



September 14, 2011

Steve Jernigan, Mayor  
City of Lepanto  
P.O. Box 610  
Lepanto, AR 72354

RE: City of Lepanto WWTP

AFIN: 56-00056

NPDES Permit No.: AR0023841 (Pending)

Dear Mr. Jernigan:

On August 18, 2011, Michael Greenway and I performed a reconnaissance inspection of the waste water collection system and treatment facility in response to a complaint alleging that a food service business was operating without a grease trap and thus discharging a large amount of grease into the collection system causing blockages and backups into nearby businesses. This 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 and revealed the following violations:

- 1. There was seepage of water through the levee in the immediate vicinity of the old outfall structure at the northwest corner of the lagoon. This is an unpermitted discharge in violation of the Arkansas Water and Air Pollution Control Act - A.C.A. §8-4-217 (b)(1). It appears that the old outfall into the receiving stream was satisfactorily plugged, however the pipe is now leaking within the levee resulting in the aforementioned seepage.**
- 2. There was a large amount of grease entering the manhole located at the intersection of Holmes St. and Alexander Ave. This violates Part III Item 8.a.3. of the expired NPDES Permit (Part II Item 7.a.3. of the Pending NPDES Permit). Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW, resulting in interference or pass through may not be introduced into the treatment facility. In discussions with Mr. Robertson and the Arkansas Department of Health, it was determined that a nearby convenience store/restaurant does not have a grease trap and is thus discharging large amounts of grease into the collection system.**

The above items require your immediate attention. Please submit a written response to these findings to the Water Division Enforcement Branch of this Department. This response should be mailed to the address below or e-mailed to [Water-Enforcement-Report@adeq.state.ar.us](mailto:Water-Enforcement-Report@adeq.state.ar.us) and should

Steve Jernigan, City of Lepanto, WWTP

September 14, 2011

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contain documentation describing the course of action taken to correct each item noted. This corrective action should be completed as soon as possible, and the written response with all necessary documentations (i.e. photos) is due by **September 24, 2011**.

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

If I can be of any assistance, please contact me at [walker@adeq.state.ar.us](mailto:walker@adeq.state.ar.us) or 870-935-7221 ext.-12.

Sincerely,





Brent L. Walker

District 3 Field Inspector

Water Division

cc: Water Division Enforcement Branch  
Water Division Permits Branch



Water Division NPDES Photographic Evidence Sheet							
<b>Location:</b>	City of Lepanto, WWTP						
<b>Photographer:</b>	Brent Walker			<b>Witness:</b>	Michael Greenway		
<b>Photo #</b>	1	<b>Of</b>	4	<b>Date:</b>	8/18/2011	<b>Time:</b>	1455
<b>Description:</b>	Large volume of grease entering manhole at Holmes St. and Alexander Ave.						
 <p>8/18/2011 / 14:55:34</p>							
<b>Photographer:</b>	Brent Walker			<b>Witness:</b>	Michael Greenway		
<b>Photo #</b>	2	<b>Of</b>	4	<b>Date:</b>	8/18/2011	<b>Time:</b>	1518
<b>Description:</b>	Partially treated wastewater seeping into old outfall structure.						
 <p>8/18/2011 / 15:18:26</p>							



Water Division NPDES Photographic Evidence Sheet							
<b>Location:</b>	City of Lepanto, WWTP						
<b>Photographer:</b>	Brent Walker			<b>Witness:</b>	Michael Greenway		
<b>Photo #</b>	3	<b>Of</b>	4	<b>Date:</b>	8/18/2011	<b>Time:</b>	1516
<b>Description:</b>	Partially treated wastewater seeping from levee from old outfall structure. Circle indicates location of main seepage. Arrows indicate flow to receiving stream.						
							



Water Division NPDES Photographic Evidence Sheet									
<b>Location:</b>		City of Lepanto, WWTP							
<b>Photographer:</b>		Brent Walker				<b>Witness:</b>		Michael Greenway	
<b>Photo #</b>	4	<b>Of</b>	4		<b>Date:</b>	8/18/2011	<b>Time:</b>	1516	
<b>Description:</b>		Partially treated wastewater seeping from levee from old outfall structure. Circle indicates location of main seepage. Arrows indicate flow to receiving stream.							
									

# CITY OF LEPANTO ARKANSAS

P.O. Box 610

Lepanto, Arkansas 72354

Office:

(870) 475-2415

Fax:

(870) 475-3161

September 23, 2011

ADEQ

Brent L. Walker

District 3 Field Inspector

Water Division

5301 Northshore Drive

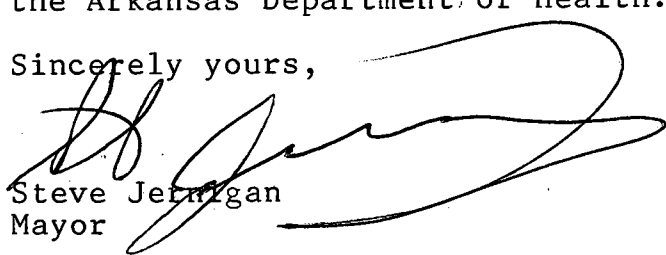
North Little Rock, Arkansas 72118-5317

Dear Mr. Walker,

The city water department installed 84 bags of quick-crete in the old outfall structure at the NW corner of the lagoon. As of this date we have not noticed any seepage in this area. We will continue to monitor this on a regular basis.

The city has visited with the property owners of the convenience store and they informed us they have a plumber working on the problem. Also, we are awaiting the report from Matt Myers with the Arkansas Department of Health.

Sincerely yours,

  
Steve Jernigan  
Mayor

**CITY OF LEPANTO**

**P.O. Box 610**

**Lepanto, AR 72354**



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ADEQ

Brent L. Walker

District 3 Field Inspector

Water Division

5301 Northshore Drive

North Little Rock, AR 72118-5317

721185317







ARKANSAS  
Department of Environmental Quality

October 6, 2011

**CERTIFIED MAIL: 91 7199 9991 7030 4903 8125**

Mayor Steve Jernigan  
City of Lepanto  
P.O. Box 610  
Lepanto, AR 72354

RE: NPDES Permit No. AR0023841, AFIN 56-00056  
Failure to Respond to Inspection #060808

Dear Mayor Jernigan:

The Department has not received your response to the August 18, 2011 inspection of your facility by our District Field Inspectors, Brent Walker and Michael Greenway. The inspection noted there was seepage of water through the levee in the immediate vicinity of the old outfall structure at the northwest corner of the lagoon, and there was a large amount of grease entering the manhole located at the intersection of Holmes St. and Alexander Ave. Please submit a response containing detailed documentation describing the course of action taken to correct each item noted. Please provide a written response with photo documentation by **October 16, 2011**. If you cannot complete all of the corrective actions by the due date, please provide expected dates for completion for each item noted.

Please be advised that a continuing lack of cooperation in this matter may result in formal enforcement action. Such action would include but would not be limited to the assessment of a monetary penalty.

Should you have any questions, feel free to contact me at 501-682-0632 or you may e-mail me at [bolenbaugh@adeq.state.ar.us](mailto:bolenbaugh@adeq.state.ar.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Bolenbaugh", is written over a horizontal line.

Jason Bolenbaugh  
Enforcement Analyst  
Water Division Enforcement Branch



ARKANSAS  
Department of Environmental Quality

October 7, 2011

Mayor Steve Jernigan  
City of Lepanto  
P.O. Box 610  
Lepanto, AR 72354

RE: AFIN: 56-00056, NPDES Permit No.: AR0023841  
Adequate Response to Inspection #060808

Dear Mayor Jernigan:

The Department has received your response to the August 18, 2011 inspection of your facility by our District Field Inspectors, Brent Walker and Michael Greenway. Your letter appears to satisfy the discrepancies identified during the visit. The Department expects that 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 the 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 penalties 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 [bolenbaugh@adeq.state.ar.us](mailto:bolenbaugh@adeq.state.ar.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Bolenbaugh".

Jason Bolenbaugh  
Enforcement Analyst  
Water Division Enforcement Branch