

September 23, 2013

Arkansas Department of Environmental Quality
Water Division – Enforcement Branch
5301 North Shore Drive
North Little Rock, AR 72118-5317

**RE: AFIN# 72-00781, NPDES Permit# AR0020010
Progress Report – Effluent Mineral Limits Compliance
Reporting Period of 03/01/2013 to 08/31/2013**

Part II Condition 10 in the NPDES permit for the Paul R. Noland Wastewater Treatment Plant (WWTP) requires progress report every 6 months on the compliance with the minerals limits. This report details the progress made in the period of 03/01/2013 to 08/31/2013.

1. *Compliance with the Interim Mineral Limits:*

The effluent discharge is meeting the interim limitations for Chloride, Sulfate, and Total Dissolved Solids (TDS) since March 1, 2013. Results were reported on the monthly Discharge Monitoring Reports.

2. *Complete the tasks in accordance with the approved White River Use Attainability Study Plan:*

- On May 21, 2013, the City submitted the White River Use Attainability Analysis (UAA) report to ADEQ. The draft report, dated August 27, 2012, was revised in accordance with the technical discussion held on February 20, 2013 between our project team members and ADEQ staff. The final report included the findings from USGS Scientific Investigating Report that was published in April 2013. The UAA report proposed the site-specific minerals concentrations of 60 mg/l for Chloride, 100 mg/l for Sulfate, and 250 mg/l for TDS.
- On June 10, 2013, ADEQ sent a letter to the City requesting assessment of the UAA in consideration of Act 954 compliance.
- On July 24, 2013, the City submitted a Technical Memorandum summarizes the quantitative assessment in compliant with Act 954. The assessment of White River average flow conditions (pursuant to the Act) and associated minerals concentrations was conducted using an updated, long-term flow and minerals database. No modifications to the UAA or the proposed site-specific minerals water quality criteria are necessary to be in compliant with Act 954. The City proposed a meeting with ADEQ to discuss the finding and to agree on a critical path forward in regard to the third-party rulemaking process.

3. *Administrative Rulemaking Processes/Permit Modifications:*

Following up to discussions with ADEQ from the September 11 meeting in Little Rock before pursuing a third-party rulemaking process to develop modified site-specific WQC for minerals for the identified segment of the White River.

Please do not hesitate to contact me at 479-575-8330, djurgens@ci.fayetteville.ar.us, if you have any questions regarding this report.

*I, **David Jurgens**, certify under penalty of law that this document and all attachments were prepared under my direction or 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, including the possibility of fine and imprisonment for knowing violations.*

Sincerely,

City of Fayetteville



David Jurgens, P.E.
Utilities Director

C: Duyen Tran, CH2M HILL
Amy Schluterman, ADEQ