

ARKANSAS DEPARTMENT OF
POLLUTION CONTROL AND ECOLOGY

MINUTE ORDER NO. 82-37

LOCATION - SUBJECT: Municipal
Enforcement Policy Public Hearing
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The Commission hereby approves the request to issue a Public Notice and hold a Public Hearing on the proposed Municipal Enforcement Policy.

COMMIS-
SIONERS

John P. Sutton
CHAIRMAN

SUBMITTED BY Cheryl Terai

DATE PASSED 5/28/82

DRAFT

MUNICIPAL ENFORCEMENT POLICY

To achieve maximum benefit of available resources, primary emphasis of the Department's water quality management efforts with respect to municipal wastewater treatment facilities shall be focused upon the discharges which measurably interfere with designated beneficial in-stream uses.

(1) Available federal construction grant funds shall be allocated to communities in accordance with the water quality needs of receiving streams, taking into account the potential of eligible projects to provide meaningful water quality improvements.

(2) Enforcement of applicable laws and regulations shall be accomplished in a manner to encourage improved maintenance and operation of all facilities and to ensure that such facilities are operated by personnel trained and certified in accordance with Act 211 of 1971.

(3) Compliance schedules shall be established for those facilities which significantly interfere with the designated beneficial uses. Such schedules shall reflect those activities which are necessary to eliminate or reduce the cause of said interference, taking into account the availability of local and federal funds for the construction of needed facilities, improvements which can be achieved through increased maintenance and operation efforts, and the effect of banning or otherwise limiting new connections until such time that interference with designated beneficial uses can be abated.

(4) The Department is authorized to initiate formal enforcement actions against any municipality which measurably interferes with the designated beneficial uses and which fails to submit an approvable compliance schedule as described above within 180 days of the date that the Department requests such schedule.

(5) The Department is further authorized to initiate formal enforcement actions against any municipality which fails to comply with the terms of an approved compliance schedule or which fails to employ certified operators or which otherwise fails to maintain a responsible maintenance and operation program.