



March 11, 2010

Honorable Gary Fletcher  
Mayor, City of Jacksonville  
#1 Municipal Drive  
Jacksonville, AR

RE: Compliance Inspection

AFIN: 60-04356

NPDES Permit No. ARR153069

Dear Mayor Fletcher:

On March 10, 2010, I performed a routine compliance inspection of the above referenced facility in response to a complaint. The complaint alleged that a threat exists that dioxin contaminated soils maybe washing off the construction site. The inspection was conducted in accordance with the provisions of the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, and the regulations promulgated thereunder. This inspection revealed the following violations:

1. The construction site is not posted as required by the Permit. This is a violation of Part I,B.8, of the Permit.
2. Outfall controls located on the SW corner of the site are not installed as per the SWPPP. This violates Part II,A.4.H of the Permit.
3. Inspections are not being performed at the frequency as stated in the SWPPP, 7 days. A required inspection was not performed from 2/21/10 to 3/9/10. This is a violation of Part II,A.4.M of the Permit.
4. Sediment has been discharged off the construction site through the outfall located at the SW corner of the site. This is a violation of Arkansas Water and Air Pollution Control Act A.C.A. § 8-4-217(a)(2).

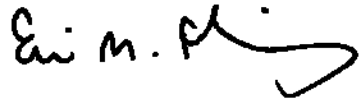
The above items require your immediate attention. Please submit a written response to these findings to Cindy Garner, Enforcement Branch Manager, at the address below. This response should contain detailed documentation including photographs describing the course of action taken to correct the items noted. This corrective action should be completed as soon as possible, and the written response is due by March 26, 2010.

For additional information you may contact the Enforcement Branch by telephone at 501-682-0639 or by fax at 501-682-0910.

ARR153069  
March 11, 2010  
Page 2

If I can be any assistance, please contact me at 501-682-0659.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric M. Fleming". The signature is stylized with a large, sweeping "F" and a long horizontal line extending to the right.

Eric Fleming  
Inspection Branch Manager  
Water Division

cc: Water Division Enforcement Branch  
Water Division Permits Branch  
Kullander Construction Incorporated



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Washington, D.C. 20460

## NPDES Compliance Inspection Report

Form Approved  
OMB No. 2040-0003

### Section A: National Data System Coding

Transaction Code			NPDES										Yr/Mo/Day					Inspec. Type		Inspector		Fac. Type							
1	N	2	5	3	A	R	R	1	5	3	0	6	9	11	12	1	0	0	3	1	0	17	18	W	19	S	20	1	
Remarks																													
C O U N T Y																													
Inspection Work Days						Facility Evaluation Rating						BI		QA		Reserved													
67						70	N	71	N	72	N	73			74	75													80

### Section B: Facility Data

Name and Location of Facility Inspected (*For industrial users discharging to POTW, also include POTW name and NPDES permit number*)

**Jacksonville Police & Fire Training Facility** - located at 1410 Marshall Road in Jacksonville, AR

Entry Time/Date  
**0850 on 3/10/10**

Permit Effective Date  
**9/2/09**

Exit Time/Date  
**1020 on 3/10/10**

Permit Expiration Date  
**10/31/11**

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)  
**Ronnie Robertson – Contactor - Kullander Construction / 501-454-4094**

Other Facility Data

Name, Address of Responsible Official/Title/Phone and Fax Number  
**Gary Fletcher – Mayor / 501-982-3181**  
**#1 Municipal Drive**  
**Jacksonville, AR 72076**

Contacted

Yes ☐ No ☒

### Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

M	Permit	N	Flow Measurement	M	Operations & Maintenance	N	Sampling
M	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
M	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
M	Effluent/Receiving Waters	N	Laboratory	M	Storm Water	N	Other:

### Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

**Section I** - The construction site is not posted as required by the Permit.

**Section II (E)(1)** – Outfall construction controls located on the SW corner of the site are not installed as per the SWPPP.

**Section II (F)(4)** – Inspection are not being performed at the frequency as stated in the SWPPP, 7 days. A required inspection was not performed from 2/21/10 to 3/9/10.

**Section II (G)(4)** – Sediment has been discharged off the construction site through the outfall located at the SW corner of the site.

Name(s) and Signature(s) of Inspector(s)

Eric M. Fleming /

Agency/Office/Telephone/Fax  
Arkansas Department of Environmental Quality  
ADEQ / North Little Rock / 501-682-0659

Date  
**3/10/10**

Signature of Reviewer

Agency/Office/Phone and Fax Numbers

Date

**SECTION I: SITE POSTING AND SITE INFORMATION****SITE NAME:** Jacksonville Police & Fire Training Facility **TOTAL ACREAGE** 17 **ACREAGE DISTURBED** 14**LATITUDE** N34 52' 37.4"**LONGITUDE** W92 07' 46.8"**STARTING DATE** 9/4/09

A. Is site is posted with Notice Of Coverage (NOC) (Part I,B.8)

☐ Y ☒ N ☐ NA ☐ NE

B. Is posting at construction entrance and visible to the public (Part I,B.8)

☐ Y ☒ N ☐ NA ☐ NE

C. If project is linear, is posting at area actively under construction? (Part I,B.8.C)

☐ Y ☐ N ☒ NA ☐ NED. If project is part of larger common plan of development, what is development name and permit number  
Development Name: Development Permit No:**SECTION II: STORM WATER POLLUTION PREVENTION PLAN EVALUATION AND IMPLEMENTATION**

A. Is the SWPPP being maintained on site from 08:00 am to 5:00 pm (Part II,A.2.A)

☒ Y ☐ N ☐ NA ☐ NE

B. Is the SWPPP properly signed as required by Part II, B.1B of the permit?

☒ Y ☐ N ☐ NA ☐ NE

C. Is the SWPPP being updated as required by Part II, A.3 of the permit?

☒ Y ☐ N ☐ NA ☐ NE**D. Site map in SWPPP (Part II,A.4.G)**☒ Y ☐ N ☐ NA ☐ NE

1) Direction of stormwater flow (i.e., use arrows to show which direction stormwater will flow) and approximate slopes anticipated after major grading activities (Part II,A.4.G.1);

☒ Y ☐ N ☐ NA ☐ NE

2) Delineate on the site map areas of soil disturbance and areas that will not be disturbed under the coverage of this permit (Part II,A.4.G.2)

☒ Y ☐ N ☐ NA ☐ NE

3) Location of major structural and nonstructural controls identified in the plan (Part II,A.4.G.3)

☒ Y ☐ N ☐ NA ☐ NE

4) Location of main construction entrance and exit (Part II,A.4.G.4)

☒ Y ☐ N ☐ NA ☐ NE

5) Location where stabilization practices are expected to occur (Part II,A.4.G.5)

☒ Y ☐ N ☐ NA ☐ NE

6) Locations of off-site materials, waste, borrow area, or equipment storage area (Part II,A.4.G.6)

☒ Y ☐ N ☐ NA ☐ NE

7) Location of areas used for concrete wash-out (Part II,A.4.G.7)

☒ Y ☐ N ☐ NA ☐ NE

8) Location of all surface water bodies (including wetlands) (Part II,A.4.G.8)

☐ Y ☐ N ☒ NA ☐ NE

9) Locations where stormwater is discharged to a surface water and/or municipal separate storm sewer system if applicable (Part II,A.4.G.9)

☐ Y ☐ N ☒ NA ☐ NE

10) Locations where stormwater is discharged off-site (should be continuously updated) (Part II,A.4.G.10)

☒ Y ☐ N ☐ NA ☐ NE

11) Areas where final stabilization has been accomplished and no further construction phase permit requirements apply (Part II,A.4.G.11)

☐ Y ☐ N ☒ NA ☐ NE**E. Stormwater Controls**

1) Are all controls installed as described in the SWPPP (Part II,A.4.H)

☐ Y ☒ N ☐ NA ☐ NE

2) Silt fences properly installed and maintained (Part II,B.17.A)

☒ Y ☐ N ☐ NA ☐ NE

3) Check dams and velocity dissipation devices properly installed and maintained (Part II,B.17.A)

☒ Y ☐ N ☐ NA ☐ NE

4) Sedimentation basins and sediment traps properly installed and maintained (sediment removed when 50% capacity) (Part II,B.17.A) and (Part II,A.4.N)

☐ Y ☐ N ☒ NA ☐ NE

5) Has sediment that has gotten offsite been removed? (Part II,A.4.H.1.d)

☐ Y ☐ N ☒ NA ☐ NE



6) Is construction site entrance sufficiently stabilized to prevent off site tracking? (Part II,A.4.I.2)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
7) Are stabilization methods described in SWPPP being implemented in a timely manner? (Part II,A.4.H.2)	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
<b>F. Inspections</b>	
1) Inspection Frequency in SWPPP – <input checked="" type="checkbox"/> Once every 7 days <input type="checkbox"/> 14 days and after ½ inch rain event	
1a) If inspection frequency is every 14 days, do they have a rain gauge on site? (Part II,A.4.M.1.b)	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
1b) Is rain gauge properly installed? (nothing obstructing rain gauge) (Part II,B.17.A)	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
2) Are inspection records being maintained on site? (Part II,A.4.M.3)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3) Are ADEQ inspection forms being used or do the forms contain the elements required by the permit? (Part II,A.4.M.2)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3a) Inspector Name and Title (Part II,A.4.M.2.a)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3b) Date of Inspection (Part II,A.4.M.2.b)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3c) Amount of Rainfall and Days Since Last Rain Event (only if inspection frequency is 14 days) (Part II,A.4.M.2.c)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3d) BMPs used on-site(Part II,A.4.M.2.d)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3e) If the BMPs are in working order and if maintenance is required (when scheduled and completed) (Part II,A.4.M.2.e)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3f) Location and Dates When Major Construction Activities Begin, Occur or Cease (Part II,A.4.M.2.f)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3g) Report Signature of Inspector (Part II,A.4.M.2.g)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
4) Are inspections conducted in accordance with the requirements of the SWPPP? (Part II,A.4.M)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
5) Are corrective actions being implemented within 3 days? (Part II,A.4.N)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
<b>G. Stormwater management</b>	
1) Is solid waste being controlled as described in SWPPP (Part II, A.4.H.1.f)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
2) Are stabilized buffer zones being maintained? (25 feet from stream, 50 feet if 303 d, TMDL, ERW, ESW or NSW) (Part II, A.4.H.2.b)	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3) Have velocity dissipation devices been installed at discharge points, within concentrated flow areas serving two or more acres and along drainage courses where required to prevent erosive flows (Part II, A.4.H.3.b)	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
4) Has silt or sediment gotten off the construction site? A.C.A. § 8-4-217(a)(2)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
5) Has silt and sediment been discharged to the waters of the state? A.C.A. § 8-4-217(a)(2)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
If yes, give the name of the stream or water body: _____	
6) Is the washout of concrete being done at the designated location? (Part II,A.4.G.7)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
7) Does the liquid waste from concrete washout reach the waters of the state? (Part II, A.4.I.5)	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
8) Are fuel storage areas protected as described by SWPPP? (Part II, A.4.I.6)	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
9) Have temporary erosion controls been removed from areas finally stabilized? (Part II, A.4.H)	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
10) Are there any allowable non-stormwater discharges that have not been addressed in the	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE

SWPPP (Part II, A.4.J)		
11) Are there any process waters or non-stormwater discharges that are not allowed under the permit being discharged? A.C.A. § 8-4-217(b)(1)(E)		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
E. Comments and Observations:		

Water Division NPDES Photographic Evidence Sheet							
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<b>Location:</b>	Jacksonville Police & Fire Training Facility						
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<b>Photographer:</b>	EMF			<b>Witness:</b>	R. Robertson		
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<b>Photo #</b>	1	<b>Of</b>	3	<b>Date:</b>	3/10/10	<b>Time:</b>	0915
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<b>Description:</b>	Outfall at the south end of the site. The silt fence has been undercut and gravel has washed off the site and into the ditch.
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<b>Photographer:</b>	EMF			<b>Witness:</b>	R. Robertson		
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<b>Photo #</b>	2	<b>Of</b>	3	<b>Date:</b>	3/10/10	<b>Time:</b>	0915
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<b>Description:</b>	Photo showing the same location and control as the above photo. Notice the gravel in the ditch.
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Water Division NPDES Photographic Evidence Sheet									
<b>Location:</b>		Jacksonville Police & Fire Training Facility							
<b>Photographer:</b>		EMF				<b>Witness:</b>		R. Robertson	
<b>Photo #</b>	3	<b>Of</b>	3		<b>Date:</b>	3/10/10	<b>Time:</b>	0940	
<b>Description:</b>		This photo shows the outfall at the SW corner of the site. The rock check dam and velocity dissipation device have not been installed as required. Also a noticeable amount of sediment is present in this outfall ditch.							
									
<b>Photographer:</b>		«Inspector»				<b>Witness:</b>		None	
<b>Photo #</b>	4	<b>Of</b>			<b>Date:</b>	«Last_Inspection»	<b>Time:</b>		
<b>Description:</b>									
BLANK									

## WATER DIVISION NPDES COMPLAINT REPORT

GPS LOCATION: N34 52' 37.4" / W92 07' 46.8"

AFIN: 60-04356

PERMIT#: ARR153069

DATE RECEIVED: 2/26/10

COUNTY: Pulaski

COMPLAINANT NAME: Anon

COMPLAINT AGAINST: Jacksonville Police and Fire Training Facility

ADDRESS:

ADDRESS: 1410 Marshall Road, Jacksonville, aR

PHONE:

PHONE: 501-982-3181

## TRACKING &amp; REFERRAL INFORMATION

PERSON RECEIVING REPORT:

D. Washam

DATE:

2/26/10

SUPERVISOR REFERRAL:

EMF

DATE:

3/1/10

INSPECTOR REFERRAL:

DATE:

MEDIA SUPERVISOR REFERRAL:

DATE:

PHONE REFERRAL CONTACT:

DATE:

RECEIVING INSPECTOR:

DATE:

COMPLAINT RECEIVED BY: ☐PHONE ☐LETTER ☐VERBAL ☐INTERNET ☐EMAIL

## DETAILED DESCRIPTION

On the old vertec superfund cleanup area, the city of Jacksonville is currently building a Fire Department Burn Tower. When it rains runoff from the construction site runoff into the ditches along the road. With the site being what it was I am worried that something will get into the water.

## LOCATION

At the old Vertac site on Marshall Road in Jacksonville, AR

PREVIOUS COMPLAINT: ☐YES ☒NO DATES:DISCHARGE TO STREAM: ☐YES ☒NO NAME OF STREAM:

## INVESTIGATION

INSPECTOR:

EMF

DATE:

3/10/10

ACTION TAKEN:

PHOTOS TAKEN: ☒YES ☐NO

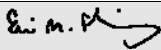
Met with Mr. Ronnie Robertson at 0845 and performed a SW Inspection on 3/10/10.

(After speaking with the HW division concerning the site itself to insure that it was ok. The HWD looked into the situation, talked with the City, and confirmed the activities were OK; not within the current area(s) being monitored as part of the NPL activities)

## FURTHER ACTION:

Sent the City of Jacksonville a NC letter and cc:d Kullander Construction Incorporated a copy.

SIGNATURE:



DATE: 3/10/10



**From:** [Allen-Daniel, Leslie](#)  
**To:** [Stracener, Connie;](#)  
**Subject:** FW: Emailing: 3 15 2010 004, ADEQ, 3 15 2010 001, 3 15 2010 002, 3 15 2010 003  
**Date:** Friday, March 26, 2010 16:15:32  
**Attachments:** [3 15 2010 004.jpg](#)  
[ADEQ.doc](#)  
[3 15 2010 001.jpg](#)  
[3 15 2010 002.jpg](#)  
[3 15 2010 003.jpg](#)

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Would you please put the following email and attachments in Zylab under water division?

Thanks,

Leslie Allen-Daniel

Secretary II

Arkansas Department of Environmental Quality

NPDES Enforcement Division

501-682-0639

[allen-daniel@adeq.state.ar.us](mailto:allen-daniel@adeq.state.ar.us)

-----Original Message-----

From: Garner, Cindy

Sent: Friday, March 26, 2010 8:07 AM

To: Allen-Daniel, Leslie

Subject: FW: Emailing: 3 15 2010 004, ADEQ, 3 15 2010 001, 3 15 2010 002, 3 15 2010 003

Please save to Zylab and PDS #050894.

Cindy

-----Original Message-----

From: Linda Dulaney [<mailto:LDulaney@cityofjacksonville.net>]

Sent: Thursday, March 25, 2010 11:45 AM

To: Garner, Cindy

Subject: Emailing: 3 15 2010 004, ADEQ, 3 15 2010 001, 3 15 2010 002, 3 15 2010 003

The message is ready to be sent with the following file or link attachments:

3 15 2010 004

ADEQ

3 15 2010 001

3 15 2010 002

3 15 2010 003

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



#1 Municipal Drive  
Jacksonville, Arkansas 72076  
ENGINEERING DEPARTMENT  
Phone: (501) 982-6071 Fax: (501) 982-6439

March 25, 2010

Mr. Eric Fleming  
Inspection Branch Manager  
Water Division, ADEQ  
5301 Northshore Dr.  
North Little Rock, AR 72118-5317

Re: Compliance Inspection  
AFIN: 60-04356  
NPDES Permit No. ARR153069

Dear Mr. Fleming,

I wanted to thank you for visiting with me on the above described compliance issue. Kullander Construction has alleviated all of the violations. I have attached pictures for the noted items. Also, violations 1 and 3 were specific to the site being posted and an entry that did not occur in the inspection log. There has been a notice posted on the gate explaining where to get information on the SWPPP and an entry explaining that no one was at the job site the week not in the journal due to snow and ice conditions in the area.

Also please know the City of Jacksonville has a change order to have the two additional areas added to the SWPPP. The additional BMP's should be in place by the end of this week. I am attaching some pictures that show the BMP's that have already been corrected. If you should need additional information or need more documentation please do not hesitate to contact me. My phone number is (501)-982-6071, and my email address is [jwhisker@cityofjacksonville.net](mailto:jwhisker@cityofjacksonville.net).

Sincerely,

A handwritten signature in blue ink, appearing to read "J Whisker", is written over a faint, light blue circular stamp.

James Whisker, P.E.  
City Engineer  
City of Jacksonville





















March 31, 2010

The Honorable Mayor Gary Fletcher  
City of Jacksonville  
#1 Municipal Drive  
Jacksonville, AR 72076

RE: NPDES Permit No.: ARR153069, AFIN: 60-04356  
Response to Inspection

Dear Mayor Fletcher:

The Department has received your response to the March 10, 2010 inspection of your facility by our District Field Inspector, Eric Fleming. Your letter appears to adequately address the discrepancies identified during the visit. The Department assumes the corrective actions taken will be maintained to ensure consistent compliance with the requirements of the permit. Acceptance of this response by the Department does not preclude any future enforcement action deemed necessary at this site or any other site.

The Department will keep the inspection and response on file. If future violations occur that require enforcement action, the Department will consider the inspection and response as required by the Pollution Control and Ecology Commission Regulation No. 7, Civil Penalties. This regulation requires the Department to consider the past history of your site and how expeditiously the violations were addressed in determining any civil penalty that may be necessary for any future violations.

If we need further information concerning this matter, we will contact you. Thank you for your attention to this matter. Should you have any questions, feel free to contact me at 501-682-0632 or you may e-mail me at [robertsa@adeq.state.ar.us](mailto:robertsa@adeq.state.ar.us).

Sincerely,

A handwritten signature in cursive script that reads "Anne Roberts".

Anne Roberts  
Enforcement Analyst  
Water Division Enforcement Branch