



CITY OF
FAYETTEVILLE
ARKANSAS

Mr. Caleb Osborne, Associate Director
ADEQ – Office of Water Quality
5301 North Shore Drive
North Little Rock, AR 72118-5317

May 29, 2018

RE: Letter from Scott Collins, 1630 S. Brooks Ave.
A claim that the City is purposely dumping wastewater into a natural outlet.

Dear Mr. Osborne,

We have received an electronic copy of the letter Mr. Scott Collins has sent to you and Fayetteville's City Attorney on May 16th, indicating, among other things, that the City has been knowingly dumping raw wastewater into Town Branch, a tributary of the White River.

We received a draft copy of Mr. Collins letter in early April. We have been researching the various points that are included in his letter, and have been in contact with Mr. Collins to let him know that we are working on his concerns. However, I would like to address the three bullet points Mr. Collins has included on page 1 of the recently sent letter:

- That the City is dumping untreated wastewater into Town Branch Creek, a tributary of the White River;
- That the City modified the wastewater collection system approximately 15 years ago to allow for this dumping, in spite of knowing that these modifications did not conform to code; and
- That the City documented that they have dumped wastewater from the wastewater collection system, as recently as July 2017.

The City of Fayetteville's Water & Sewer Utility does not knowingly perform any activity which would be in violation of the City's Sewer Use Ordinance, the Regulations of ADEQ, nor any provision of the Clean Water Act. If there was an incident where raw sewage was reaching Town Branch, it would be due to an overflow condition most likely caused by either a stoppage or some type of breakdown of the collection system or in a private sewer service. Those incidents would be reported to ADEQ within 24 hours of the incident, and would be on record. I can assure you there is no planned dumping of wastewater into Town Branch or any other natural outlet.

Any modification of a sewer cleanout would probably be due to a main replacement facilitated by a street asphalt overlay project. In the area around Mr. Collins, there were instances several years ago where new cleanouts were installed at the property line. Since we received Mr. Collins concerns we have found one (1) cleanout at the bottom of a yard ditch, which has been relocated out of the ditch. There are a few more that are located at the top of the ditch-line in yards, but we don't see these as problems. The attached map indicates the distance between these cleanouts and the surface flow to Town Branch. These are considerable distances, and if there had been any incidents of overflows from these cleanouts, they probably would not have reached Town Branch.

I can only assume the "documented dumped wastewater as recently as 2017" that Mr. Collins is referring to is in regard to our reported Sanitary Sewer Overflows that are reported to the ADEQ within 24 hours of the incident, and summarized at the end of each month. In 2017, there was one (1) documented overflow at 1618 S Brooks Ave. It was a stoppage of grease which allowed approximately 250 gallons of sewage to enter Town Branch. The area was disinfected and deodorized, and there were no signs of adverse impact to the stream (monthly report attached). In looking at our records for the past 10 years, we reported 4 overflows in Mr. Collins neighborhood, with a total discharge of 1,255 gallons (estimated).

Please know that the City of Fayetteville is quick to respond to any issues with our sewer collection system. The protection of our environment is equally important to us as it is to our citizens. We will have our report concluded in the near future, to be able to send to Mr. Collins. I can be reached at 479-575-8390 (work), 479-301-7273 (cell), or tnyander@fayetteville-ar.gov should you have any questions.

Sincerely,
City of Fayetteville



Tim Nyander
Director of Utility Services

Attachment: Selected clean out locations in Neighborhood
May 2017 SSO Report to ADEQ

Cc: Kit Williams, City of Fayetteville
Scott Collins, 1630 S. Brooks Ave, Fayetteville
Garrett Grimes, ADEQ, Fayetteville Field Office

