

Torrence, Rufus

From: Torrence, Rufus
Sent: Wednesday, November 04, 2009 9:20 AM
To: 'Easley, Randy'
Subject: AFIN 66-00226 AR0021750 City of Fort Smith 2008 Annual Report--Complete

ADEQ

ARKANSAS
Department of Environmental Quality

November 6, 2009

Paul R. Easley
Utility Department
3900 Kelley Hwy
Fort Smith, Arkansas 72904

Re: City of Fort Smith 2008 Annual Report
(Permit No. AR0021750, AFIN 66-00226)

Dear Randy:

The Department has reviewed the City's 2008 Annual Report. The report has been deemed "complete" but the department has the following concerns and recommendations:

1. The City submitted all the required analyses but you did not list the data correctly on the influent/effluent chart. Referring to Allen's email (attached) dated 1-14-09, please list all non-detects (at or below the EPA MQL) as zero. Even though Allen's email did not specifically state influent, please list this data similarly.
2. The City is required to test for all Table III parameters. Unfortunately, Table III presently does not include Molybdenum. Molybdenum is one of the specified fifteen parameters in EPA guidance for local limits and the City should monitor for Molybdenum as well.
3. The City did a good job in submitting all (and only) the required elements:

Cover Letter
List of SIUs in SNC (If applicable)
Influent/Effluent Chart
Attachment A (Updated SIU List)
Attachment B (Enf Actions)
Attachment C (PPS)

However, Attachment B did not list all the SIU with "NC" status. For example, you listed Hiram Walker as "NC" but this SIU was not on Attachment B.

11-04-2009

The Department appreciates the City's continued efforts in annual reporting.

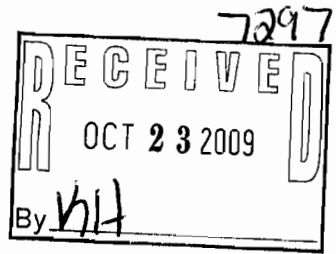
If you have any questions or concerns, please contact the Department at (501) 682-0626 or torrence@adeq.state.ar.us .

Sincerely,

Rufus Torrence,
ADEQ Engineer

Inf/eff
ICIS
IU's

RT



October 21, 2009

Mr. Rufus Torrence
Arkansas Dept. of
Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118

Dear Mr. Torrence:

On September 15, 2008, a request for program modification to Part III 9 "Contributing Industries and Pretreatment Requirements" of NPDES Permit numbers AR0021750 and AR0033278 was sent to Ms. Kimberly A. Fuller P.E ADEQ NPDES Engineer Supervisor. Specifically, it was requested that modification be made to Part III 9, D, annual reporting submittal requirements. It was requested that the aforementioned NPDES permits be modified to include a submittal date in either mid to late September or early October of each year to allow adequate time to complete compliance calculations and meet reporting requirements. This request was granted making this report now due in October of each year.

In compliance with this requirement, enclosed you will find the City of Fort Smith's Pretreatment Annual Report for the compliance year of August 1, 2008 through July 31, 2009. The information for this report is submitted via required Attachments; A - titled, "Pretreatment Program Status Report, Updated Industrial Users List" and B - titled, "Significant Violations - Enforcement Actions".

As you will note on Attachment A, three of our SIUs have undergone name changes during the previous twelve months. Specifically: Hiram Walker & Sons, Inc. is now Hiram Walker Pernod Ricard USA; Quanex, MacSteel Div. is now Gerdau MacSteel; and Air Systems, a Division of QualServ Corporation is now QualServ Corp. - Ft. Smith Division. Additionally, Gerber Products Co. has applied for and received permission from ADEQ to become a direct discharging industry. Therefore this company discharged to the city's POTW for a limited time during the previous compliance year and plans to complete cease discharge to the city permanently.

Also enclosed you will find a copy of the "Notice of Significant Violations" which was published on September 23, 2009, summaries of all influent and effluent analyses performed pursuant to conditions 1(c) of the City's NPDES Permits, and a copy of the Environmental Protection Agency's "Pretreatment Performance Summary" (PPS). Additionally, no interference, pass through, upset or POTW permit violations could be attributed to SIUs.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Paul R. Easley
Environmental Manager

Utility Department • 3900 Kelley Hwy.
Fort Smith, Arkansas 72904
(479) 784-2231 • FAX (479) 784-2358

**CITY OF FORT SMITH PRETREATMENT PROGRAM
NOTICE OF SIGNIFICANT VIOLATIONS**

is directed by the U.S. Environmental Protection Agency in the City of Fort Smith's National Pollutant Discharge Elimination System (NPDES) Permits, public notice of major significant violators of the City of Fort Smith's Wastewater Pretreatment Program is hereby given. A significantly violating Significant Industrial User (SIU) is one that meets one or more of the following criteria (from 40 CFR part 103.8 (f)(2)(vii)):

A. Chronic violations of wastewater limits, defined here as those in which sixty-six percent or more of all measurements taken during a six month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;

B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent or more of all of the measurements for each pollutant parameter taken during a six month period equal or exceed the product of the daily maximum or the average limit multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease; and 1.2 for all other pollutants except pH.);

C. Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the Control Authority determines has caused, alone or in combination with other discharges, interference or pass through at the Publicly Owned Treatment Works (POTW) (including endangering the health of POTW personnel or the general public);

D. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under paragraph (f)(1)(vi)(B) of the above cited CFR, to halt or prevent such a discharge;

E. Failure to meet, within 90 (ninety) days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide, within 30 (thirty) days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report non-compliance;

H. Any other violation or group of violations that the Control Authority determines will adversely affect the operation or implementation of the local pretreatment program.

The SIU's that were in significant violation for the period of August 1, 2008 through July 31, 2009 are as follows:

1. SIU's in Significant Violation of Pollutant Limitations: Exlde Technologies; Gerdau MacSteel, Southern Steel & Wire Co., Twin River Foods (Hwy 45 Facility)
2. SIU's in Significant Violation of Reporting Requirements: None

**PROOF OF PUBLICATION
STATE OF ARKANSAS
COUNTY OF SEBASTIAN**

do solemnly swear that I am the Classified Advertising Manager of the Times Record, a daily newspaper having a second class mailing privilege, and being not less than four pages of five columns each, published at a fixed place of business and fixed daily intervals continuously in the City of Fort Smith, Sebastian County, Arkansas, for more than a period of twelve months, circulated and distributed from an established place of business to subscribers and readers generally of all classes, in the city and county aforesaid, for a definite price for each copy, or a fixed price per annum, which was fixed at what is considered the value of the publication based on the news service value it contains, that at least fifty percent of the subscribers thereto have paid cash for their subscription to the newspaper or its contents or through recognized news dealers, over a period of at least six months and that said newspaper published an average of more than forty percent news matter.

further certify that the legal notice hereto attached in the matter of:

#5609 PRETREATMENT PROGRAM

is published in the regular daily issue of said newspaper for consecutive insertions commencing on Wednesday the 23rd day of September 2009, and concluding on Wednesday the 23rd day of September 2009 for the following dates:

09/23/09

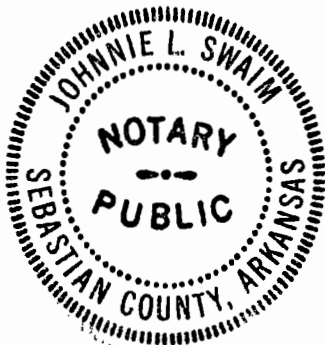
a total cost of: \$ 304.50

Julie Neuman

Sworn before me on the 23 day of

September, 2009

Johnnie L. Swain
Notary Public
My commission expires: 1-11-2013



MONITORING RESULTS (1) FOR THE ANNUAL PRETREATMENT REPORT

REPORTING YEAR: August 1, 2008 To: July 31, 2009

TREATMENT PLANT: The City of Fort Smith

NPDES PERMIT #: AR0021750

Massand

AVERAGE POTW FLOW: 7.8 MGD % IU Flow: 8%

Metals Cyanide & Phenols (Total)	MAHL mg/l (2)	Influent Dates Sampled (ug/l) Once/quarter			WQ level/ limit mg/l (2)	Effluent Dates Sampled (ug/l) Once/quarter			Laboratory Analysis (See Attachment PPS)	
		07/13/08	10/19/08	03/17/09		07/13/09	10/19/08	03/17/09		07/13/09
Antimony	N/A	<60	<60	<60	N/A	<60	<60	<60	200.8	60
Cadmium		2.8	<0.5	0.64		<0.5	<0.5	0.74	200.8	0.5
Copper		140	50	42		16	6.3	6.4	200.8	0.5
Lead		14	4.6	7.3		1.2	0.52	<0.5	200.8	0.5
Mercury		<0.2*	<0.2*	<0.0018		<0.2*	0.0056	<0.0018	245.2 / 245.7	0.2 / 0.0018
Nickel		16	7.2	9.2		7.6	6.1	5.1	200.8	0.5
Selenium		<5	<5	<5		<5	<5	<5	200.8	5
Silver		5.7	0.68	3.9		<0.5	<0.5	<0.5	200.8	0.5
Zinc		460	120	260		61	120	54	200.8	20
Chromium		14	<10	12		<10	<10	<10	200.8	10
Cyanide		<10	<10	<10		<10	<10	<10	SM4500-CN C,E	10
Arsenic		1.9	<0.5	<0.5		0.58	<0.5	<0.5	200.8	0.5
Molybdenum										
Phenols	N/A	44	57	100		8.6	43	9.9	420.1	5
Beryllium	N/A	<0.5	<0.5	<0.5		<0.5	<0.5	<0.5	200.8	0.5
Thallium	N/A	<0.5	<0.5	<0.5		<0.5	<0.5	<0.5	200.8	0.5
Flow, MGD	N/A									

(1) It is advised that the influent and effluent samples are collected considering flow detention time through each plant. Analytical MQLs should be used so that the data can also be used for local limits assessment and NPDES application purpose.

(2) This value was calculated during the development of TBLU based on State WQ Standards and implementation procedures.

(3) Record the name of any pollutant [40 CFR 122, Appendix D, Table II and/or Table V] detected and the quantity in which they were detected.

MAHL - Maximum Allowable Headworks Level
WQ - Water Quality

* Used method 245.2

MONITORING RESULTS (1) FOR THE ANNUAL PRETREATMENT REPORT

REPORTING YEAR: August 1, 2008 To: July 31, 2009
 NPDES PERMIT #: AR0033278
 TREATMENT PLANT: The City of Fort Smith
 AVERAGE POTW FLOW: 11.26 MGD % IU Flow: 13%

"P" street

Metals Cyanide & Phenols (Total)	MAHL mg/l (2)	Influent Dates Sampled (ug/l) Once/quarter				WQ level/ limit mg/l (2)	Effluent Dates Sampled (ug/l) Once/quarter				Laboratory Analysis (See Attachment PPS)	
		08/24/08	11/02/08	02/08/09	04/19/09		08/24/08	11/02/08	02/08/09	04/19/09		
Antimony	N/A	< 60	< 60	< 60	N/A	< 60	< 60	< 60	< 60	< 60	200.8	60
Cadmium		< 0.5	< 0.5	< 0.5		< 0.5	< 0.5	< 0.5	< 0.5	< 0.5	200.8	0.5
Copper		26	18	22	61	3.6	5.5	5.5	10	10	200.8	0.5
Lead		6.1	4.8	5.6	19	< 0.5	1.2	1.2	1.3	1.3	200.8	0.5
Mercury		0.46	< 0.2	< 0.0018	< 0.0018	0.36	< 0.2	< 0.0018	0.009	0.009	245.2 / 245.7	0.2 / 0.0018
Nickel		82	4.9	4.1	13	7.6	4.2	2.9	5.9	5.9	200.8	0.5
Selenium		< 5	< 5	< 5	< 5	< 5	< 5	< 5	< 5	< 5	200.8	5
Silver		< 0.5	< 0.5	< 0.5	3.3	< 0.5	< 0.5	< 0.5	< 0.5	< 0.5	200.8	0.5
Zinc		1100	700	110	370	76	120	60	59	59	200.7 / 200.8	20
Chromium		16	27	< 10	< 10	< 10	< 10	< 10	< 10	< 10	200.8	10
Cyanide		< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 10	SM4500-CN C,E	10
Arsenic		1.7	< 0.5	< 0.5	3.2	0.98	< 0.5	< 0.5	< 0.5	< 0.5	200.8	0.5
Molybdenum												
Phenols	N/A	49	120	10	33,000	5.8	< 5	< 5	< 5	< 5	420.1	5
Beryllium	N/A	< 0.5	< 0.5	< 0.5	< 0.5	< 0.5	< 0.5	< 0.5	< 0.5	< 0.5	200.8	0.5
Thallium	N/A	< 0.5	< 0.5	< 0.5	< 0.5	< 0.5	< 0.5	< 0.5	< 0.5	< 0.5	200.8	0.5
Flow, MGD	N/A											
4,4'-DDT				0.14							608	0.12
Toluene				19							624	6
Chloroform				2.5							624	1.6
Bis(2-ethylhexyl)phthalate				13							625	13

- (1) It is advised that the influent and effluent samples are collected considering flow detention time through each plant. Analytical MGLs should be used so that the data can also be used for Local Limits assessment and NPDES application purpose.
- (2) This value was calculated during the development of TBLI based on State WQ Standards and implementation procedures.
- (3) Record the name of any pollutant [40 CFR 122, Appendix D, Table II and/or Table V] detected and the quantity in which they were detected.

MAHL - Maximum Allowable Headworks Level
 WQ - Water Quality

* Used method 245.2

ATTACHMENT A
PRETREATMENT PROGRAM STATUS REPORT
UPDATED SIGNIFICANT INDUSTRIAL USERS LIST

Industrial User	SIC Code(s)	Categorical Determination	Control Document		New User	Times Inspected	Times Sampled	Compliance Status (C, NC, or SNC)				Permit Limits
			Y/N	Last Action				BMR	Reports			
									90-day Compliance	Semi Annual	Self Monitoring	
City of Arkoma, OK	9131, 9111, 9121		Y	02/01/08		1	13		C	C		NC
Exide Technologies	3691	40 CFR 461	Y	12/15/04		1	29		NC	NC		SNC - Pb violations
Fort Smith Industrial	7218		Y	03/01/06		1	13		C	C		NC
Fort Smith Plating Co., Inc.	3471	40 CFR 413	Y	06/30/07		1	12		C	C		C
Gerber Products Co.	2032, 2033, 2043		Y	09/12/06		1	4		C	C		C
Gettau MacSteel	3312	40 CFR 420	Y	01/01/05		1	13		C	NC		SNC - Zn violations
Hickory Springs Mfg. Co.	3469, 3429, 3086, 2297	40 CFR 433	Y	09/01/05		1	14		C	C		NC
Hiland Dairy Co.	2026, 2086		Y	12/31/08		1	22		C	C		NC
Hiram Walker Bernod Ricard USA	2085, 5182		Y	01/01/05		1	17		C	NC		NC
Owens Corning Composite Materials LLC.	2297, 3296		Y	07/01/06		1	14		C	C		C
QualServ Corp. - Ft. Smith Division	2541, 2511	40 CFR 433	Y	07/31/08		1	*		C	C		C
Rheem Mfg. Co.	3585	40 CFR 433	Y	07/01/05		1	12		C	C		NC
Southern Steel & Wire Co.	3496	40 CFR 433	Y	11/01/05		1	15		C	C		SNC - Zn violations
Sparks Regional Medical Center	8062		Y	08/01/06		1	26		C	C		NC
St. Edwards Mercy Medical	8062		Y	09/01/06		1	22		C	C		NC
Trane	3585	40 CFR 433	Y	11/01/05		1	26		C	C		NC
Twin Rivers Foods (Hwy 45)	2015		Y	01/01/05		1	34		C	NC		SNC - BOD, Oil & Grease violations
Twin Rivers Foods (Navy Road)	2015		Y	11/06/06		1	19		C	NC		NC
Whirlpool Corp.	3632, 3639		Y	08/31/05		1	15		C	C		C

Note(s): * Permittee maintained a zero discharge status in CY 08/09
 Highlighted SIUs had a company name change

*Flanders Ind
 Fort James Oper Co
 Temple, Inland
 Copper-Fab*

PRETREATMENT PERFORMANCE SUMMARY (PPS)

NOTE: ALL QUESTIONS REFER TO THE INDUSTRIAL PRETREATMENT PROGRAM AS APPROVED BY THE EPA. THE PERMITTEE SHOULD NOT ANSWER THE QUESTIONS BASED ON CHANGES MADE TO THE APPROVED PROGRAM WITHOUT EPA AUTHORIZATION.

I. General Information

Control Authority Name City of Fort Smith

Address 3900 Kelley Hwy

City Fort Smith State/Zip Arkansas, 72904

Contact Person Paul R. Easley Environmental Manager
(Position)

Contact Telephone: (479)784-2337

NPDES Permit Nos. AR0033278, AR0021750

Reporting Period August, 2008 July, 2009
(Beginning month and year) (Ending month and year)

Total Number of Categorical IUs 8

Total Number of Significant Noncategorical IUs 11

II. Significant Industrial User Compliance

	<u>SIGNIFICANT INDUSTRIAL USERS</u>	
	<u>Categorical</u>	<u>Noncategorical</u>
1) No. of SIUs Submitting BMRs/Total No. Required	<u>N/A</u>	<u>N/A</u>
2) No. of SIUs Submitting 90 -Day Compliance Reports/No. Required	<u>N/A</u>	<u>N/A</u>
3) No. of SIUs Submitting Semiannual Reports/ Total No. Required	<u>8/8</u>	<u>11/11</u>
4) No. of SIUs Meeting Compliance Schedule/ Total No. Required to Meet Schedule	<u>0/0</u>	<u>0/0</u>
5) No. of SIUs in Significant Noncompliance/ Total No. of SIUs	<u>3/8</u>	<u>1/11</u>
6) Rate of Significant Noncompliance for all SIUs (categorical and noncategorical)	<u>21%</u>	

III. Compliance Monitoring Program

1) No. of Control Documents Issued/Total No. Required	<u>8/8</u>	<u>11/11</u>
2) No. of Nonsampling Inspections Conducted	<u>8/8</u>	<u>11/11</u>
3) No. of Sampling Visits Conducted	<u>121</u>	<u>172</u>
4) No. of Facilities Inspected (nonsampling).	<u>8/8</u>	<u>11/11</u>
5) No. of Facilities Sampled	<u>8/8</u>	<u>11/11</u>

IV. Enforcement Actions

	<u>SIGNIFICANT CATEGORICAL</u>	<u>INDUSTRIAL USERS Noncategorical</u>
1) No. of Compliance Schedules Issued/No. of Schedules Required.	<u>0/0</u>	<u>0/0</u>
2) No. of Violations Issued to SIUs	<u>39</u>	<u>118</u>
3) No. of Administrative Orders Issued to SIUs	<u>1/1</u>	<u>2/2</u>
4) No. of Civil Suits Filed	<u>0/0</u>	<u>0/0</u>
5) No. of Criminal Suits Filed	<u>0/0</u>	<u>0/0</u>
6) No. of Significant Violators (attach newspaper publication)	<u>3/8</u>	<u>1/11</u>
7) Amount of Penalties Collected (total dollars/IUs assessed)	<u>\$12,300/2</u>	<u>\$8,400/3</u>
8) Other Actions (sewer bans, etc.)	<u>0/0</u>	<u>0/0</u>

The following certification must be signed for this form to be considered complete:

I certify that the information contained herein is complete and accurate to the best of my knowledge.



 Authorized Representative

10-15-09

 Date

PPS Program Report

* NPDES ID: AR0021750 Permittee's Name Fort Smith

* Report Received/Event Date: 10/23/2009 Date 11-3-09

Report Type

Select a Program Report to add

- Biosolids Program Report
- CAFO Annual Report
- CSO Event Report
- Local Limits Report
- MS4 Program Report
- Pretreatment Performance Summary Report
- SSO Annual Report
- SSO Event Report
- SSO Monthly Event Report
- Storm Water Event Report

Report Information

* Pretreatment Performance Summary Start Date: 08/01/2008

Significant Industrial Users (SIUs)

SIUs: 19

SIUs Without Control Mechanism: 0

SIUs Not Inspected: 0

SIUs Not Sampled: 0

SIUs in SNC with Pretreatment Standards: 4

SIUs in SNC with Reporting Requirements: 0

SIUs in SNC with Pretreatment Schedule: 0

SIUs in SNC Published in Newspaper: 4

SIUs Schedules: 0

Violation Notices Issued to SIUs: 157

Administrative Orders Issued to SIUs: 3

Civil Suits Filed Against SIUs: 0

Criminal Suits Filed Against SIUs: 0

Categorical Industrial Users (CIUs)

CIUs: 8

CIUs in SNC: 3

Penalties

Dollar Amount of Penalties Collected: \$ 20,700

Industrial Users (IUs) from which Penalties have been collected: 4

Other Information

SUO Reference: 69-97

SUO Date: 11-18-1997

Annual Pretreatment Budget: \$

Pass-Through/Interference Indicator:

Notification of IU Schedule for Remedial Measures: No

Initial Response to Violation of IU Schedule for Remedial Measures:

Local Limits

Date of Most Recent Technical Evaluation & or Local Limits: 09/25/2009

Date of Most Recent Adoption of Technically Based Local Limits: X

Local Limit Pollutants: X

Removal Credits

Removal Credits Application Status: Not Applicable

Date of Most Recent Removal Credits Approval: X

Removal Credits: X

Acceptance of Waste

Acceptance of Hazardous Waste: No

Acceptance of Non-Hazardous Industrial Waste: No

Acceptance of Hauled Domestic Wastes: No

Deficiencies

Deficiencies Identified During IU File Review: No

Control Mechanism Deficiencies: No

Legal Authority Deficiencies: No

Deficiencies in Data Management and Public Participation: No

Deficiencies in Interpretation and Application of Pretreatment Standards: No

Inadequacy of Sampling and Inspections: No

Adequacy of Pretreatment Resources: Yes

Annual Frequency

Annual Frequency of Influent Toxicant Sampling: 4

Annual Frequency of Effluent Toxicant Sampling: 4

Annual Frequency of Sludge Toxicant Sampling: 4