



ARKANSAS
Department of Environmental Quality

November 8, 2010

David Jurgens, P.E., Utilities Department Director
City of Fayetteville
113 West Mountain
Fayetteville, Arkansas 72701

RE: Sanitary Sewer Overflow Complaint Investigation

Dear Mr. Jurgens:

On August 17, 2010, I performed a complaint investigation/reconnaissance inspection concerning an overflow from a manhole located off Highway 16 near Elkins Pump Station #2. Follow-up reconnaissance inspections were conducted on August 20 and August 24, 2010. These investigations were 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. The investigation revealed the following violation:

Unpermitted discharge of sewage from your collection system causing pollution to the waters of the State. This is in violation of the Arkansas Water and Air Pollution Control Act, Ark. Code Ann. §8-4-217(a)(2). During the investigation, a sanitary sewer overflow was occurring at a manhole located near Elkins lift station #2 off of Highway 16. Raw sewage was observed in a tributary to the White River and solids associated with the manhole overflow had not been removed and properly disposed. According to Honorable Ladyman, Mayor of Elkins, the sanitary sewer overflow was brought to his attention during my inspection on August 17, 2010. According to David Turner, Elkins Water and Wastewater Superintendent, the sanitary overflow resulted in the release 5000 gallons of sewage.

It is my understanding that because you are the permittee holder, you will need to report all sanitary sewer overflows from your satellite systems. According to the Department's records, this sanitary sewer overflow has not been reported. Please notify the Department.

In addition, it has been recommended that you establish a Memorandum of Agreement with the City of Elkins. This agreement should outline reporting requirements and enforcement if the satellite system fails to notify you of a sanitary sewer 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 listed below. This response should contain documentation describing the course of action planned to address the items noted. This corrective action should be completed as soon as possible, and the written response is due by November 18, 2010.

Mr. Jurgens, City of Fayetteville
November 8, 2010

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 any assistance, please contact me at 479-267-0811, ext. 12.

Sincerely,

A handwritten signature in black ink that reads "Jay Alison West". The signature is written in a cursive, flowing style.

Alison West
District 1 Field Inspector
Water Division

cc: David Turner, Water & Sewer Superintendent
City of Elkins
1874 Stokenbury Road
Elkins, Arkansas 72727

Water Division Enforcement Branch
Water Division Permits Branch



Form Approved
OMB No. 2040-0003

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

NPDES Compliance Inspection Report

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	2	0	0	1	0	11	12	1	0	0	8	1	7	17	18	R	19	S	20	1	
Remarks																													
Inspection Work Days						Facility Evaluation Rating						BI		QA		-----Reserved-----													
67						70	N	71	N	72	N	73		74	75														80

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>) Elkins Water & Sewer Department (discharges to City of Fayetteville POTW) 1874 Stokenbury Road Elkins, Arkansas 72727 479-643-3131 / 479-879-5869 (cell) / 479-643-3368		Entry Time/Date 2:05 p.m./ 8-17-2010		Permit Effective Date June 1, 2006	
		Exit Time/Date 3:30 p.m./ 8-17-2010		Permit Expiration Date May 31, 2011	
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Jack Ladyman/Mayor of Elkins/479-643-3131				Other Facility Data	
Name, Address of Responsible Official/Title/Phone and Fax Number David Jurgens, P.E., Utilities Department Director City of Fayetteville 113 W. Mountain Fayetteville, AR 72701					
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	N	Flow Measurement	N	Operations & Maintenance	N	Sampling
N	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
N	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	N	Storm Water	U	Other: SSO from satellite system

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

The City of Elkins has a waste collection system that discharges untreated sewage/waste to the City of Fayetteville POTW and is responsible for the operation and maintenance of the collection system. On August 17, 2010, I received a complaint concerning an overflow from a collection system manhole near Pump Station #2 north of the tributary to the White River. On August 17, 2010, I spoke with Honorable Ladyman in regards to the sanitary sewer overflow. Honorable Ladyman was not aware of the sanitary sewer overflow. I informed Honorable Ladyman raw sewage was entering a tributary of the White River. I informed Honorable Ladyman the area around the manhole and the waste in the tributary needs to be properly cleaned up and disposed, the sanitary sewer overflow needs to be reported to the Department and the City of Fayetteville, and I would need a sanitary sewer overflow report. The following violation/ was noted at the time of the inspection:

1. Unpermitted discharge to the waters of the State;

Name(s) and Signature(s) of Inspector(s) <i>Alison West</i> Alison West/		Agency/Office/Telephone/Fax AR Dept. of Environmental Quality-Fayetteville 479-267-0811, ext. 12; 479-267-0819 (fax)		Date October 29, 2010
Signature of Reviewer		Agency/Office/Phone and Fax Numbers		Date

Water Division NPDES Photographic Evidence Sheet

Location: Elkins Waste Collection System SSO Location –Manhole located near Lift Station #2

Photographer: Alison West **Witness:** N/A

Photo # 1 **Of** 11 **Date:** 08/17/10 **Time:** 2:30 p.m.

Description: IMG5336. Sanitary sewer overflow located on the north side of the tributary to the White River near pump station #2.



Photographer: Alison West **Witness:** N/A

Photo # 2 **Of** 11 **Date:** 08/17/10 **Time:** 2:30 p.m.

Description: IMG5337. Sanitary sewer overflow located on the north side of the tributary to the White River near lift station #2.



Water Division NPDES Photographic Evidence Sheet

Location:	Elkins Waste Collection System SSO Location –Manhole located near Lift Station #2						
Photographer:	Alison West			Witness:	N/A		
Photo #	3	Of	11	Date:	08/17/10	Time:	2:30 p.m.
Description:	IMGP5338. Sanitary sewer overflow located on the north side of the tributary to the White River near pump station #2.						



Photographer:	Alison West			Witness:	N/A		
Photo #	4	Of	11	Date:	08/17/10	Time:	2:09 p.m.
Description:	IMGP5331. Sewage observed in the tributary of the White River near lift station #2.						



Water Division NPDES Photographic Evidence Sheet

Location: Elkins Waste Collection System SSO Location –Manhole located near Lift Station #2

Photographer: Alison West **Witness:** N/A

Photo # 5 **Of** 11 **Date:** 08/17/10 **Time:** 2:09 p.m.

Description: IMG5330. Sewage observed in the tributary of the White River near lift station #2.



Photographer: Alison West **Witness:** N/A

Photo # 6 **Of** 11 **Date:** 08/20/10 **Time:** 1:29 p.m.

Description: IMG5351. Area on and around the manhole was limed.



Water Division NPDES Photographic Evidence Sheet

Location: Elkins Waste Collection System SSO Location –Manhole located near Lift Station #2

Photographer: Alison West **Witness:** N/A

Photo # 7 **Of** 11 **Date:** 08/20/10 **Time:** 1:29 p.m.

Description: IMG5352. Area on and around the manhole was limed.



Photographer: Alison West **Witness:** N/A

Photo # 8 **Of** 11 **Date:** 08/20/10 **Time:** 1:33 p.m.

Description: IMG5357. Tributary of the White River above impacted area from the sanitary sewer overflow.



Water Division NPDES Photographic Evidence Sheet							
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Location:	Elkins Waste Collection System SSO Location –Manhole located near Lift Station #2						
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Photographer:	Alison West			Witness:	N/A		
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Photo #	9	Of	11	Date:	08/20/10	Time:	1:57 p.m.
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Description:	IMG5348. Sewage in the tributary of the White River. White material is lime.						
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Photographer:	Alison West			Witness:	N/A		
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Photo #	10	Of	11	Date:	08/20/10	Time:	1:32 p.m.
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Description:	IMG5356. Sewage in the tributary of the White River. White material is lime.						
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Water Division NPDES Photographic Evidence Sheet

Location: Elkins Waste Collection System SSO Location –Manhole located near Lift Station #2

Photographer: Alison West **Witness:** N/A

Photo # 11 **Of** 11 **Date:** 08/24/10 **Time:** 2:46 p.m.

Description: IMG5396. Majority of sewage was removed from the impacted area of the tributary of the White River.



Photographer: **Witness:**

Photo # **Of** **Date:** **Time:**

Description:

ADEQ

ARKANSAS
Department of Environmental Quality

December 16, 2010

David Jurgens, P.E., Utilities Department Director
City of Fayetteville
113 West Mountain
Fayetteville, Arkansas 72701

Re: NPDES Permit No.: AR0020010 AFIN: 72-00781
Response to SSO Inspection

Dear Mr. Jurgens:

The Department has received your response to the August 17, 20, and 24, 2010 complaint investigation inspections of the above mentioned waste water collection system by our District Field Inspector, Alison West. Your letter appears to adequately address the discrepancies identified during the visits. 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 site 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 501-682-0649 or you may e-mail me at sawyer@adeq.state.ar.us.

Sincerely,



Sam Sawyer
Enforcement Coordinator
Water Division Enforcement Branch