulation No. 8 (Administrative Procedures). Submitting written comments to ADEQ or making oral statements on the record at the public hearing on the proposed permitting decision provides individuals with legal standing to appeal a final Department permitting decision. Comments supporting or opposing the proposed decision will provide legal standing. Only parties with legal standing may appeal a permitting decision.