

Draft for internal review

Permit No. AR0040827C

AFIN: 40-00016

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STATE CONSTRUCTION PERMIT Permit Number: AR0040827C

Permittee:

Arkansas Department of Corrections
Cummins Unit
P.O. Box 8707
Pine Bluff, AR 71611

Consulting Engineer:

McClelland Consulting Engineers, Inc.
7302 Kanis Road
Little Rock, AR 72204

This permit allows the permittee listed above to modify the wastewater treatment system in accordance with the permit application and plans and specifications which were received on June 13, 2025, with additional information received June 23, 2025, under authority of the Arkansas Water and Air Pollution Control Act (Arkansas Code Annotated § 8-4-101 et seq. and Arkansas Code Annotated § 8-4-201 et seq.) and the following terms and conditions.

1. The treatment system shall be modified in accordance with the final plans and specifications as submitted to the Division of Environmental Quality (DEQ). In case any statement or representation in the aforementioned documents is found to be incorrect, this approval may be revoked.
2. There shall be no deviation from the permitted plans and specifications unless the revisions have been submitted for review and written approval is received.
3. Within thirty (30) days of completion of the construction the permittee shall submit a Notice of Completion of Construction to the Division (Permits Branch of the Office of Water Quality) that the facility has been modified in accordance with the approved plans and specifications. The certification shall be signed by the Responsible Official as well as stamped and signed by a Professional Engineer (P.E.) licensed in the state of Arkansas. The Notice of Completion of Construction form is located at the following web link:

<https://www.adeq.state.ar.us/water/permits/npdes/individual/pdfs/state-construction-permit-completion-of-construction.pdf>
4. This permit is issued in reliance upon the statements and representations made in the application and the plans and specifications. Issuance of this State Construction Permit does not guarantee satisfactory performance of the treatment system. The permittee shall ensure that water quality standards are not violated. Any modifications to the treatment facility necessary to meet water quality standards are the responsibility of the permittee and would require a modification to this State Construction Permit.
5. A State Construction Permit for the modification of an existing wastewater treatment facility does not constitute an NPDES permit. Issuance of a State Construction Permit for modification of a treatment system in no way guarantees or assumes that an application for an NPDES permit to operate the system will be approved or an NPDES permit will be issued.
6. A complete "Operations and Maintenance (O&M) Manual" of the wastewater treatment system shall be updated by the facility consultant for the operator's use before the plant is in operation.
7. Failure to begin construction within one (1) year of the effective date may result in termination of this permit if a request for an extension is not submitted to the Division in a timely manner.

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8. The permittee must submit notification of the start of construction within fifteen (15) days after construction has begun.
9. If a construction site will disturb greater than or equal to one (1) acre and less than five (5) acres, the permittee shall comply with the requirements in PC&EC Rule 6.203 for Stormwater discharge associated with a small construction site, as defined in PC&EC Rule 6. If the construction site will disturb five (5) acres or more, the permittee shall comply with the terms of the Stormwater Construction General Permit Number ARR150000 prior to the start of construction. BMPs must be implemented regardless of the size.
10. This facility is located as follows: Latitude: 34° 02' 45.68" N; Longitude: 91° 35' 36.87" W in Lincoln County, Arkansas.
11. The receiving waters for this facility are Cypress Creek, thence into Canal #81, thence into Clay Bayou, thence into Bayou Macon in Segment 2A of the Ouachita River Basin. The outfall is located at the following coordinates: Outfall 001: Latitude: 34° 2' 49" N; Longitude: 91° 35' 37" W.
12. The construction will include a Peracetic Acid disinfection system to supplement the existing UV disinfection system. The existing treatment system consists of: bar screens, grit removal, aerated equalization basin, oxidation ditch, clarification, UV disinfection, and post-aeration. The design flow of 0.8 MGD will not be changing with this construction project.
13. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The complete application shall be submitted at least 180 days before the expiration date of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Conditions of this permit will continue in effect past the expiration date pending issuance of a new permit if:
 - A. The permittee has submitted a timely and complete application as described in Rule 6.202(B); and
 - B. The Director, through no fault of the permittee, does not issue a new permit prior to the expiration date of this permit.

Effective Date:

Expiration Date:

Stacie R. Wassell
Deputy Director, Office of Water Quality
Arkansas Department of Energy and Environment
Division of Environmental Quality

Issue Date

STATEMENT OF BASIS

For draft State Construction Permit Number AR0040827C.

The issuing office is:

Division of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118

The applicant is:

Arkansas Department of Corrections
Cummins Unit
P.O. Box 8707
Pine Bluff, AR 71611

1. BASIS FOR PERMIT AND CONDITIONS

This permit is your authority to modify the wastewater treatment system in accordance with the permit application and plans and specifications which were received on June 13, 2025. The issuance of this permit and conditions are based on the Arkansas Water and Air Pollution Control Act (Arkansas Code Annotated § 8-4-101 et seq. and Arkansas Code Annotated § 8-4-201 et seq.), Pollution Control and Ecology Commission (PC&EC) Rule 6.202, codified at 8 CAR § 25-202, NPDES Discharge permit AR0040827, and 40 C.F.R. § 122.26.

Specific permit conditions and their sources are listed as follows:

Conditions 1, 2, 3, 4, 5, 6, 7, and 8 are self-explanatory. Condition 9 is based on 40 C.F.R. § 122.26. Conditions 10, 11, and 12 are based on the submitted application and Plans and Specifications. Condition 13 is based on Arkansas Code Annotated § 8-4-203(a).

2. PUBLIC NOTICE

In accordance with PC&EC Rule 8, codified at 8 CAR Part 11, the public notice will be published by DEQ in a newspaper of general circulation for one (1) day only. The public comment period will begin on the date of publication and will end no sooner than thirty (30) days from that date. Comments must be received at DEQ prior to the close of the public comment period.

3. PERMIT FEE

In accordance with PC&EC Rule 9.402(A), codified at 8 CAR § 12-302(b)(2), the fee for issuance of a state construction permit is \$500.

4. SOURCES

1. Application Form 1 and Plans and Specifications dated June 13, 2025, with all additional information received by June 23, 2025.
2. 2014 Edition of Recommended Standards for Wastewater Facilities (Ten State Standards).
3. PC&EC Rules 6, 8, and 9, codified at 8 CAR Parts 25, 11, and 12, respectively.
4. A.C.A. § 8-4-217(b)(1)(C).

5. 40 C.F.R. § 122.26.

5. CONTACT PERSON

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

Zachary Carroll, PhD, P.E.
NPDES Branch, Office of Water Quality
Division of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317
(501) 682-0625



DIVISION OF ENVIRONMENTAL QUALITY

Sarah Huckabee Sanders
GOVERNOR

Shane E. Khoury
SECRETARY

October 29, 2025

Via Email Only to: Richard Cooper, Assistant Director: Richard.Cooper@doc.arkansas.gov

Re: Permittee: Arkansas Department of Corrections
Facility: Cummins Unit
State Construction Permit Number AR0040827C, AFIN 40-00016

Dear Mr. Cooper:

Attached are the public notice, Statement of Basis, and a copy of the draft state construction permit that the Arkansas Department of Energy and Environment – Division of Environmental Quality has prepared in accordance with PC&EC Rule 8, *Administrative Procedures*, now codified at 8 CAR Part 11.

In accordance with PC&EC Rule 8.207, now codified at 8 CAR § 11-207, the attached public notice will be or has been published by DEQ in a newspaper of general circulation of your facility for one (1) day only. 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 proof of payment to EE.WaterPermitApp@arkansas.gov or by postal mail to the address at the bottom of this letter as soon as possible but no later than thirty (30) days from the above date. Until this Division receives proof of publication of the public notice and payment of all permit and publication fees, no further action will be taken on the issuance of your state construction permit.

Should you have any questions concerning any part of the draft state construction permit, please contact Zachary Carroll at (501) 682-0625.

Sincerely,

Stacie R. Wassell
Deputy Director, Office of Water Quality

Attachment

cc: Haley Hamilton (hhamilton@mce.us.com)

**PUBLIC NOTICE OF DRAFT STATE CONSTRUCTION PERMIT
STATE CONSTRUCTION PERMIT NUMBER AR0040827C, AFIN 40-00016**

This is to give notice that the Arkansas Department of Energy and Environment (E&E) Division of Environmental Quality (DEQ), Office of Water Quality, 5301 Northshore Drive, North Little Rock, AR 72118-5317 at telephone number (501) 682-0972, proposes a draft construction permit for which an application was received on June 13, 2025, with all additional information received by June 23, 2025, in accordance with Pollution Control and Ecology Commission (PC&EC) Rule 6, codified at 8 CAR Part 25.

Applicant: Arkansas Department of Corrections - Cummins Unit, 2540 State Highway 388, Gould, AR 71643; Latitude: 34° 2' 45.68" N; Longitude: 91° 35' 36.87" W in Lincoln County, Arkansas.

The discharge from this existing facility is made into Cypress Creek, thence into Canal #81, thence into Clay Bayou, thence into Bayou Macon in Segment 2A of the Ouachita River Basin.

The construction will include a Peracetic Acid disinfection system to supplement the existing UV disinfection system. The existing treatment system consists of: bar screens, grit removal, aerated equalization basin, oxidation ditch, clarification, UV disinfection, and post-aeration. The design flow of 0.8 MGD will not be changing with this construction project. Modification of the NPDES discharge permit is required.

Citizens wishing to examine or obtain copies of the permit application, the draft permitting decision, or the statement of basis may do so at E&E headquarters located at 5301 Northshore Drive, North Little Rock, AR 72118-5317. To request a copy of one or more of the documents, please call (501) 682-0972. For those with internet access, a copy of the proposed draft permit, as well as the publication date, may be found on DEQ's website at: https://www.adeq.state.ar.us/water/permits/drafts_pn.aspx.

Comments on the draft state construction permit will be accepted in accordance with PC&EC Rule 8.208, codified at 8 CAR § 11-208. DEQ's contact person for submitting written comments on the draft permit, or requesting a public hearing on the draft permit is Zachary Carroll, at the above address and telephone number or by email at EE.WaterComment@arkansas.gov.

The period for submitting comments on the draft state construction permit and for requesting a public hearing shall begin on the date of publication of the public notice and end at 5:00 p.m. (Central Time) on the 30th day after the publication date. If the last day of the comment period is a Saturday, Sunday, or legal holiday, the public comment period shall expire on the next day that is not a Saturday, Sunday, or legal holiday. For information regarding the actual publication date along with the actual date and time the comment period will end, please contact Zachary Carroll at the above address and telephone number or by email at EE.WaterComment@arkansas.gov. Public notice, comments, and hearings will be conducted in accordance with PC&EC Rules 6.104(A)(5) [40 C.F.R. §§ 124.10 through 124.12 by reference] and 8.207 through 8.210 (Administrative Procedures), codified at 8 CAR § 25-104 and 8 CAR §§ 11-207 through 210. All persons, including the permittee, who wish to comment on DEQ's draft permitting decision must submit written comments to DEQ, along with their name and mailing address. A public hearing will be held when DEQ finds a significant degree of public interest. After the public comment period, DEQ will issue a final permitting decision. DEQ will notify the applicant, and each person who has submitted written comments or requested notice, of the final permitting decision. Any interested person who has submitted comments may appeal a final decision by DEQ in accordance with the PC&EC Rule 8, codified at 8 CAR Part 11.