



ARKANSAS  
Department of Environmental Quality

February 27, 2012

Darrell Phillips  
Assistant General Manager  
Paragould Light, Water & Cable  
P.O. Box 9  
Paragould, Arkansas 72451

Re: City of Paragould (NPDES #AR0033766) Pretreatment Program Ordinance Modifications per the Pretreatment Streamlining Revisions to 40 CFR 403 Final Approval

Dear Mr. Phillips,

A second review was completed of your final draft Pretreatment Ordinance modifications submitted electronically on 2/17/12.

It has been determined the City's Pretreatment Ordinance now meets the minimum required "streamlining" revisions to 40 CFR 403 with three (3) minor corrections:

1. Please revise definition X to read, "Industrial Wastes. The liquid and/or liquid borne wastes from non-domestic users, manufacturing processes, trade, or business as distinct from sanitary sewage." This was an oversight.
2. Please correct grammar in definition "MM. Normal Domestic Wastewater. Mean wastewater..." to read, "Domestic Wastewater. Means wastewater..."
3. Again, this office's oversight, but retain definition "ZZ. Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.)" and delete, "AAA. Sewage Treatment Plant. Any arrangement of devices and structures used for treating sewage." as this definition is the one that was redundant with a previous definition (please refer to this office's first Ordinance review comments as your current lettering system has now been changed).

Please expedite the adoption of this Ordinance within ninety (90) days from receipt of this correspondence. Submit the final adopted Ordinance (signed, dated and numbered) to this office electronically in pdf format and one (1) hard copy via the USPS mail.

Along with the above submittal please submit a new attorney's statement per 40 CFR 403.9(b) as follows:

"Contents of POTW program submission. The program description must contain the following information:

- (1) A statement from the City Solicitor or a city official acting in a comparable capacity (or the attorney for those POTWs which have independent legal counsel) that the POTW has authority adequate to carry out the programs described in §403.8. This statement shall:

(i) Identify the provision of the legal authority under §403.8(f)(1) which provides the basis for each procedure under §403.8(f)(2);

(ii) Identify the manner in which the POTW will implement the program requirements set forth in §403.8, including the means by which Pretreatment Standards will be applied to individual Industrial Users (e.g., by order, permit, ordinance, etc.); and,

(iii) Identify how the POTW intends to ensure compliance with Pretreatment Standards and Requirements, and to enforce them in the event of noncompliance by Industrial Users...”

Your old Pretreatment Program has an example of this “Attorney’s statement” for guidance. It is not expected much time will have to be devoted to this, but your current City Attorney should be knowledgeable of the content of your newly revised Pretreatment Ordinance.

Also, please submit a draft of your Pretreatment Program’s narrative sections within ninety (90) days from receipt of this correspondence to complete the entire modification and approval process. There shouldn’t be too many sentences to revise in your old Program to “match” what is currently in the revised “streamlining” Pretreatment Regulations in 40 CFR 403.

Thank you for the quick administrative work put into these revisions.

If there are any questions or comments, please feel free to contact this office.

Sincerely,



Allen Gilliam  
ADEQ State Pretreatment Coordinator  
501.682.0625