



March 13, 2014

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 09/01/2013 to 02/28/2014**

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 09/01/2013 to 02/28/2014.

1. *Compliance with the Interim Mineral Limits:*

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

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

The White River Use Attainability Study is complete.

The City submitted the White River Use Attainability Analysis (UAA) report to ADEQ on May 21, 2013. 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 found that no modifications to the UAA or the proposed site-specific minerals water quality criteria are necessary to be in compliant with Act 954.

3. *Administrative Rulemaking Processes/Permit Modifications:*

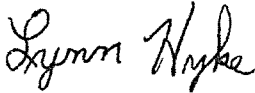
- On 11 September, the UAA team met with ADEQ to be sure that there are no other issues before we proceed with the third party rule making.
- On 11 October, the Mitchell Williams Law firm filed a petition on behalf of the City of Fayetteville to initiate Third-Party Rulemaking to amend Regulation No. 2, Water Quality Standards. The petition was reviewed by the Arkansas Pollution Control and Ecology Commission's Regulations Committee on 25 October. The Regulations Committee recommended the Commission to consider adopting the proposed revision and proposed that the first public hearing be held during the week of 10 February.
- In December, ADEQ published a legal notice for the public hearing of the proposed third-party rulemaking to change the Arkansas Pollution Control & Ecology Commission (APC&EC) Regulation 2, the Arkansas Water Quality Standards for minerals for the White River from the discharge of the Noland Wastewater Treatment Plant to immediately downstream of the confluence of Richland Creek.
- The public hearing was held at the Fayetteville Public Library on February 13, 2014.

Please do not hesitate to contact Duyen Tran at 479-443-3292, or [duyen.tran@ch2m.com](mailto:duyen.tran@ch2m.com), if you have any questions regarding this report. I can also be reached at 479-466-7589, [lhyke@fayettevill-ar.gov](mailto:lhyke@fayettevill-ar.gov).

*I, **Lynn Hyke**, 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**



Lynn Hyke  
Construction/Contract Manager

C: Duyen Tran, CH2M HILL Project Manager  
Don Marr, City of Fayetteville Chief of Staff  
Amy Schluterman, ADEQ – Water Enforcement