

# **Nonmunicipal Domestic Sewage Treatment Works Trust Fund Requirement Form**

Permittee (Legal) Name: Legacy Estates Home Owners Association, Inc.  
 Facility Name: Legacy Estates Subdivision  
 Permit No. 4890-WR-2

## ***Section A – Information Requiring Engineering Certification***

### **Part I – Operating and Maintenance Expenses**

	<b>Units/Year</b>	<b>Unit Cost</b>	<b>Annual Cost</b>	<b>5-Year Cost<sup>1</sup></b>
<b>Operating Expenses</b>				
Operating Labor <sup>2</sup>	12	350.00	4200.00	22,260.00
Electricity <sup>3</sup>	12	230.00	2,760.00	14,628.00
Supplies & Chemicals	6	100.00	600.00	3,180.00
Analytical Testing	12	185.00	2,220.00	11,766.00
Generator Rental and Fuel				1,950.00 Based on 7 days
<b>Maintenance Expenses</b>				
Maintenance Labor <sup>2</sup>				1,000.00 Sludge Removal
Parts & Supplies				1,000.00 Replacement Parts
<b>Administrative Expenses</b>				
Administrative Labor <sup>2</sup>	Included with Operating Labor			
Customer Fee Collection				0
Insurance & Bonding Liability and Workers Comp			360.00	1,908.00
Consulting and Legal Fees	Included in NWA Utility Services Long Term Contract			
Interest Expenses				0
Property Taxes				0
Permit Fees Does not include the Trust Fund Contribution Fee			500.00	2,650.00
<b>Other Miscellaneous Expenses</b> Mowing Dripfield	7	450.00	3,150.00	16,695.00
<b>TOTAL</b>				<b>77,037.00</b>

<sup>1</sup> Assuming no inflation data are available, assume an inflation rate of 3% in years two through five and multiply the annual cost by 5.3 to estimate the five-year cost.

<sup>2</sup> Labor costs must include fringe benefits and payroll taxes.

<sup>3</sup> For existing facilities, include historical data if they are representative of future operations. For new facilities, show the electricity consumption calculations in kilowatt hours (kWh).

### **Part II – Capital Expenditures**

### **Nonmunicipal Domestic Sewage Treatment Works Trust Fund Requirement Form**

- The wastewater treatment plant (WWTP) must be examined by a Professional Engineer registered in the State of Arkansas to determine all necessary capital expenditures, system upgrades, or significant repairs which may be needed within the following five (5) years. *A list of all of these items must be attached to this document.*
- A milestone schedule for completion of the capital expenditures, system upgrades, or significant repairs *must be attached to this document.*



## Nonmunicipal Domestic Sewage Treatment Works Trust Fund Requirement Form

### Part III – Financial Plan

A financial plan that demonstrates to the Department's satisfaction the permittee's ability to operate and maintain the WWTP for five (5) years must be prepared. This plan should also include 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. *The financial plan must be attached to this document.*

### Part IV – Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Printed Name of AR Professional Engineer: Mark C. Johnson

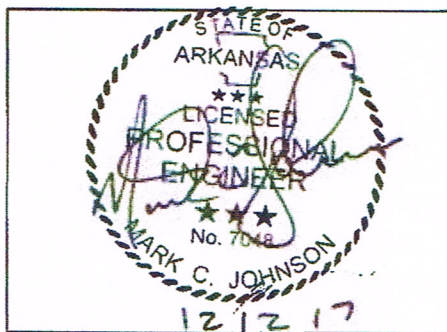
Registration License Number: Arkansas PE # 7048

Signature of AR Professional Engineer: \_\_\_\_\_

Date: December 12, 2017 Telephone Number: 479-751-8733

E-mail: mjohnson@engineeringservices.com Fax Number: 479-751-8746

Stamp of AR Professional Engineer



**Nonmunicipal Domestic Sewage Treatment Works Trust Fund Requirement Form**

***Section B – Service Area Information and Certification of Compliance***

**Part I – Legal Description**

A legal description of the service area ***must be attached to this document***. This requirement may be satisfied by providing a plat for the area served by the non-municipal domestic sewage treatment works.

**Part II – Potable Water Sources**

A list of the sources of the potable water for the service area ***must be attached to this document***.

Washington Water Authority

**Part III – Certification of Compliance**

Has the permit applicant complied with all local zoning ordinances, local planning authority regulations, local permitting requirements, and any other applicable local regulations necessary for the construction and operation of this facility?

Yes ☒ \_\_\_\_\_

No \_\_\_\_\_

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Printed Name of Permittee Responsible Official: Ryan Russell

Signature of Permittee Responsible Official: [Signature]

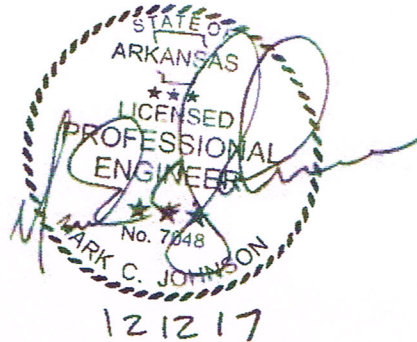
Date: Oct 30, 2017 Telephone Number: (888) 502-1555

E-mail: guythatbuyshouses@gmail.com Fax Number: \_\_\_\_\_



## Part II – Capital Expenditures –

The Legacy Estates Wastewater Treatment Facility has been in operation for less than two years. At the time of this writing there were 26 occupied homes out of the approximate 110 developable lots or homes that the treatment facility will ultimately serve. At this time there are no planned or foreseeable expansions and/or improvements.



121217  
Mark C. Johnson, PE, LS

## Legacy Estates Subdivision Wastewater System

COMPONENT	QTY	AVERAGE LIFE	LAST REPLACED	REPLACEMENT COST PER UNIT
<u>TREATMENT SYSTEM</u>				
27K Fiberglass Primary Settling Tank	1	30 Yrs		37,000.00
10K Fiberglass Equalization Tank	1	30 Yrs		12,400.00
EQ Control Panel *	1	30 Yrs		5,000.00
EQ Pump #SE411 or equal	2	5 - 7 Yrs	February-15	466.00
Bioclere Model 30/32 Trickling Filter Treatment Plant	2	30 Yrs		58,000.00
Bioclere Control Panel *	1	30 Yrs	February-15	7,033.00
Recirculation Pump Goulds 1DW51COEA or equal	2	5 - 7 Yrs	February-15	476.00
Dosing Pumps Goulds 1DW51E1EA or equal	4	5 - 7 Yrs	February-15	630.00
Junction Box	1	7 - 10 Yrs		236.00
Fan Grainger 4C720 or equal	1	5 - 7 Yrs	February-15	96.00
11K Fiberglass Final Settling/Dosing Tank	1	30 Yrs		16,900.00
Effluent Pump #5034-0009 or equal	4	7 - 10 Yrs	February-15	766.00
Geoflow Dripline #WF-PC 16-2-24 or equal	87,600	15 - 20 Yrs		0.32
Replacement Screen AP SCR 1.5/2F-100M	2	3 - 5 Yrs		94.77
Headworks Box #WHWU 1.5F-VA	1	15 - 20 Yrs		2,044.00
Flow Meter #M70	2	5 - 7 Yrs	February-15	150.00
Drip System Control Panel *	1	30 Yrs		8,650.00

\* Control Panels have an extensive list of parts used in the design of the panel and can be replaced on an as needed basis to keep the panel fully operational. The price listed above is for a complete new panel



**FINANCIAL PLAN FOR LONG TERM OPERATIONS AND MAINTENANCE**

As per the terms of the contract executed between the Eagle Creek Holdings and Legacy Estates Utility, a NWA Utility Services company; this facility has secured long term operations and maintenance for the facility. The following pertinent language is defined in the terms of the executed agreement. This agreement will be modified naming Legacy Estates Home Owners Association, Inc as the OWNER and will be executed upon completion of the permit transfer.

*This agreement (this "Agreement") is entered into as of this 1st day of May, 2016 by and between EAGLE CREEK HOLDINGS LLC, an Arkansas corporation ("OWNER") and LEGACY ESTATES UTILITY, LLC, an Arkansas limited liability company ("UTILITY").*

*WHEREAS, OWNER is the governing authority of that real estate subdivision that is described on Exhibit A-1, attached hereto (the "Subdivision");*

*WHEREAS, OWNER desires to retain UTILITY to operate and maintain the wastewater treatment plant that is located in the subdivision described in Exhibit A-2 ( the "Plant") in accordance with Applicable Laws and this Agreement; and*

*WHEREAS, UTILITY is willing to provide said services in exchange for that compensation that is referenced herein.*

*3. Operations and Maintenance Consideration. In consideration for the performance of the Operations and Maintenance Services, OWNER does hereby agree to pay UTILITY the fee in the sum of \$1,500.00 per month during the term of this Agreement. UTILITY reserves the right to increase this fee by an amount necessary to pay costs associated with any subsequently enacted or required Health Department, Department of Environmental Quality, or other federal, state, county, city or local rule or regulation, and/or by any other objectively demonstrable increase in the operation of the Plant. Notwithstanding the foregoing, this fee does not include compensation to UTILITY for performance by UTILITY of any additional services that are not outlined herein. UTILITY will reduce the fee due by the OWNER by \$50.00 per customer that UTILITY bills directly as per Item 2(e) of this Agreement.*

*4. Term; Extension. This Agreement shall have an initial term beginning on the date hereof and expiring on May 1, 2026. This Agreement may be extended thereafter for one (1) additional ten (10) year term should the parties hereto subsequently so agree in writing.*

**CONNECTION SUMMARY ( assumed connections based on current market trends)**

YEAR	NUMBER OF RESIDENTIAL CONNECTIONS	ESTIMATED NUMBER OF BEDROOMS PER HOME	MONTHLY SEWER RATE	ANNUAL REVENUE	DEVELOPER CONTRIBUTION	TOTAL ANNUAL REVENUE	CAPITAL RESERVE RETAINED ANNUALLY
2017	26	3	50.00	15,600.00	2400.00	18,000.00	936.00
2018	60	3	50.00	33,000.00	0	33,000.00	2160.00
2019	80	3	50.00	48,000.00	0	48,000.00	2880.00
2020	107	3	50.00	63,000.00	0	63,000.00	3852.00
2021	107	3	50.00	66,000.00	0	66,000.00	3852.00















**From:** [Byrne, Timothy](#)  
**To:** [Deardoff, Amy](#)  
**Subject:** FW: NDSTW Trust Fund info 4890-WR-2  
**Date:** Wednesday, December 13, 2017 10:34:57 AM  
**Attachments:** [4890-WR-2 NDSTW Trust Fund Information Dec 2017.pdf](#)  
**Importance:** High

---

#### 4890-WR-2\_Trust Fund Information

---

**From:** Kathy Bartlett [mailto:kathy@aquatechsys.com]  
**Sent:** Wednesday, December 13, 2017 10:31 AM  
**To:** Byrne, Timothy  
**Cc:** Solaimanian, Jamal  
**Subject:** NDSTW Trust Fund info 4890-WR-2  
**Importance:** High

Hi Tim

Attached is the complete revised and final submittal for 4890-WR-2 regarding the NDSTW Trust Fund requirements. I have decided not to submit as confidential. We do not want to add the additional layer of review causing any further delays in the completion of the transfer. This must be completed by Dec 31. I will mail the originals at your request.

Thank You

*Kathryn Bartlett*  
Internal Operations Manager  
NWA Utility Services, Inc  
[www.nwautilityservices.com](http://www.nwautilityservices.com)  
Direct: 479-530-5926