

# ADEQ

ARKANSAS  
Department of Environmental Quality

November 5, 2009

Honorable Larry Mitchell  
ATTN Mgr. W&WW Dept.  
1019 S.W. 2nd Street  
Bryant, AR 72022

AFIN: 63-00065



NPDES Permit No.: AR0034002

Dear Mayor Mitchell:

On October 28, 2009, Eric Fleming and I performed a reconnaissance inspection of the your waste water treatment facility 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 was performed in response to a complaint alleging that there was a strong Hydrogen Sulfide odor possibly coming from the facility. The inspection was requested by the Deputy Director of ADEQ, Ryan Benefield. At this time, the complaint was not found to be valid. But, the inspection revealed the following violations:

1. There was not enough freeboard in the polishing pond. This is a violation of Part II.10 of the permit which requires 2 feet of freeboard. A trench had been cut in the polishing pond to avoid an overflow but there was still less than a foot of freeboard. This is an unpermitted discharge and is a violation of the Arkansas Water and Air Pollution Control Act (§8-4-217(b)(1)(E)).
2. There was not enough freeboard in the sludge wasting pond. There was less than 6 inches of freeboard available for the pond. This is a violation of Part II.10 of the permit which requires 2 feet of freeboard.
3. The ponds contained no staff gauges for measuring the freeboard levels.

The above items require your immediate attention. Please submit a written response to these findings to Cindy Garner, Water Division Enforcement Branch Manager. This response should be mailed to the address below. This response should 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 November 15, 2009.

If I can be any assistance, please contact me at [keller@adeq.state.ar.us](mailto:keller@adeq.state.ar.us) or 501-682-0658.

Sincerely,

A handwritten signature in black ink that reads "Dawn Keller".

Dawn Keller  
Inspection Branch Manager  
Water Division

cc: Water Division Enforcement Branch  
Water Division Permits Branch

 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY Washington, D.C. 20460 <h2 style="margin: 0;">NPDES Compliance Inspection Report</h2>	Form Approved OMB No. 2040-0003
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Section A: National Data System Coding																													
Transaction Code										NPDES										Yr/Mo/Day				Inspec. Type		Inspector		Fac. Type	
1	N	2	5	3	A	R	0	0	3	4	0	0	2	11	12	0	9	1	0	2	8	17	18	R	19	S	20	1	
Remarks																													
A F I N 6 3 - 0 0 0 6 5										S A L I N E C O U N T Y																			
Inspection Work Days					Facility Evaluation Rating					BI		QA		Reserved															
67				69	70	N				71	N	72	N	73			74											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) <b>City of Bryant</b> <b>1019 Southwest 2<sup>nd</sup> Street</b> <b>Bryant, AR 72022</b>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">Entry Time/Date 2:00 p.m. on 10/28/2009</td> <td style="width:50%;">Permit Effective Date 02/01/2009</td> </tr> <tr> <td>Exit Time/Date 2:40 p.m. on 10/28/2009</td> <td>Permit Expiration Date 01/31/2014</td> </tr> </table>	Entry Time/Date 2:00 p.m. on 10/28/2009	Permit Effective Date 02/01/2009	Exit Time/Date 2:40 p.m. on 10/28/2009	Permit Expiration Date 01/31/2014
Entry Time/Date 2:00 p.m. on 10/28/2009	Permit Effective Date 02/01/2009				
Exit Time/Date 2:40 p.m. on 10/28/2009	Permit Expiration Date 01/31/2014				
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) <b>Gregg Asher/ Chief Plant Operator/501-847-1556 phone/ 501-847-2583 fax</b>	Other Facility Data				
Name, Address of Responsible Official/Title/Phone and Fax Number <b>Honorable Larry Mitchell/ Mayor/ 1019 S.W. 2nd Street</b> <b>Bryant, AR 72022/</b> <b>501-847-8083 office/ 501-847-2583 fax</b>	Contacted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				

Section C: Areas Evaluated During Inspection							
(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)							
N	Permit	S	Flow Measurement	U	Operations & Maintenance	N	Sampling
N	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
U	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
S	Effluent/Receiving Waters	N	Laboratory	N	Storm Water	N	Other:

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

1. There was not enough freeboard in the polishing pond. This is a violation of Part II.10 of the permit which requires 2 feet of freeboard. A trench had been cut in the polishing pond to avoid an overflow but there was still less than a foot of freeboard. This is an unpermitted discharge and is a violation of the Arkansas Water and Air Pollution Control Act (§8-4-217(b)(1)(E)).
2. There was not enough freeboard in the sludge wasting pond. There was less than 6 inches of freeboard available for the pond. This is a violation of Part II.10 of the permit which requires 2 feet of freeboard.
3. The ponds contained no staff gauges for measuring the freeboard levels.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax ADEQ / Little Rock / 501-682-0658 / 501-682-0910	Date 10/30/2009
Dawn Keller/ 		
Signature of Reviewer	Agency/Office/Phone and Fax Numbers	Date

**Water Division No Discharge Industrial Photographic Evidence Sheet**

**Location:** City of Bryant, Bryant, AR

**Photographer:** Dawn Keller      **Witness:** Eric Fleming

<b>Photo #</b>	1	<b>Of</b>	4	<b>Date:</b>	10/28/2009	<b>Time:</b>	2:11 p.m.
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**Description:** Front view of the trench that was cut in the Polishing Pond to prevent an overflow of the pond. There is not enough freeboard.



**Photographer:** Dawn Keller      **Witness:** Eric Fleming

<b>Photo #</b>	2	<b>Of</b>	4	<b>Date:</b>	10/28/2009	<b>Time:</b>	2:12 p.m.
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**Description:** Backside of the trench cut in the Polishing Pond showing where the water was discharged.



<b>Location:</b>	City of Bryant, Bryant, AR						
<b>Photographer:</b>	Dawn Keller			<b>Witness:</b>	Eric Fleming		
<b>Photo #</b>	3	<b>Of</b>	4	<b>Date:</b>	10/28/2009	<b>Time:</b>	2:12 p.m.
<b>Description:</b>	Backside of the trench that was cut to prevent overflow of the Polishing Pond.						



<b>Photographer:</b>	Dawn Keller			<b>Witness:</b>	Eric Fleming		
<b>Photo #</b>	4	<b>Of</b>	4	<b>Date:</b>	10/28/2009	<b>Time:</b>	2:15 p.m.
<b>Description:</b>	Sludge Wasting Pond with less than 6 inches of freeboard.						



# BRYANT WATER UTILITIES

November 16, 2009

Arkansas Department of Environmental Quality  
5301 Northshore Dr.  
North Little Rock, AR 72118-5317  
Attn. Cindy Garner, Enforcement Branch Manager

RE: NPDES PERMIT NO: AR0034002

Bryant, City of  
200 SW 3<sup>rd</sup> St.  
Bryant, AR 72022  
Gregg Asher

This is a letter in response to an inspection of our facility on October 28, 2009 by Dawn Keller and Eric Fleming. It was reported to me that the violations revealed in this inspection were a permit violation and required our immediate attention.

1. Due to the record amount of rainfall we have received this year it has been a struggle to maintain the freeboard in our storage lagoons. We were able to maintain the required 24 inches until the month of June. Since we have received over 30 inches of rainfall and have not been able to treat the extra surface water that had accumulated in these lagoons.
2. Due to the above mentioned issue on the 22<sup>nd</sup> of October we cut a trench in the levee to prevent water from overflowing this lagoon. As in the past we reported this release as an SSO, to your office and included it in our monthly report. We now have been informed that this type of release will be reported as a by-pass and a letter has been sent to the enforcement section addressing this incident.
3. It has never been brought to my attention in previous inspections that these storage lagoons needed a staff gauge to measure the freeboard levels. We now have installed the gauges and the photos included are showing that the required 24 inches of freeboard have been achieved in all storage lagoons.

I do appreciate the assistance your office has provided us on this matter. If you have any questions regarding these issues please contact me at (501) 847-8083.

Sincerely,

  
Gregg Asher  
Wastewater Superintendant

Cc: Larry Mitchell  
Richard Penn  
Monty Ledbetter  
Larry Gaddis

Image of Staff Gauge in the Equalization Basin  
The large marks indicate 6" with the top of the gauge representing the height of the levee.



Image of Staff Gauge in the Polishing Lagoon  
The large marks indicate 6" with the top of the gauge representing the height of the levee.



Image of Staff Gauge in the Sludge Lagoon

The large marks indicate 6" with the top of the gauge representing the height of the levee.



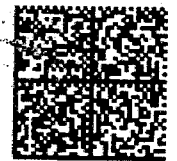


City of Bryant Wastewater  
1019 SW 2nd St.  
Bryant, AR 72202

**CERTIFIED MAIL™**



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0004393002 NOV 16 2009  
MAILED FROM ZIP CODE 72022

Arkansas Dept. of Environmental Quality  
Attn. Enforcement Section  
5301 Northshore Drive  
North Little Rock, AR 72118-5317

721185317

