



STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
PERMITS BRANCH, WATER DIVISION
5301 NORTSHORE DRIVE
NORTH LITTLE ROCK, ARKANSAS 72118-5317
PHONE: (501) 682-0648
FAX: (501) 682-0910



Revised

September 24, 2007

**APPLICATION PROCEDURES FOR A
NO-DISCHARGE WATER POLLUTION CONTROL PERMIT**

SUBSURFACE DISPOSAL AND/OR LEACHFIELD

PART I
GENERAL INSTRUCTIONS

Please read the following prior to completing the application:

1. The applicant is advised to review all applicable state and/or federal regulations, including, but not limited to: Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended), Arkansas Water Quality Standards (ADEQ Regulation No. 2) and Arkansas Department of Health and Human Services Rules and Regulations Pertaining to Sewage Disposal Systems, Designated Representatives and Installers (Act 402 of 1977, as amended).
2. All construction and operating information contained in the permit application and any change, modification or alteration of the permit application submitted to the Department in writing and approved by the Department in writing shall become an integral part of the permit. All information supplied to this Department shall be available for public inspection unless the information is of a proprietary nature and clearly marked confidential. Effluent data cannot be considered confidential.
3. The application should be mailed to:
Arkansas Department of Environmental Quality
Water Division
Permits Branch, No-Discharge
5301 Northshore Drive
North Little Rock, AR 72118-5317
For telephone inquiries, call (501) 682-0648.
4. The application must be signed by the individual owner, an authorized corporate officer, a partner, a principal or someone delegated with signatory authority by any of the above individuals. In all cases, the person signing the application should be authorized to do so by the applicant. For the purposes of this section, an authorized corporate officer is defined as: (1) a president, secretary, treasurer or vice-president of the corporation in charge of principal

business function, or any other person who performs similar policy or decision-making functions for the corporation, or (2) the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars) provided the manager has been entrusted with authority to sign documents in accordance with the corporation procedures. In the case of a partnership or sole proprietorship, the application must be signed by a general partner or the proprietor, respectively. In the case of municipal, state, federal or other public facility, the application must be signed by either a principal executive officer, ranking elected official or other duly authorized employee. For a corporation, those applications signed by an authorized person other than those described above must also include appropriate documentation delegating such signatory authority.

5. Act 817 of 1983 and ADEQ Regulation No. 9 promulgated thereto requires that, if applicable, a fee be paid by the applicant prior to the issuance of a permit, a permit modification or a renewal of a permit. Permit fees are payable by check or money order and must be received before the permit can be issued.
6. All applicants must submit a complete “Disclosure Statement” as required by Arkansas Code Annotated Section 8-1-106. A copy of the “Disclosure Statement” form may be obtained from ADEQ upon request or on the ADEQ website at www.adeq.state.ar.us.
7. Act 165 of the 1993 Arkansas Legislature and ADEQ Regulation No. 8 dictate the following **public notice requirements for permit applicants:**
 - A. A public notice must be published for all permit applications submitted to the Department. **Upon receiving a complete application, the Department will prepare a public notice of application and return it to the applicant for publication in a newspaper having general circulation in the county or counties in which the facility is or will be located.** An affidavit and proof of payment for the notice publication must be submitted to the Department.
 - B. A second public notice must be published concerning the Director’s tentative decision to approve or deny the proposed permit. The Department will prepare this notice and submit it directly to the publisher.
 - C. **ACT 165 REQUIRES THE APPLICANT TO BEAR THE EXPENSE OF ALL OF THE PUBLIC NOTICES.** Proof of payment for the public notices must be submitted to the Department with the affidavit of publication.

PART II
PROCEDURAL INFORMATION

1. Department staff will review the submitted application materials for administrative completeness. The Department will not process any application until all the information required to properly classify the application complete has been received. During the review, the Department may contact the applicant for clarification or to request additional information. If an application is severely lacking in detail or requested information is not submitted in a timely manner, the application may be returned.
2. After determining that an application is administratively complete, the Department will prepare a public notice of application and submit it to the applicant for publication in a local newspaper (See Application Procedures, Part I.6.A). Act 165 requires the applicant to bear the expense of all public notices.
3. Upon receiving an affidavit of publication for the public notice of application, the Department will conduct a technical review of the waste management plan.
4. Following the technical review, the Director will make a tentative decision to issue or deny a draft permit. A second public notice will be prepared and forwarded directly to a local newspaper for publication by the Department regarding the Director's decision. A 30-day comment period must follow publication of this notice. Act 165 requires the applicant to bear the expense of all public notices.
5. After the expiration of the 30-day comment period, the Director will make a final decision to issue or deny the permit. In instances where significant public interest has been expressed, the Director or the Commission on Pollution Control and Ecology may decide to hold a hearing to obtain public comment.
6. If the Director makes a final decision to issue the permit, the applicant may commence construction once the permit becomes effective. The facility must be constructed, modified and/or operated in accordance with the final design plans and specifications approved by the Department. After construction is complete, the consultant must submit a **construction certification** to the Department stating that the facility was constructed according to the final plans approved by the Department. The consultant must justify any modifications made to the facility during construction.
7. After receiving construction certification, the Department will issue a letter of authorization to commence operation of the facility. If the plan does not include any type of construction, the authorization to commence operation will be issued in conjunction with the Director's final permit decision. **Operation of the facility shall not commence until the Department has issued a letter of authorization to operate.**
8. Prior to implementation of any changes in operational procedures of a permitted facility, the operator must request Department approval, in writing, describing the proposed changes. A change in operational procedures includes, but is not limited to, the following:

- A. A change in waste source, composition or volume. (This change may require a permit modification.)
 - B. An increase in the number of field lines and/or septic tanks. (This change requires a permit modification.)
 - C. A change in waste treatment, handling or disposal. (The Department may require a permit modification, construction plans and specifications, an amended waste management plan or any other information as needed.)
9. Permits are issued with a 5-year expiration date. An application to renew an existing permit must be submitted no less than 120 days prior to the expiration date for continued operation of the permitted facility. Operators applying for a renewal must go through the same process as obtaining a new permit as listed in Items 1-8 above, including fee and public notice requirements. If any operational changes are to be made, or have been made, to the permitted facility (as described in Item 8 above), a revised waste management plan must be submitted to the Department for approval.
10. If a change of ownership or control of a permitted facility occurs, the permit may be transferred to the new owner(s) by submitting a completed "Request for Permit Transfer" form. A permit may be automatically transferred if the applicant for transfer notifies the Department thirty (30) days in advance of the proposed transfer date and submits a completed "Disclosure Statement" form. The required forms are available from the Department upon request.

PART III
TECHNICAL REQUIREMENTS

1. Design and implementation of waste management plans shall be in accordance with all applicable State and Federal regulations and Department guidelines and policies.
2. All waste management plans, construction plans, specifications and design calculations must be signed and approved by an Arkansas registered professional engineer or an Arkansas Department of Health and Human Services Designated Representative.
3. **Two** copies of the waste management plan must be submitted for all applications. The waste management plan must include the following information:
 - a. Description of the waste-generating process, including the daily and yearly waste production volumes.
 - b. Engineering drawings showing dimensions and sizes of piping, grease traps, grit chambers, lint filters, septic tanks and leach fields, as applicable. Also, the drawing should indicate the number of wash bays or washing machines, where applicable. The Department recommends that a **grit chamber and grease trap** be included in the design of disposal systems for **car and truck wash facilities**. The Department also recommends that **lint filters** be included in the design of **laundromat facilities**.
 - c. Design calculations and methods used in determining the number and length of field lines and the size of the septic tank and other system components.
 - d. The holding tank must be designed for a minimum of 24 hours of detention time. Note that the Arkansas Department of Health and Human Services requires a minimum of 48 hours detention time for any septic tank into which domestic septage is added. The length of each leach field line must not exceed 100 feet.
 - e. Copies (8 ½" X 11") of **both** USGS topographic map(s) (i.e. quad sheet) and county map(s) showing the location of the treatment facility and leach field area(s), the nearest potentially affected stream(s) and the distance and direction from the nearest State Highway intersection or community. All features (such as buildings, ponds, etc.) in existence but not shown on the map(s) must be noted. A legal description by quarter section, Section, Township, and Range must be provided for the waste-generating facility. Location by latitude and longitude (deg, min, sec) of the waste-generating facility must also be provided. Maps may be obtained from the Arkansas Highway Department and the Arkansas Geological Commission in Little Rock. The name of the USGS topographic map(s) used for each map submitted in the waste management plan must be indicated.
 - f. The name and distance to the nearest receiving stream. For multiple sites, the name and distance to each receiving stream must be included for every site.

4. Proof of ownership or control of land must be submitted to the Department for all land to be permitted for waste utilization under the waste management plan.
 - a. For land owned by the applicant, a copy of the deed (or other legal document proving ownership) must be submitted.
 - b. For land leased by the applicant, a copy of the lease agreement with the landowner granting control of the land for the purpose proposed in the application must be submitted.

Applicants for new permits must notify the Arkansas Department of Health and Human Services (ADHHS) Division of Engineering that a permit application has been submitted to the Department of Environmental Quality. This notice must include a complete set of maps (**as described in Part III.3.e.**) indicating the location of the facility and all land application sites and a description (type, size, etc.) of the operation. The notice should be mailed to:

Arkansas Department of Health
Engineering Division, Slot # 37
4815 West Markham
Little Rock, AR 72205

A copy of the letter transmitting the above documents to the Arkansas Department of Health must be submitted to the Department with your application.

PART IV
DEFINITIONS

“Act”: The Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended).

“Commence Construction”: A continuous physical, on-site construction program. Surveying and drawing of plans are part of the design process and do not constitute commencement of construction. Likewise, it is not sufficient to begin erection of auxiliary buildings unless there is clear evidence (through contracts or otherwise) that construction of the entire facility will go forward in a continuous manner (with no interruptions greater than 18 months).

“Department”: The Arkansas Department of Environmental Quality.

“Designated Representative”: A person designated by the authorized agent to make percolation tests, system designs and inspections subject to the authorized agent’s final approval. Designated representative shall be registered professional engineers, registered land surveyors, licensed master plumbers, registered sanitarians or other similarly qualified individuals holding current certifications from the State of Arkansas, and shall demonstrate to the satisfaction of the authorized agent, prior to their designation as a “designated representative”, their competency to make percolation tests, designs and final inspections for individual sewage disposal systems in accordance with these Rules and Regulations and when authorized by the Sanitarian.

“Director”: The Director of the Arkansas Department of Environmental Quality or his designated representative.

“Waste management plan”: An Arkansas Department of Health and Human Services Designated Representative, or a professional engineer registered in the state of Arkansas detailing the management of the subsurface disposal and/or leachfield.

“Waters of the State”: All streams, lakes, marshes, ponds, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or borders upon this state or any portion of this state as defined by the Act.

PLEASE SUBMIT ONLY THE FOLLOWING APPLICATION (Pages 8-9)
DO NOT RETURN THE PROCEDURES (Pages 1-7)

**WATER POLLUTION CONTROL PERMIT APPLICATION
ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY**

Septic Tank and Leach Field

Revised September 24, 2007

| | | | |
|--------------------|-------------------|-------------------|--------------------|
| Permit No.: | AFIN No.: | SIC Code: | NAICS Code: |
| (Office use only) | (Office use only) | (Office use only) | (Office use only) |

1. Permit Action Requested: (Please check one of the following.)

| | | |
|--|---|---|
| <input type="checkbox"/> New Permit for New Facility | <input type="checkbox"/> New Permit for Existing Facility | <input type="checkbox"/> Permit Renewal |
| <input type="checkbox"/> Modification of Existing Permit, Please Describe: _____ | | |

2. Name and Mailing Address of Organization/Individual Requesting Permit:

| | | | |
|--|---------------|---------------|---------------|
| Owner/Organization Name: (Mr. / Mrs. / Ms.) | | | |
| Address: | | Phone: | |
| City: | State: | Zip: | |
| Contact Person: (Mr. / Mrs. / Ms.) | | | Phone: |
| Fax: | Email: | | |

3. Type of Waste Management: (Please check all that apply to your system.)

| | | | |
|--|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> Car Wash | <input type="checkbox"/> Truck Wash | <input type="checkbox"/> Laundromat | <input type="checkbox"/> Slaughterhouse |
| <input type="checkbox"/> Other, Please Describe: _____ | | | |

4. Waste Storage and/or Treatment Facility Location: (actual facility address is required; NO P.O. BOXES)

| | | | | | |
|---|-----------------|-------------------|--|----------------------|--|
| Facility Name: | | | | | |
| Address: | | | | Phone: | |
| City: | | State: | Zip: | | |
| ¼ Sec.: | Section: | Township: | Range: | County: | |
| Latitude: | | Longitude: | Source Datum: ___WGS 84 ___NAD 83 ___NAD 27 | | |
| Name and Distance to Nearest Stream: | | | | Nearest Town: | |

5. Consultant Information:

| | | | | | |
|---------------------------------|---------------|---------------|-------------|---------------|--|
| Name: (Mr. / Mrs. / Ms.) | | | | | |
| Consulting Firm Name: | | | | | |
| Address: | | | | Phone: | |
| City: | | State: | Zip: | | |
| Fax: | Email: | | | | |

6. Please describe the location of the facility with respect to roads, towns and other easily identifiable landmarks:

7. Please list and describe all waste storage and/or treatment components:

8. Is the applicant organized as a corporation? YES or NO; If yes, is it foreign or domestic? _____

Is the corporation currently registered to do business with the Arkansas Secretary of State? YES or NO

Please read the following carefully and sign below.

I certify under penalty of law that this document and all attachments were prepared under my direction and 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, which may include fines and/or imprisonment.

SIGNATORY REQUIREMENTS: The signature below must be in compliance with Part I, Item 4 on pages 1-2.

Name of Individual Signing Application (Please Print)

Title

Signature

Date