



A R K A N S A S  
Department of Environmental Quality

February 19, 2010

Larry Merriman – Utilities Operations Director  
City of Hot Springs  
780 Adams Street  
Hot Springs National Park, AR 71901

Re: AFIN: No. 26-00145      NPDES Permit No. AR0033880

Dear Mr. Merriman:

On February 10, 2010, I performed a routine inspection of the city's wastewater collection system, specifically Gulpha Creek Pump Station, in accordance with the provisions of the federal Clean Water ACT, the Arkansas Water and Air Pollution Control Act, and the regulations promulgated there under. This inspection revealed that the manhole just prior to the Gulpha Creek Pump Station has had a significant overflow. Evident debris displays evidence of this overflow entering the waters of the state located just a short distance away. Since you have complied with the notification of noncompliance requirements of your permit, no further response is necessary pertaining to the overflow itself. However, I would like for you to address the debris that had been left behind as a result of this overflow.

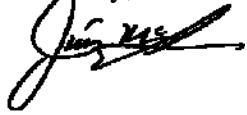
The above item requires your immediate attention. Please submit a written response to these findings to Cindy Garner, Water Division Enforcement Branch Manager. This response should be mailed to the address below. This response should contain documentation describing the course of action taken to correct each item noted. This corrective action should be completed as soon as possible, and the written response with all necessary documentations (i.e. pictures) is due by March 2, 2010.

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

Larry Merriman, City of Hot Springs  
February 17, 2010  
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If I can be of any assistance, please contact me at 501-520-0541.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim McSwain", with a long horizontal flourish extending to the right.

Jim McSwain  
District 7 Field Inspector  
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 <input type="text" value="N"/> 2 <input type="text" value="5"/> 3 <input type="text" value="A"/> <input type="text" value="R"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="3"/> <input type="text" value="3"/> <input type="text" value="8"/> <input type="text" value="8"/> <input type="text" value="0"/>	11 <input type="text" value="1"/> 12 <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="2"/> <input type="text" value="1"/> <input type="text" value="0"/>	17 <input type="text" value="R"/>	18 <input type="text" value="S"/>	19 <input type="text" value="1"/>	20 <input type="text" value="1"/>												
Remarks																	
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%;">Inspection Work Days</td> <td style="width:20%;">Facility Evaluation Rating</td> <td style="width:10%;">BI</td> <td style="width:10%;">QA</td> <td style="width:20%;">Reserved</td> <td style="width:10%;"></td> </tr> <tr> <td>67 <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> 69</td> <td>70 <input type="text" value="2"/></td> <td>71 <input type="text" value="N"/></td> <td>72 <input type="text" value="N"/></td> <td>73 <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/></td> <td>74 <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> 75 <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> 80</td> </tr> </table>						Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved		67 <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> 69	70 <input type="text" value="2"/>	71 <input type="text" value="N"/>	72 <input type="text" value="N"/>	73 <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	74 <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> 75 <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> 80
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**Section B: Facility Data**

Name and Location of Facility Inspected <i>(For industrial users discharging to POTW, also include POTW name and NPDES permit number)</i> <u>City of Hot Springs (Gulpha Creek Pump Station)</u> Catherine Heights Road near Malvern Road Hot Springs, AR	Entry Time/Date <b>1350 on 2/10/10</b>	Permit Effective Date <b>January 1, 2008</b>
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) n/a	Other Facility Data	
Name, Address of Responsible Official/Title/Phone and Fax Number Larry Merriman, Utilities Operations Director 501-321-6889 111 Opera Street P.O. Box 700 Hot Springs, Arkansas 71902	Contacted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

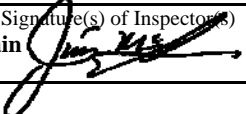
**Section C: Areas Evaluated During Inspection**  
 (S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

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

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

**In talking with Craig Stevens (City of Hot Springs), he stated that due to the hurricane/tropical storm Gustav, the pump station lost power. The backup power source (generator) failed to start. Once power was restored, I and I became a problem causing further overflows.**

**He has estimated that approximately 60,000 gallons overflowed at the station. He stated that he would report all of the overflows as required and disinfect and deodorize any areas needed.**

Name(s) and Signature(s) of Inspector(s) Jim McSwain 	Agency/Office/Telephone/Fax AR Dept. of Environmental Quality – Hot Springs Field Office – 501-520-0541 – Fax 501-520-5978	Date 2/17/10
Signature of Reviewer	Agency/Office/Phone and Fax Numbers	Date

**Water Division NPDES Photographic Evidence Sheet**

<b>Location:</b>	Manhole just prior to Gulpha Creek Pump Station
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<b>Photographer:</b>	Jim McSwain	<b>Witness:</b>	None
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<b>Photo #</b>	1	<b>Of</b>	2		<b>Date:</b>	2/10/10	<b>Time:</b>	1410
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<b>Description:</b>	Manhole station with overflow sewage debris
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<b>Photographer:</b>	Jim McSwain	<b>Witness:</b>	None
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<b>Photo #</b>	2	<b>Of</b>	2		<b>Date:</b>	2/10/10	<b>Time:</b>	1411
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<b>Description:</b>	Debris from the overflow along the tributary to Gulpha Creek.
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February 24, 2010

**CERTIFIED**

**City of Hot Springs  
Utilities Department**

Arkansas Department of Environmental Quality  
Attn: Cindy Garner  
Water Division Enforcement Branch Manager  
5301 Northshore Drive  
North Little Rock, AR 72118-5317

Post Office Box 700  
Hot Springs National Park,  
Arkansas 71902  
(501) 321-6889  
(501) 321-6967 fax

Dear Ms. Garner:

In response to the letter dated February 19, 2010 from Jim McSwain concerning the overflow issue at Gulpha Pump Station. I want to offer the following status. We were on site (2/11/10) to complete the cleanup efforts related to the debris noted by Mr. McSwain. I have provided email communication along with photos of the site as we left it that day (2/11/10). I will of course attach them to this response for your records as well. The cleanup effort was delayed a day due to the inability to adequately access the site, however, we did dispatch crews and equipment on the next day to perform the clean up and to assess the situation. I personally visited the site and have since met with our Engineering Group to develop a plan to mitigate this type event to the extent possible.

Please understand that we do not intentionally ignore this type incident, we take this very seriously and are working towards eliminating all overflows as directed by the CAO. The unusual amount of rainfall is just something our system capacity cannot adequately handle. Please do not hesitate to call if you require additional information on this matter.

Regards,

Larry Merriman  
Utilities Operations Director

C. Jim McSwain













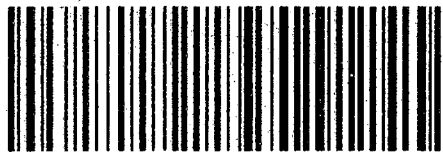








**CERTIFIED MAIL™**



7006 0810 0006 4517 2201

**City of Hot Springs  
Utilities Department**

Post Office Box 700  
Hot Springs National Park,  
Arkansas 71902



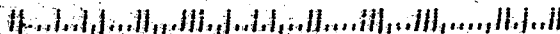
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**\$ 005.83<sup>0</sup>**

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

*Cindy Garner*

72118+5317





# ADEQ

ARKANSAS  
Department of Environmental Quality

March 19, 2010

Mr. Larry Merriman - Utilities Operations Director  
City of Hot Springs  
780 Adams Street  
Hot Springs National Park, AR 71902

RE: Permit No.: AR0033880, AFIN 26-00145  
Response to Inspection

Dear Mr. Merriman:

The Department has received your response to the February 10, 2010 inspection of your facility by our District Field Inspector, Jim McSwain. 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 facility 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,



Anne Roberts  
Enforcement Analyst  
Water Division Enforcement Branch