

# City of Berryville

Public Works Department

P.O. Box 227

305 East Madison

Berryville, Arkansas 72616

Office of the Director, Kirby Murray

Phone: 870-423-4074

Fax: 870-423-4501

E-mail: [pwdirector@hbeark.com](mailto:pwdirector@hbeark.com)

February 25, 2009

Mr. Allen Gilliam, State Pretreatment Coordinator  
Arkansas Department of Environmental Quality  
Water Division, Pretreatment Section  
5301 Northshore Dr.  
N. Little Rock, AR  
72118-5317

RE: Hazardous Waste Notification Requirement

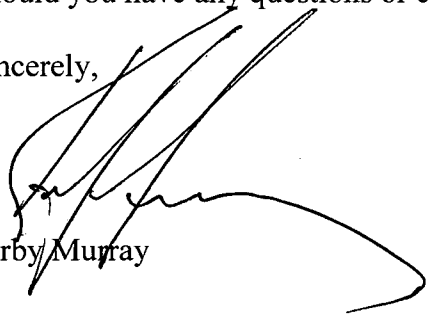
Dear Mr. Gilliam:

As-per your notification by e-mail I have sent Hazardous Waste Notifications to all of the dentists, medical doctors, the hospital, Wal Mart (film developing) and the rehab center in the City of Berryville.

Also per your instructions, please find the enclosed example letter along with the Hazardous Waste Certification Statement I sent along with the letters. I have kept copies of all notifications in my files.

Should you have any questions or comments please feel free to contact me.

Sincerely,



Kirby Murray

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February 24, 2009

Michael Nelson, DDS  
605 Eureka Ave. Suite C  
Berryville, AR 72616

RE: Hazardous Waste Notification Requirement

Dear Dr. Nelson:

The Arkansas Department of Environmental Quality (ADEQ) is requiring all wastewater utilities in Arkansas to notify certain sewer customers of Federal Regulations relating to hazardous wastes.

At this time ADEQ is specifically requiring our notification of businesses that dispose of certain materials into the City's sewer system: Hazardous waste pharmaceuticals, mercury from amalgam or silver from film processing. If your business is involved in the disposal to the sewer system of the above-mentioned materials please be advised of the following regulations and requirements:

Under the specific pretreatment requirement in **40 CFR 403.12 (p) (1)**: "The Industrial User (non-domestic user) shall notify the Publicly Owned Treatment Works (POTW) (appropriate City wastewater official), the EPA Regional Waste Management Division Director and State Hazardous Waste Authorities in writing of any discharge into the POTW (City sewer system) of a substance which, if otherwise disposed of, would be a hazardous waste under **40 CFR Part 261**".

Under **40 CFR 403.12 (p) (4)**: "In the case of any notification made under paragraph (p) of this section, the Industrial User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree that it has determined to be economically practical". You can find the full requirement, with exemptions, at the following website address: [http://edocket.access.gpo.gov/cfr\\_2003/julqtr/40cfr403.12.htm](http://edocket.access.gpo.gov/cfr_2003/julqtr/40cfr403.12.htm).

Please be advised that if your facility does not have an amalgam separator, silver recovery unit or a system for the proper disposal of hazardous waste pharmaceuticals, you may be discharging hazardous wastes into the City's sewage collection system and must follow the above-cited pretreatment requirement. Therefore, if you dispose of hazardous waste pharmaceuticals, mercury from amalgam or silver from film processing into the City's sewer system, please submit the required notifications to the following:

- Kirby Murray, Public Works Director. P.O. Box 227, Berryville, AR 72616
- Troy Hill, US EPA Region 6. 1445 Ross Ave., Suite 1200, Code: 6PD, Dallas, TX 75202-2733
- Ryan Benefield, ADEQ Hazardous Waste Chief. 5301 Northshore Dr., North Little Rock, AR 72118-5317

Failure to comply with the notification requirements outlined above may result in an inspection of your facility. If you require any additional information please contact me at 423-4074. Note that if you do not generate hazardous waste **do not** notify ADEQ or EPA of that fact. Please do return the enclosed Hazardous Waste Certification Statement to me within 30 days of the date of this letter.

Sincerely,

  
Kirby Murray

c. Mayor Tim McKinney

# EXAMPLE STATEMENT

## Hazardous Waste Certification Statement

Business Name: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Owner of business: \_\_\_\_\_

- |  | <u>YES</u> | <u>NO</u> |
|--|------------|-----------|
| 1) Certify you <u>do not</u> generate hazardous waste as identified under 40 CFR 261,        | ___        | ___       |
| 2) Certify you <u>do</u> generate hazardous waste as identified under 40 CFR 261 but either: |            |           |
| • DO NOT discharge this waste to the City's sewage system. or                                | ___        | ___       |
| • DO discharge this hazardous waste to the City's sewage system.                             | ___        | ___       |

The accompanying certification statement must be signed by a duly authorized representative of your business:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print name and title

\_\_\_\_\_

Signature and date

\_\_\_\_\_

City of Berryville

P.O. BOX 227 — 305 E. MADISON

Berryville, Arkansas 72616

NORTHWEST AR P&DF

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25 FEB 2009 PM



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