

ADEQ

ARKANSAS
Department of Environmental Quality

May 18, 2007

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (7005 1160 0000 3832 3554)

Tom McAlister, Utility Manager
City of Rogers
4300 Rainbow Rd.
Rogers, AR 72758

Re: State Construction Permit Number AR0043397C

Dear Mr. McAlister:

Enclosed is the public notice, Statement of Basis, and a copy of the draft construction permit that the Arkansas Department of Environmental Quality has prepared, as required by Act 163 of 1993.

All draft construction permits prepared by this Department must complete a 30 day public notice period. The enclosed public notice will be published by ADEQ in a newspaper of general circulation. Act 163 of 1993 requires the permit applicant to bear the expense of the notice's publication. Therefore, an invoice for the cost of publishing the public notice and proof of publication will be sent to you by the advertising newspaper. The permittee must send proof of publication and payment to:

Arkansas Department of Environmental Quality
NPDES-Water Division
P.O. Box 8913
Little Rock, AR 72219-8913
501-682-0622 Fax: 501-682-0910

Until this Department receives proof of publication of the public notice, no further action will be taken on the issuance of your construction permit.

Comments must be received at ADEQ prior to the close of the public comment period as shown in the enclosed public notice. Under the provisions of Act 163, all persons, including applicants, who believe any condition of a draft permit is inappropriate must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by the close of the public comment period.

Should you have any questions concerning any part of the draft permit, please contact the Arkansas Department of Environmental Quality, NPDES Branch, at (501) 682-0622.

Sincerely,



Martin Maner, P.E.
Chief, Water Division

MM:lr

Enclosure

**PUBLIC NOTICE OF DRAFT CONSTRUCTION PERMIT
CONSTRUCTION PERMIT NUMBER AR0043397C**

May 18, 2007

This is to give notice that the Water Division of the Arkansas Department of Environmental Quality (ADEQ) has developed a draft construction permit AR0043397C for the proposed construction and/or modification of the wastewater treatment plant for the following facility:

City of Rogers
4300 Rainbow Rd.
Rogers, AR 72758

FACILITY LOCATION: This facility is located as follows: Latitude: 36° 18' 10" Longitude: 94° 13' 00"; go south on Champions Drive from its intersection with I-540 until you come to Northgate Road, turn west on Northgate Road and continue till its tee into Rainbow Road, then go south on Rainbow Road until you reach 4300 Rainbow Road in Section 19 and 30, Township 19 North, Range 30 West in Benton County, Arkansas.

DISCHARGE LOCATION: The discharge from this existing facility is made into Osage Creek, thence to the Illinois River in Segment 3J of the Arkansas River Basin. The outfall is located at the following coordinates: Outfall 001: Latitude: 36° 18' 07"; Longitude: 94° 12' 58".

TYPE OF TREATMENT: Proposed construction will consist of a new headworks facility including 2 screens, grit removal facilities, influent flow measurement, and odor control, a 5 stage Biological Nutrient Removal (BNR) process and division boxes, a sludge pumping station and division box, final clarifiers for each of the 3 trains, a traveling bridge filter with 3 beds and sand media, a 60-inch Parshall flume, and an outfall pipe. The new outfall pipe will be at the same location as the existing outfall pipe. The following existing equipment will be modified: Pressure Swing Adsorption (PSA) System, oxygen injection box, chemical feed system, and new aerators in the two existing trains. The following existing items will be taken out of service once construction is complete: existing headworks facility, final clarifiers for the 2 existing trains, Parshall flume, and outfall pipe. The existing treatment system is: flow equalization, screening, grit & scum removal, five stage Bardenpho activated sludge/BNR, final clarifier, chlorination, dechlorination, and postaeration. The addition of the new train will increase the design flow to 14 MGD.

PUBLIC NOTICE: In accordance with Arkansas Pollution Control and Ecology Commission (APCEC) Regulation No. 8, the public notice will be published by ADEQ in a newspaper of general circulation for one (1) day only. The public comment period will begin on the date of publication and will end no sooner than 30 days from that date. Comments must be received at ADEQ prior to the close of the public comment period.

ISSUANCE OF THE FINAL PERMIT: The permit will become effective no sooner than 30 days after the close of the comment period unless comments are received and/or a public hearing is requested prior to June 18, 2007 requiring a delay of the effective date.

COMMENTS AND PUBLIC HEARING: Comments and public hearing procedures may be found in APCEC Regulation No. 8. All persons, including the permittee, who wish to comment on ADEQ's draft permitting decision must submit written comments to ADEQ, along with their name and mailing address. During the comment period, any interested person may request a public hearing by filing a written request which must state the technical issues to be raised. A public hearing will be held if ADEQ finds a significant degree of public interest. If a public hearing is held, ADEQ will issue a public notice of the hearing at least 30 days prior to the scheduled hearing.

After the public comment period, and public hearing, if one is held, ADEQ will issue a final permitting decision. ADEQ will notify the applicant and each person who has submitted written comments or requested notice of the final permitting decision. A final permitting decision means a final decision to issue, deny, modify, revoke and reissue, or terminate a permit. Any interested person who has submitted comments may appeal a final decision by ADEQ in accordance with the APCEC Regulation No. 8.

Submitting written comments to ADEQ or making oral statements on the record at the public hearing on the proposed permitting decision provides individuals with legal standing to appeal a final Department permitting decision. Comments supporting or opposing the proposed decision will provide legal standing. Only parties with legal standing may appeal a permitting decision.

PERMIT APPLICATION RECORD: The permit application and the administrative record is available for review and copying in the Central Records Section, ADEQ, State Police Headquarters, One State Police Plaza, near Interstate 30 and Geyer Springs, Little Rock, Arkansas.

WEB SITE INFORMATION: For those with Internet access, a copy of the proposed draft permit may be found on the Arkansas Department of Environmental Quality's website at:

http://www.adeq.state.ar.us/water/branch_npdes/pn_permits/pnpermits.asp.

CONTACT PERSON: The ADEQ contact person for submitting written comments, requesting information, or obtaining copies of the application, permit, and the Fact Sheet is:

Loretta Reiber, P.E.
NPDES Branch, Water Division
Arkansas Department of Environmental Quality
Post Office Box 8913
Little Rock, Arkansas 72219-8913
(501) 682-0622

STATEMENT OF BASIS

for issuance of a draft Construction Permit Number AR0043397C.

The issuing office is:

Arkansas Department of Environmental Quality
8001 National Drive
Post Office Box 8913
Little Rock, Arkansas 72219

The applicant is:

City of Rogers
4300 Rainbow Rd.
Rogers, AR 72758

1. CONSTRUCTION PERMITTING AUTHORITY

This permit is your authority to construct or modify the wastewater treatment system in accordance with the permit application and plans and specifications which were received on 10/01/2004. This permit is issued subject to the provisions of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended, Ark. Code Annotated § 8-4-101 et seq.) and Section 6.202 of Arkansas Pollution Control and Ecology Commission (APCEC) Regulation No. 6.

2. DISCLAIMER

This permit is issued in reliance upon the statements and representations made in the application and the plans and specifications. The Department has no responsibility for adequacy or proper functioning of the disposal system. Approval of the plans and specifications by the Department does not constitute assurance that the disposal system will achieve the effluent limitations required by the final NPDES permit, or that the discharge permit will be issued.

3. CONSTRUCTION PROPOSED IN APPLICATION

The following is a general description of the construction to be permitted, as described in the construction permit application. Proposed construction will consist of a new headworks facility including 2 screens, grit removal facilities, influent flow measurement, and odor control, a 5 stage Biological Nutrient Removal (BNR) process and division boxes, a sludge pumping station and division box, final clarifiers for each of the 3 trains, a traveling bridge filter with 3 beds and sand media, a 60-inch Parshall flume, and an outfall pipe. The new outfall pipe will be at the same location as the existing outfall pipe. The following existing equipment will be modified: Pressure Swing Adsorption (PSA) System, oxygen injection box, chemical feed system, and new aerators in the two existing trains. The following

existing items will be taken out of service once construction is complete: existing headworks facility, final clarifiers for the 2 existing trains, Parshall flume, and outfall pipe. The existing treatment system is: flow equalization, screening, grit & scum removal, five stage Bardenpho activated sludge/BNR, final clarifier, chlorination, dechlorination, and post-aeration. The addition of the new train will increase the design flow to 14 MGD.

4. RECEIVING STREAM SEGMENT AND DISCHARGE LOCATION

The receiving waters are named: Osage Creek, thence to the Illinois River in Segment 3J of the Arkansas River Basin. The outfall is located at the following coordinates: Outfall 001: Latitude: 36° 18' 07"; Longitude: 94° 12' 58".

5. PUBLIC NOTICE

In accordance with Arkansas Pollution Control and Ecology Commission (APCEC) Regulation No. 8, the public notice will be published by ADEQ in a newspaper of general circulation for one (1) day only. The public comment period will begin on the date of publication and will end no sooner than 30 days from that date. Comments must be received at ADEQ prior to the close of the public comment period.

6. CONTACT PERSON

The ADEQ contact person for submitting written comments, requesting information, or obtaining copies of the application, permit, and the Statement of Basis is:

Loretta Reiber, P.E.
NPDES Branch, Water Division
Arkansas Department of Environmental Quality
Post Office Box 8913
Little Rock, Arkansas 72219-8913
(501) 682-0622

DRAFT CONSTRUCTION PERMIT

Permit Number: AR0043397C

TO:

City of Rogers
4300 Rainbow Rd.
Rogers, AR 72758

Consulting Engineer:

Black & Veatch
8400 Ward Parkway
Kansas City, Missouri 64114

This permit is your authority to construct or modify the wastewater treatment system in accordance with the permit application and plans and specifications which were received on 02/12/2007. This permit is issued subject to the provisions of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended, Ark. Code Annotated § 8-4-101 et seq.), and the following terms and conditions:

1. The permittee shall **notify** the Department when construction **begins**. The treatment/disposal system shall be constructed or modified in accordance with the final plans and specifications as approved by the Arkansas Department of Environmental Quality (ADEQ). In case any statement or representation in the aforementioned documents is found to be incorrect, this Approval may be revoked.
2. Within **thirty (30)** days of completion of construction, a Professional Engineer (PE) registered in Arkansas shall submit written certification to the Department (Enforcement Section of the Water Division) that the facility has been constructed or modified in accordance with the approved plans and specifications.
3. This permit is issued in reliance upon the statements and representations made in the application and the plans and specifications. The Department has no responsibility for adequacy or proper functioning of the disposal system. Approval of the plans and specifications by the Department does not constitute assurance that the disposal system will achieve the effluent limitations required by the final NPDES discharge permit, or that a NPDES discharge permit will be issued.
4. If the construction site will disturb in excess of one (1) acre, the permittee must comply with the terms of ARR150000 prior to the start of construction.
5. This facility is located as follows: Latitude: 36° 18' 10" Longitude: 94° 13' 00"; go south on Champions Drive from its intersection with I-540 until you come to Northgate Road, turn west on Northgate Road and continue till its tee into Rainbow Road, then go south on Rainbow Road until you reach 4300 Rainbow Road in Section 19 and 30, Township 19 North, Range 30 West in Benton County, Arkansas.
6. The receiving waters named: Osage Creek, thence to the Illinois River in Segment 3J of the Arkansas River Basin. The outfall is located at the following coordinates: Outfall 001: Latitude: 36° 18' 07"; Longitude: 94° 12' 58".

7. Proposed construction will consist of a new headworks facility including 2 screens, grit removal facilities, influent flow measurement, and odor control, a 5 stage Biological Nutrient Removal (BNR) process and division boxes, a sludge pumping station and division box, final clarifiers for each of the 3 trains, a traveling bridge filter with 3 beds and sand media, a 60-inch Parshall flume, and an outfall pipe. The new outfall pipe will be at the same location as the existing outfall pipe. The following existing equipment will be modified: Pressure Swing Adsorption (PSA) System, oxygen injection box, chemical feed system, and new aerators in the two existing trains. The following existing items will be taken out of service once construction is complete: existing headworks facility, final clarifiers for the 2 existing trains, Parshall flume, and outfall pipe. The existing treatment system is: flow equalization, screening, grit & scum removal, five stage Bardenpho activated sludge/BNR, final clarifier, chlorination, dechlorination, and postaeration. The addition of the new train will increase the design flow to 14 MGD.

Issue Date:

Effective Date:

Martin Maner, P.E.
Chief, Water Division
Arkansas Department of Environmental Quality