



MENA WATER UTILITIES

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February 26, 2018

Ms. Bailey Taylor
Enforcement Analyst – Water Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

RE: City of Mena
NPDES Permit Number AR0036692, AFIN 57-00423
Response and Counter Offer to Proposed Consent Administrative Order

Dear Ms. Taylor,

The City of Mena received the propose consent administrative order on February 8, 2018 via certified mail. Outlined below is the City of Mena's response and proposed counter offer to the proposed consent administrative order.

Item No. 1 – Findings of Fact:

As noted in previous correspondence, a majority of the collection system overflows that have occurred were directly attributed to record rainfall that were recorded in years 2013 and 2015, 78.50" and 90.12" respectively. An unintended consequence of efforts to identify and repair sources of inflow and infiltration (I/I), such as sealing manhole covers immediately upstream of the main lift station for the wastewater treatment plant (WWTP), has lead to more wastewater being processed at the WWTP during periods of wet weather.

A meeting was held at ADEQ offices in North Little Rock on February 16, 2017 to discuss ongoing efforts to address SSOs and unpermitted discharges. A discussion with respect to the potential issuance of a consent administrative order as a means to assist in resolving the issues at hand was conducted. No specific timeframe was discussed regarding dates of final completion.

Item No. 2 – WWTP Effluent Violations:

Ammonia Nitrogen: It appears that the Ammonia Nitrogen violations have been attributed to cold weather that inhibits the nitrification process as reported on 01/31/15, 12/31/16, and 01/31/17. This is a known issue with lagoon style treatment. After the events in January 2015, the City of Mena consulted with CLB Engineers to develop a sludge removal plan for Lagoon 1. In May 2015, plans and specifications were submitted to ADEQ to remove approximately 3,300 CY of sludge through hydraulic dredging and dewatering through the use of Geotubes prior to land application. A construction permit for the project was issued by ADEQ with an effective date of December 1, 2015.

Construction began in May, 2016. The dredging was completed in July, 2016. The City of Mena is in the process of arranging for the land application of the sludge that has been dewatered in the Geotubes. The City of Mena is also working on a future dredging project to be completed in the summer of 2018 to remove additional sludge. The City of Mena will develop and submit a sludge management plan to ADEQ that outlines a future schedule for the removal and disposal of sludge from the wastewater lagoons.

Total Suspended Solids: A non-compliance report was submitted for the timeframe of March 27/28, 2017 that consisted of a 7-day average TSS concentration of 24 mg/L that exceeded the permitted limit of 22.5 mg/L. It was noted on the report that the problem was related to excessive hydraulic flows that may have overloaded the sand filters. Adjustments were made to the operation of the sand filters that resulted in the facility being well in compliance with the average monthly mass loading. All subsequent monthly reported data has been within permitted limits. The TSS violation was an isolated incident and has been corrected for future operations.

Whole Effluent Toxicity: Prior to the WET test failure in March 2017, there were more than 5 years of consecutive testing which all passed. A subsequent re-test after March 2017 indicated that the WWTP is compliant with the test. There are a variety of reasons that could have been the precursor to the failed test. It is believed that the failed test was an isolated incident and is not an indicator of the long term performance of the facility.

Conclusion:

The City of Mena desires to resolve the deficiencies through a cooperative effort without the necessity to enter into a consent administrative order and requests a reasonable opportunity to resolve the violation through informal procedures in accordance with Regulation 8.401 prior to initiation of a consent administrative order. The City of Mena offers the following items of cooperative effort to resolve identified deficiencies.

1. The City of Mena will, within 60 days, from the effective date of the agreed counter proposal, submit a comprehensive Corrective Action Plan (CAP) for the sanitary sewer collection system developed by a licensed Professional Engineer in the State of Arkansas that includes the following:
 - a. Reasonable milestone schedule
 - b. Final compliance schedule
 - c. Means and methods to correct deficiencies in the collection system and prevent future violations
2. Pay a civil penalty in the total amount of \$2,000.00 for violations to date.

3. The City of Mena is currently in compliance with permitted NPDES effluent limits and does not intend to submit a CAP for effluent violations. The City of Mena further requests that the requirement for a CAP to address effluent violations be omitted from any future correspondence. As noted above, a sludge management plan will be developed and submitted to ADEQ.

The City of Mena acknowledges that the Department can enforce a consent administrative order. However, the City of Mena continues efforts in both the collection system and at the wastewater treatment facility to address the ongoing issues.

Sincerely,



George McKee
Mayor of Mena

Cc: Charles Pitman, General Manager, Mena Water Utilities
Patrick McDaniel, Attorney of the City of Mena
Shannon Jones, Project Manager, RJN Group, Inc.

Mena Water Utilities
701 Mena St.
Mena Ar. 71953

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