



April 24, 2020

Arkansas Department of Energy and Environment
Division of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118
(submitted via email to COVID19EE@adeq.state.ar.us)

Dear Secretary Keogh,

In February 2020, I submitted an annual compliance report to you. This report included a revised copy of Little Rock Water Reclamation Authority's ("LRWRA") Sanitary Sewer Overflow Response Plan ("SSORP"). In the time since the submittal of this report, LRWRA, like many other organizations, has faced many decisions regarding how to continue operations during the COVID-19 Pandemic.

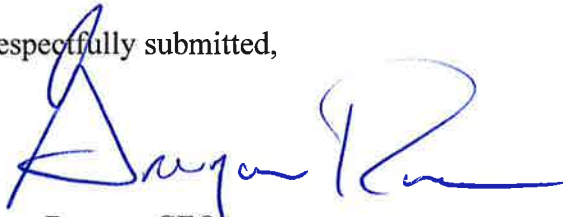
Through remote work where possible, social distancing measures, including splitting crews and shifts, and increased use of personal protective equipment, LRWRA has been able to safeguard the health of our employees while still performing the essential service of wastewater treatment. Our essential services include responding to sanitary sewer overflows and we have been able to perform response measures in accordance with the SSORP.

We are also mindful of the need to prepare for any changes to our ability to respond to sanitary sewer overflows. In the future, we may be limited by circumstances outside of our control, such as significant absences due to COVID-19 illness or disrupted supply chains for necessary equipment and materials. As such, we have determined a priority plan for clean-up response to sanitary sewer overflows in the event our work is impacted by the COVID-19 Pandemic. We are including with this letter, revised provisions of the existing SSORP, as well as two new appendices to assist our employees in implementing this priority plan. This priority plan focuses overflow clean-up assignments on the locations most important to the protection of human health and the environment.

Additionally, during the COVID-19 Pandemic, our Communications Team posts on social media multiple times daily with messages regarding appropriate items to place in the sewer system. These messages are intended to reduce impacts to the collection system throughout this time when many people are spending more time in their homes.

If you have any questions about the revisions to the SSORP or other measures that LRWRA is taking in response to the COVID-19 Pandemic, please do not hesitate to contact me.

Respectfully submitted,



Greg Ramon, CEO

Attachments

Cc: Jean C. Block, LRWRA, Chief Legal Officer
Howell Anderson, LRWRA, Chief Operations Officer
Michael Rhoda, LRWRA, Chief Financial Officer

COVID-19 Related Revisions to LRWRA's Sanitary Sewer Overflow Response Plan
(Revised, as of April 24, 2020)

(Revisions in Italics)

Subsection 1.D. Dispatching Crews

Dispatchers receive notification of possible SSOs (as outlined in Section 1.A. Responding to a Report of a Possible SSO) and dispatch an Emergency Crew or the appropriate area Response Crew as required. Dispatchers notify the appropriate Supervisors(s) by phone regarding SSO details and field crew locations.

In the event that crew availability is limited due to the COVID-19 Pandemic, Supervisors and Dispatchers will assign and dispatch crews in accordance with Appendix I.

[NEW] Subsection 3.C.

In the event that notification according to Subsection 3.A. is delayed due to the COVID-19 Pandemic, notification to the Arkansas Department of Energy and Environment – Division of Environmental Quality will be made in accordance with guidance provided by that agency. The guidance in effect at the time of this revision is found in Appendix J. All notifications will comply with guidance effective at the time of the notification.

Appendix I

Appendix I: Dispatching Crews during COVID-19 Pandemic Conditions

LRWRA will maintain 24/7 coverage for emergency response to SSOs. If the availability of Response Crew personnel is limited due to COVID-19 related conditions, LRWRA will prioritize clean-up of SSOs according to the following list of importance:

1. Known possible human contact with raw sewage
2. Known discharge of raw sewage to a named waterbody
3. High likelihood of human contact or discharge to a named waterbody
4. All other identified SSOs

COVID-19 related conditions that may limit personnel may include, but are not limited to, absence of personnel due to sickness or required self-isolation; or limitations of supplies required for clean-up due to stoppages or delays in the procurement process.

Any delay caused by COVID-19 conditions will be reported to the Division of Environmental Quality under procedures prescribed by the Department of Environment and Energy (see Appendix J).

Appendix J



ARKANSAS ENERGY & ENVIRONMENT

Arkansas Department of Energy and Environment Enforcement Guidance

Earlier this month, Governor Asa Hutchinson declared a state of emergency for Arkansas, in response to the coronavirus (COVID-19) pandemic facing our state and nation. As a result, a large portion of the workforce has transitioned to telecommuting and other means of remote working, where possible, while others are simply unable to work at this time. The Department of Energy and Environment (E&E) recognizes that businesses all across the state are being impacted by this sudden reduction in the workforce, including many of our regulated entities that require staff to maintain normal operations at their facilities. This difficulty offers a reasonable hardship that must be addressed. To that end, E&E has created an email address for regulated entities that face unavoidable noncompliance situations to request regulatory flexibility and assistance in providing alternative approaches to maintaining compliance, where possible. This may include extending reporting deadlines, consideration of waiving late fees, and exercising enforcement discretion. If an entity has already submitted a request prior to March 30, 2020, there is no need to resubmit as that request is being considered. **It is important to note** that despite the current state of affairs, all regulated entities remain obligated to ensure compliance, to the best of their ability, with all orders, regulations and permit requirements. This is in an effort to continue our mission of protecting the health and safety of all Arkansans and properly administering all energy and environmental programs that we are responsible for maintaining. Regulated entities should email COVID19EE@adeq.state.ar.us with specific information related to enforcement discretion requests. This inbox will be monitored daily and E&E will work diligently to expeditiously review and respond to incoming requests from regulated entities.

The email requests should at a minimum include the following:

- Name of the entity
- Central point of contact for the entity, including an email address and phone number
- Permit number or AFIN number
- Agency by which entity is regulated
- Requested start and stop date for relief
- Specific regulatory or permit requirement that cannot be complied with
- Statement describing the circumstances preventing compliance
- Measures that will be taken to protect public health and the environment during the need for enforcement discretion
- Any additional details or documentation necessary to submit the request

Where alternative compliance options are authorized by E&E, regulated entities must maintain records adequate to document activities related to the noncompliance and details of the regulated entity's best efforts to comply.

Any questions regarding this guidance should be submitted to COVID19EE@adeq.state.ar.us for a response.