

# ADEQ

ARKANSAS  
Department of Environmental Quality

November 18, 2011

Mr. Greg Asher, Superintendent  
Bryant Sewage Treatment Facility  
210 Southwest 3<sup>rd</sup> St.  
Bryant, AR 72022

RE: NPDES Permit Number AR0034002, AFIN 63-00065  
NPDES Permit Effluent Violations

Dear Mr. Asher:

A recent review of the above referenced NPDES permit has revealed the following violation for the monitoring period ending **September 30, 2011**.

DISCHARGE NUMBER	PARAMETER	VIOLATION	LIMIT	UNITS
TX1Q	P/F Statre 7Day Chronic Ceriodaphnia	1	0	Pass/Fail

As you know, Arkansas Pollution Control and Ecology Commission regulations and your NPDES Permit require you to take all reasonable measures necessary to eliminate or prevent the occurrence of violations. Please note that any violation of your permit can lead to enforcement action by ADEQ pursuant to the Arkansas Water and Air Pollution Control Act. Also, be aware that we maintain records of violations and of non-compliance reports documenting corrective action to determine the appropriateness and level of the enforcement action.

Thank you for your attention to this matter. Should you have any questions, feel free to contact me at 501-682-0632 or e-mail at [bolenbaugh@adeq.state.ar.us](mailto:bolenbaugh@adeq.state.ar.us).

Thank you,



Jason R. Bolenbaugh  
Enforcement Analyst  
Water Division Enforcement Branch

**ICIS-NPDES**

**ENFORCEMENT ACTION CODING FORM**

EA Initials: JRB

ICIS Staff Initials: \_\_\_\_\_

<b>FACILITY NAME:</b> <u>Bryant Sewage Treatment Facility</u>	
<b>NPDES PERMIT #:</b> <u>AR0034002</u>	<b>TRANS CODE:</b> <u>N</u>
<b>Enforcement Action Type:</b> <u>Warning Letter</u>	<b>ACTION Tracking #:</b> _____
<b>Issued By:</b> <u>State</u>	<b>PENALTY:</b> \$ _____
<b>Effective Date:</b> <u>11/18/2011</u>	<b>SEP Contribution #1:</b> \$ _____
<b>Regional Court Docket (LIS) #:</b> _____	<b>SEP Contribution #2:</b> \$ _____
<b>Programs Violated:</b> <u>NPDES – Base Program</u>	

Specify the TYPES OF VIOLATIONS addressed by this enforcement action below.

DMR VIOLATIONS			Violation Types: D80/D90/E90	
DISCHARGE NUMBER	PARAMETER NUMBER	PARAMETER NAME	MONITORING PERIOD END DATE	VIOLATION CODE
TX1Q	TGP3B	P/F Statre 7Day Chronic Ceriodaphnia	9/30/2011	E90

NARRATIVE CONDITION/COMPLIANCE SCHEDULE VIOLATIONS			Violation Codes: C10, C20, C30, C40	
NUMBER-TYPE-EVENT	SCHEDULE EVENT	SCHEDULE DATE	VIOLATION CODE	

SPECIFIC SINGLE EVENT VIOLATIONS <i>(entered manually)</i>		
SINGLE EVENT VIOLATION #	SINGLE EVENT VIOLATION DESCRIPTION	VIOLATION DATE

EA Initials: **JRB**

**ICIS-NPDES  
ENFORCEMENT ACTION CODING FORM**

ICIS Staff Initials: \_\_\_\_\_

**Enforcement Actions & Violation Types**

**Enforcement Action Type:**

Describes the nature of the enforcement action taken in response to a violation.

Formal Enforcement Actions	Informal Enforcement Actions
State Administrative Order of Consent (CAO)	Phone Call/ EMAIL
State CWA Penalty AO (DAO)	Letter of Violation/ Warning Letter
State CWA Non Penalty AO (DAO)	Enforcement Meeting
Emergency Order - Governor	Notice of Violation

**Effective Date:**

The effective date or actual date of the corresponding enforcement action. For CAOs without penalties, DAOs and Emergency Orders, it is the date the document is signed by the Director. For CAOs that include a penalty, the effective date is 30-days from the date of public notice of the order. For informal actions use: the date the Phone Call (ROC) call was made; the date the Email was sent; the date of the Warning Letter; the date the Enforcement Meeting was held; the date the Notice of Violation was signed by the Director.

**Issued By:**Used to indicate whether the enforcement action was issued by US EPA or by an authorized State. Default to **State**.**Regional Court Docket (LIS)#:**

The LIS # associated with the enforcement action. The LIS # from a formal enforcement action must be coded with all compliance schedule events.

**Programs Violated:**

The environmental programs violated by the permittee that lead to the enforcement action.

NPDES Regulatory Programs	
Emergency Actions	NPDES - Section 308 Information Requests
FRP	NPDES - Sludge/Biosolids
<b>NPDES - Base Program (Limits, Reporting, Schedule)</b>	<b>NPDES - Stormwater - Construction</b>
NPDES - Combined Sewer Overflows (CSO)	<b>NPDES - Stormwater - MS4</b>
NPDES - Concentrated Animal Feeding Operations (CAFOs)	<b>NPDES - Stormwater - Non-Construction</b>
NPDES - OPA	NPDES - Violation of Administrative Compliance Order
<b>NPDES - Other Unpermitted Discharges</b>	SPCC
NPDES - Post Administrative Penalty Case (Settlement)	Spills
<b>NPDES - Pretreatment</b>	Wetlands
<b>NPDES - Sanitary Sewer Overflow (SSO)</b>	

**Violation Types:**

Indicates the type(s) of violation(s) addressed by an enforcement action. This allows enforcement actions to be linked to the violations in ICIS.

Type Code	Violation Type	Violation Type Description
<b>D80</b>	DMR Non-Receipt	Required monitoring DMR value overdue
<b>D90</b>	DMR Non-Receipt	Limited value overdue
<b>E90</b>	Effluent	Reported DMR value exceeds maximum or average limit value, or is below minimum limit value
C10	Schedule	Schedule event reported late
C20	Schedule	Schedule event achieved late, but reported
<b>C30</b>	Schedule	Schedule event unachieved, but reported
<b>C40</b>	Schedule	Schedule event unachieved and not reported (not received)
Various	Single Event	Any manually determined violation (See Single Event Violation table)

## Single Event Violations

Code	Description
<b>A0011</b>	<b>Effluent Violations - Unapproved Bypass</b>
A0012	Effluent Violations - Numeric effluent violation
A0013	Effluent Violations - Failed Toxicity Test
A0015	Effluent Violations - Unauthorized Discharge of Brine
<b>A0016</b>	<b>Effluent Violations - Reported Fish Kill</b>
A0017	Effluent Violations - Inspection sample above historic DMR range
A0018	Effluent Violations - Approved Bypass
<b>A0022</b>	<b>Effluent Violations - Narrative Effluent Violation</b>
A0023	Effluent Violations - Industrial Spill
B0011	<b>Management Practice Violations - Failure to Develop/Enforce Standards</b>
B0012	Management Practice Violations - Failure to Conduct Inspections
B0017	Management Practice Violations - Failure to develop any or adequate SWPPP/SWMP
<b>B0018</b>	<b>Management Practice Violations - Failure to Implement SWPPP/SWMP</b>
B0019	Management Practice Violations - Best Management Practice Deficiencies
<b>B0020</b>	<b>Management Practice Violations - Improper Operation and Maintenance</b>
B0021	Management Practice Violations - Laboratory Not Certified
B0022	Management Practice Violations - <b>No Licensed/Certified Operator</b>
B0023	Management Practice Violations - Improper Land Application (non-503, non-CAFO)
B0024	Management Practice Violations - Biosolids/Sewage Sludge Violation (Part 503)
B0025	Management Practice Violations - <b>Inflow/Infiltration (I/I)</b>
B0026	Management Practice Violations - Failure to Allow Entry
B0027	Management Practice Violations - Failure to Develop Adequate SPCC Plan
B0028	Management Practice Violations - Failure to Implement SPCC Plan
B0040	Management Practice Violations - Improper Chemical Handling
<b>B0041</b>	<b>Management Practice Violations - Failure to Maintain Records</b>
B0042	Management Practice Violations - Violation of a milestone in an order
C0011	<b>Monitoring Violations - Failure to Monitor for non-Toxicity Requirements</b>
C0014	Monitoring Violations - <b>Invalid/Unrepresentative Sample</b>
C0015	Monitoring Violations - <b>Frequency of Sampling Violation</b>
C0016	Monitoring Violations - No Flow Measurement Device
<b>C0017</b>	<b>Monitoring Violations - Analysis not Conducted</b>
C0018	Monitoring Violations - <b>Improper Analysis or Lab Error</b>
C0021	Monitoring Violations - Failure to Monitor for Toxicity Requirements
<b>D0011</b>	<b>Permitting Violations - Discharge Without a Valid Permit</b>
D0012	Permitting Violations - Failure to submit required permit application information
<b>D0013</b>	<b>Permitting Violations - Unapproved Operation</b>
D0014	Permitting Violations - Application Incomplete
D0015	Permitting Violations - Failure to Pay Fees
<b>D0016</b>	<b>Permitting Violations - Failure to Submit Timely Permit Renewal Application</b>
D0017	Permitting Violations - Violation Specified in Comment
A0014	<b>Pretreatment - IU Violation of Pretreatment Standards</b>
B0013	Pretreatment - Failure to Enforce Against I/U
B0014	Pretreatment - Failure to Issue SIU Permits
B0015	Pretreatment - Failure to Establish Local Limits
B0016	Pretreatment - Failure to Meet Inspection and Sampling Plan for SIUs
B0P11	Pretreatment - Failure to Develop/Enforce Standards
B0P12	Pretreatment - Failure to Conduct Inspections
B0P40	Pretreatment - Improper Chemical Handling
C0012	Pretreatment - Baseline Monitoring Report Violation
C0013	Pretreatment - Failure to Establish Self-Monitoring Requirements
E0015	Pretreatment - Failure to submit required report (non-DMR)
<b>E0011</b>	<b>Reporting Violations - Late Submittal of DMRs</b>
E0012	Reporting Violations - Failure to Submit DMRs
<b>E0013</b>	<b>Reporting Violations - Improper/ Incorrect Reporting</b>
<b>E0014</b>	<b>Reporting Violations - Noncompliance with Section 308 Information Request</b>
<b>E0016</b>	<b>Reporting Violations - Failure to submit required report (non-DMR, non-pretreatment)</b>
<b>E0017</b>	<b>Reporting Violations - Failure to Notify</b>
<b>A0020</b>	<b>WW SSO - Discharge to Waters</b>

A0026	WW SSO - <b>Overflow to Dry Land or Building Backup</b>
A0S11	WW SSO - Related Unapproved Bypass
A0S12	WW SSO - Numeric effluent violation
A0S18	WW SSO - Approved Bypass
<b>A0S22</b>	WW SSO - <b>Narrative effluent violation</b>
B0046	WW SSO - Violation of sewer moratorium or restriction
<b>B0S20</b>	WW SSO - <b>Improper Operation and Maintenance</b>
<b>B0S41</b>	WW SSO - <b>Failure to Maintain Records</b> or Meet Record Keeping Requirements
BS42A	WW SSO - Violation of milestone in an administrative order
BS42J	WW SSO - Violation of milestone in judicial decree
C0S11	WW SSO - Failure to monitor
<b>D0S11</b>	WW SSO - <b>Discharge without a valid permit (includes satellite systems)</b>
D0S12	WW SSO - Failure to submit required permit application info (includes satellite systems)
<b>E0018</b>	WW SSO - <b>Failure to report other violation</b>
<b>E0019</b>	WW SSO - <b>Failure to report violation that may endanger public health</b> 122.41(l)(7)
E0S14	WW SSO - Noncompliance with section 308 Information Request
<b>A0R12</b>	<b>WW Storm Water Construction - Numeric Effluent Violation</b>
A0R22	WW Storm Water Construction - Narrative effluent violation
<b>B0C17</b>	WW Storm Water Construction - <b>Failure to develop any or adequate SWPPP/SWMP</b>
<b>B0C18</b>	WW Storm Water Construction - <b>Failure to Implement SWPPP/SWMP</b>
<b>B0R12</b>	WW Storm Water Construction - <b>Failure to Conduct Inspections</b>
<b>B0R41</b>	WW Storm Water Construction - <b>Failure to Maintain Records</b>
B0R42	WW Storm Water Construction - Violation of a milestone in an order
<b>BR19A</b>	WW Storm Water Construction - <b>Failure to properly install/implement BMPs</b>
<b>BR19B</b>	WW Storm Water Construction - <b>Failure to properly operate and maintain BMPs</b>
C0R11	WW Storm Water Construction - Failure to Monitor Where required by permit
<b>D0R11</b>	WW Storm Water Construction - <b>Discharge without a permit/ No permit</b>
D0R12	WW Storm Water Construction - Failure to submit required permit application information
D0R18	WW Storm Water Construction - Failure to apply for a notice of termination
<b>E0R14</b>	WW Storm Water Construction - <b>Noncompliance with section 308 Information Request</b>
E0R16	WW Storm Water Construction - Failure to submit required report (non-DMR)
<b>A0M12</b>	<b>WW Storm Water MS4 - Numeric Effluent Violation</b>
A0M22	WW Storm Water MS4 - Narrative effluent violation
B0M12	WW Storm Water MS4 - Failure to Conduct Inspections
<b>B0M17</b>	WW Storm Water MS4 - <b>Failure to develop any or adequate SWPPP/SWMP</b>
<b>B0M18</b>	WW Storm Water MS4 - <b>Failure to Implement SWPPP/SWMP</b>
<b>B0M41</b>	WW Storm Water MS4 - <b>Failure to Maintain Records or Meet Record Keeping Requirements</b>
B0M42	WW Storm Water MS4 - Violation of a milestone in an order
BM19A	WW Storm Water MS4 - <b>Failure to properly install/implement BMPs</b>
BM19B	WW Storm Water MS4 - <b>Failure to properly operate and maintain BMPs</b>
C0M11	WW Storm Water MS4 - Failure to Monitor
D0M11	WW Storm Water MS4 - Discharge without a permit
D0M12	WW Storm Water MS4 - Failure to submit required permit application information
<b>E0M14</b>	WW Storm Water MS4 - <b>Noncompliance with section 308 Information Request</b>
E0M16	WW Storm Water MS4 - Failure to submit required report (non-DMR)
A0N12	<b>WW Storm Water Non-Construction - Numeric Effluent Violation</b>
<b>A0N22</b>	WW Storm Water Non-Construction - <b>Narrative effluent violation</b>
<b>B0N12</b>	WW Storm Water Non-Construction - <b>Failure to Conduct Inspections</b>
<b>B0N17</b>	WW Storm Water Non-Construction - <b>Failure to develop any or adequate SWPPP/SWMP</b>
<b>B0N18</b>	WW Storm Water Non-Construction - <b>Failure to Implement SWPPP/SWMP</b>
<b>B0N41</b>	WW Storm Water Non-Construction - <b>Failure to Maintain Records</b>
B0N42	WW Storm Water Non-Construction - Violation of a milestone in an order
<b>BN19A</b>	WW Storm Water Non-Construction - <b>Failure to properly install/implement BMPs</b>
<b>BN19B</b>	WW Storm Water Non-Construction - <b>Failure to properly operate and maintain BMPs</b>
C0N11	WW Storm Water Non-Construction - Failure to Monitor
<b>D0N11</b>	WW Storm Water Non-Construction - <b>Discharge without a permit</b>
D0N12	WW Storm Water Non-Construction - Failure to submit required permit application information
D0N18	WW Storm Water Non-Construction - Failure to apply for a notice of termination
<b>E0N14</b>	WW Storm Water Non-Construction - <b>Noncompliance with section 308 Information Request</b>
E0N16	WW Storm Water Non-Construction - Failure to submit required report (non-DMR)