ARKANSAS
ENERGY & ENVIRONMENT

July 26, 2022

Email: clintonmayor@artelco.com

Honorable Richard McCormac
City of Clinton
P.O. Box 277
Clinton, AR 72031

RE: City of Clinton
City of Clinton East Facility NPDES Permit AR0048836, AFIN 71-00018
Land Application State No Discharge Permit Number 5130-WR-2, AFIN 15-00034
Influent, Effluent, and Land Application Information Request

Dear Mayor McCormac:

The Division of Environmental Quality's Office of Water Quality (OWQ) conducted a review of the above-referenced permits. Through that review, multiple permit condition compliance issues were noted:

1. Part I, Table I of the City's land application permit, 5130-WR-2, requires effluent sampling annually prior to the first land application. The City failed to collect, analyze, and report the following parameters in violation of Permit 5130-WR-2 for 2018, 2019, 2020, and 2021:

    a. Total Solids
    b. Total Phosphorus
    c. Total Potassium
    d. Oil & Grease
    e. Total Suspended Solids (TSS)
    f. Fecal Coliform Bacteria (FCB)
    g. Sodium Absorption Ratio (SAR)
    h. Carbonaceous Biochemical Oxygen Demand (CBOD)

    OWQ requests the City of Clinton immediately collect a sample of the irrigation (effluent) wastewater and analyze the sample for the parameters listed in Part I, Table I of Permit 5130-WR-2, specifically, sample analysis shall include the missing parameters referenced above. **Please submit the sampling results and chain of custody forms to OWQ within three (3) calendar days of receipt of the analytical report.**

2. Part II, Condition 6 of the City's land application permit, 5130-WR-2, authorizes the City to land apply treated effluent on land application sites that total 86 acres, 77 acres and 9 acres, based on information provided by the City in its revised Waste Management Plan dated March 6, 2018. The table below is data submitted by the City in their 2018, 2019, 2020, and 2021 Annual Reports.

Annual Report	Million Gallons/Year	Number of Acres for land application in Annual Report	Gallons per Acre/Year in Annual Report	Number of Acres in Permit	Gallons per Acre/Year based on 86 Acres
2018	60.192	2038.81	29,523.1	86	699,906
2019	72.864	2446.22	27,786.4	86	847,255
2020	43.296	1437.28	30,123.6	86	503,441
2021	68.112	2283.19	29,831.9	86	792,000

Part II, Condition 22.B of the City's land application permit, 5130-WR-2, requires the City to provide the land application acreage in the Annual Reports. The Annual Reports submitted for calendar years 2018, 2019, 2020, and 2021 stated an incorrect number of acres, as shown in the table above. This condition is a violation of Permit 5130-WR-2. On July 12, 2022, the City submitted a revised 2021 Annual Report with corrected acreage for its land application activities. Please confirm the accurate acreage utilized for land application and submit revised Annual Reports for 2018, 2019, and 2020, with the corrected acreage.

3. In 2021, the City land applied 68,112,000 gallons of partially treated wastewater on 86 acres with each acre receiving approximately 792,000 gallons. The land application sites are adjacent to Archey Creek and South Fork Little Red River. Archey Creek is designated as an Extraordinary Resource Water in Arkansas Pollution Control and Ecology Commission Rule 2. Both Archey Creek and South Fork of Little Red River are designated as Ecologically Sensitive Waterbodies in Arkansas Pollution Control and Ecology Commission Rule 2. The over application of wastewater is likely to cause runoff to adjacent waters of the state in violation of Ark. Code Ann. § 8-4-217(b) and may cause pollution to waters of the state in violation of Ark. Code Ann. § 8-4-217(a).

4. **By close of business Friday, August 26, 2022**, the City shall submit a Corrective Action Plan (CAP), certified by a Professional Engineer licensed in the state of Arkansas, with a reasonable milestone schedule to evaluate and manage the wastewater in the ponds. The CAP shall include a Water Balance Evaluation that addresses the amount of wastewater coming into the plant through the number of connections including, but not limited to, residential, commercial, and industrial sources, septic trucks, and Infiltration & Inflow (I&I); the volume of wastewater being applied on the fields each month based on the last five (5) years annual reports; the total volume of wastewater that needs to be treated and discharged pursuant to the City's NPDES permit; and the total volume of wastewater that needs to be land applied pursuant to the No-Discharge permit.

5. The CAP shall also include an evaluation of hydraulic loading rate (irrigation and precipitation) of the 86 acres of land application sites. The hydraulic loading rate evaluation should be dependent on soil characteristics, degree of moisture in the soil, crops, and climatic conditions. The CAP shall establish a daily application rate per acre, a weekly application rate, and a rest period before reapplication to prevent the over application of wastewater.

6. Install a flow meter for the irrigation effluent to determine the amount of wastewater being land applied. The flow shall be recorded daily and totalized for the month. Copies of the flow records shall be submitted to DEQ with the Annual Report.

7. Install a flow meter for the influent to determine the amount of wastewater entering the lagoon and wastewater treatment plant. The flow shall be recorded daily and totalized for the month. Copies of the flow records shall be submitted to DEQ with the Annual Report.

Should you have any questions concerning this matter, please do not hesitate to contact me at 501-682-0640 or by email at healeyr@adeq.state.ar.us.

Sincerely,

Richard C. Healey
Enforcement Branch Manager
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Cc: Jackie Hinchey, Jr., Manager, City of Clinton, clintonwater9@gmail.com
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Stacie Wassell, Deputy Associate Director, OWQ