



ARKANSAS
Department of Environmental Quality

December 12, 2018

Ryan Russell
Legacy Estates Homeowners Association, Inc.
PO Box 8835
Fayetteville, AR 72702

Re: Permit No.: 4890-WR-2; AFIN: 72-01642

Dear Mr. Russell:

The Department received your request on October 10, 2018, requesting a minor modification to add three homes to an existing drip irrigation system. In accordance with Department procedure, your request has been reviewed and determined this modification will be considered a major modification. Therefore, the permittee will need to submit a complete permit modification application, which will include the items listed on the reverse of this letter.

Thank you for your cooperation in this matter. If there are any questions concerning this submittal, please contact me at (501) 682-0047 or by email at ungerank@adeq.state.ar.us.

Sincerely,

A handwritten signature in cursive script that reads "Bryan Leamons".

Bryan Leamons, P.E.
Senior Operation Manager
Office of Water Quality

BL:cu

cc: File (AFIN 72-01642, Permit No. 4890-WR-2)

Ryan Russell
Legacy Estates Homeowners Association, Inc.
Permit No. 4890-WR-2
AFIN 72-01642

Major Modification Requirements

1. In accordance with APC&EC Regulation No. 8.203, an applicant shall file a permit application with the appropriate division of the Department on forms supplied by or approved by the Department. This may include electronic forms as approved by the Department. The Department will not process an application unless the application is administratively complete. Please complete all the items of the enclosed application and submit the application to the ADEQ, Water Division. The permittee's legal name (owner/organization name on application) shall match the Secretary of State's office. Please verify the name using the following website:

<http://www.sos.arkansas.gov/Pages/default.aspx>

2. The facility will need to provide an updated Waste Management Plan in accordance with the permit application found at the below link. The Waste Management Plan must be stamped and signed by a Professional Engineer registered in the State of Arkansas. Please submit a Waste Management Plan for your facility in accordance with the application.

<https://www.adeq.state.ar.us/water/permits/pdfs/subsurface-drip-irrigation-app.pdf>

3. In accordance with Arkansas Code 8-4-203(b), the following information must be submitted to comply with the financial assurance requirements:
 - A. Certification that the permit applicant has complied with the applicable local ordinances and regulations, including without limitations:
 - i. Local zoning ordinances;
 - ii. Local planning authority regulations; and
 - iii. Local permitting requirements.
 - B. A nonmunicipal domestic sewage treatment works (NDSTW) assessment developed by a professional engineer licensed by the state shall include:
 - i. A cost estimate for a third party to operate and maintain the NDSTW for five (5) years;
 - ii. A list of all necessary capital expenditures, system upgrades, or significant repairs and a milestone schedule for completion within five (5) years; and
 - iii. A financial plan that demonstrates to the department's satisfaction the permittee's financial ability to operate and maintain the NDSTW for five (5) years.
 - C. A legal description of the service area for the NDSTW;
 - D. A comprehensive connection summary listing the number of connections and types of connections based on Appendix B of the Arkansas Department of Health

Rules and Regulations Pertaining to Onsite Wastewater Systems. The summary should include the number of existing connections and an estimated number of new connections for the next five (5) years.

4. Proof of ownership or control of land must be submitted to the Department for all land to be permitted for waste utilization under the waste management plan.
 - a. For land owned by the applicant, a copy of the deed (or other legal document proving ownership) must be submitted.
 - b. For land leased by the applicant, a copy of the lease agreement with the landowner granting control of the land for the purpose proposed in the application must be submitted.
 - c. For land that is neither owned nor leased by the permit applicant, a land use contract must be submitted on ADEQ approved forms.
5. The Department must receive a copy of your letter transmitting the below documents to the Arkansas Department of Health (ADH) Division of Engineering with your application. Applicants for new facilities or permit modifications to add land application sites must notify the ADH Division of Engineering that a permit application has been made to the ADEQ. This notice must include a complete set of maps indicating the facility location and all land application sites and a description (type, size, etc.) of the facility. The notice should be mailed to:

Arkansas Department of Health
Engineering Division, Slot# 37
4815 West Markham Avenue
Little Rock, AR 72205