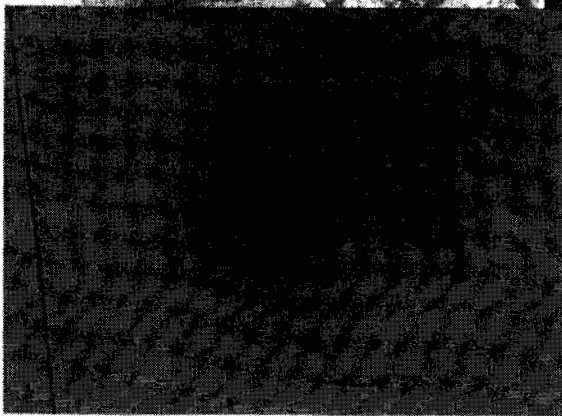
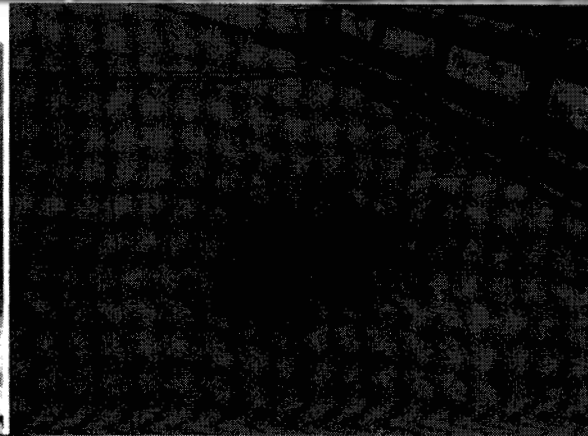
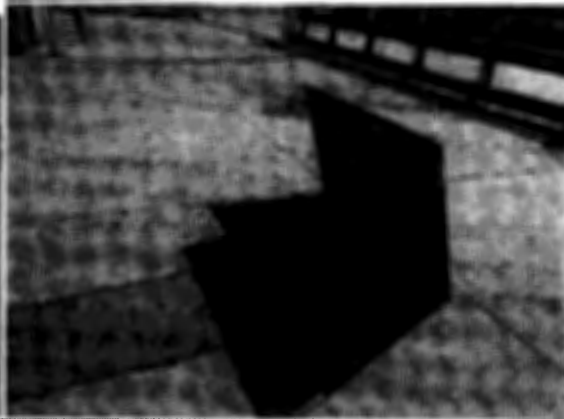


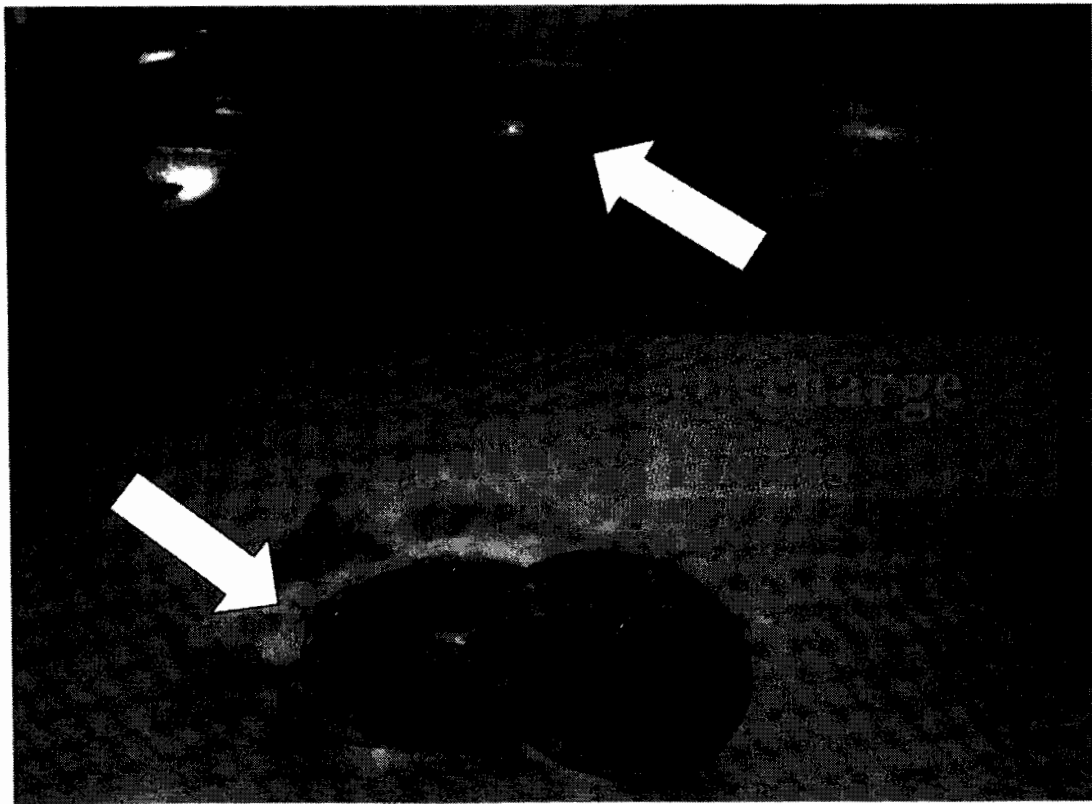
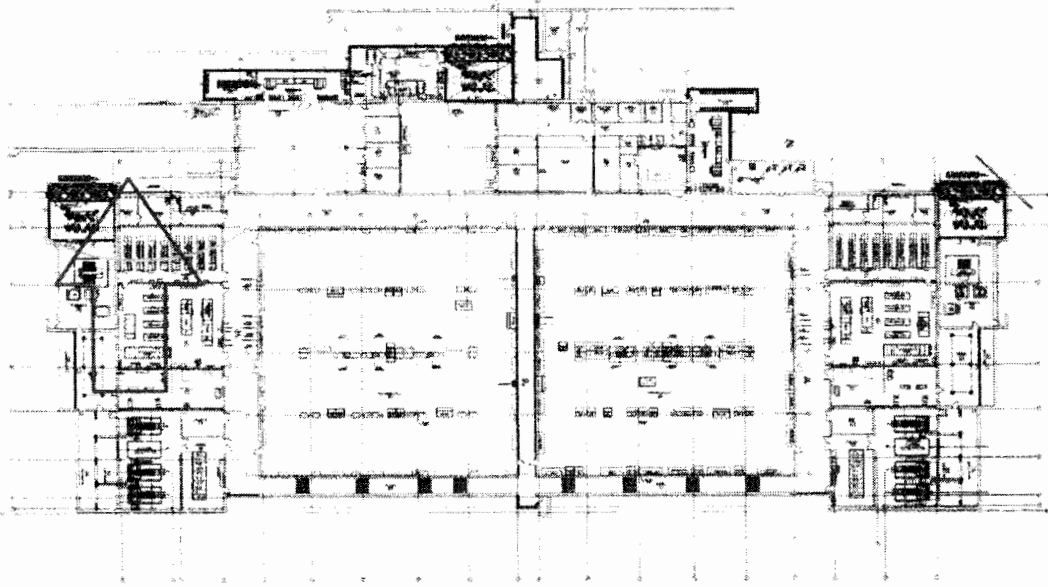


Environmental, Health and Safety Compliance

Steven Outain, Senior Manager

508 SW 8th Street
Bentonville, AR 72716-0505
Phone 479 277 3401
Steven.outain@wal-mart.com
www.wal-mart.com





- 3.5. Hire Contractor to excavate area around tanks and install a smaller secondary sump pump and pipe to sanitary sewer.
- 3.5.1. Discussions ongoing with HO Maint on this repair.
- 4. Pull existing large bore sump pump and check for issues. Unit is posting a seal failure alarm.

Diagram A

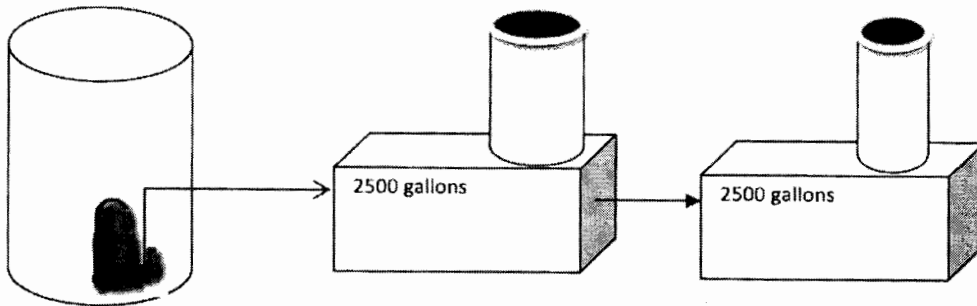
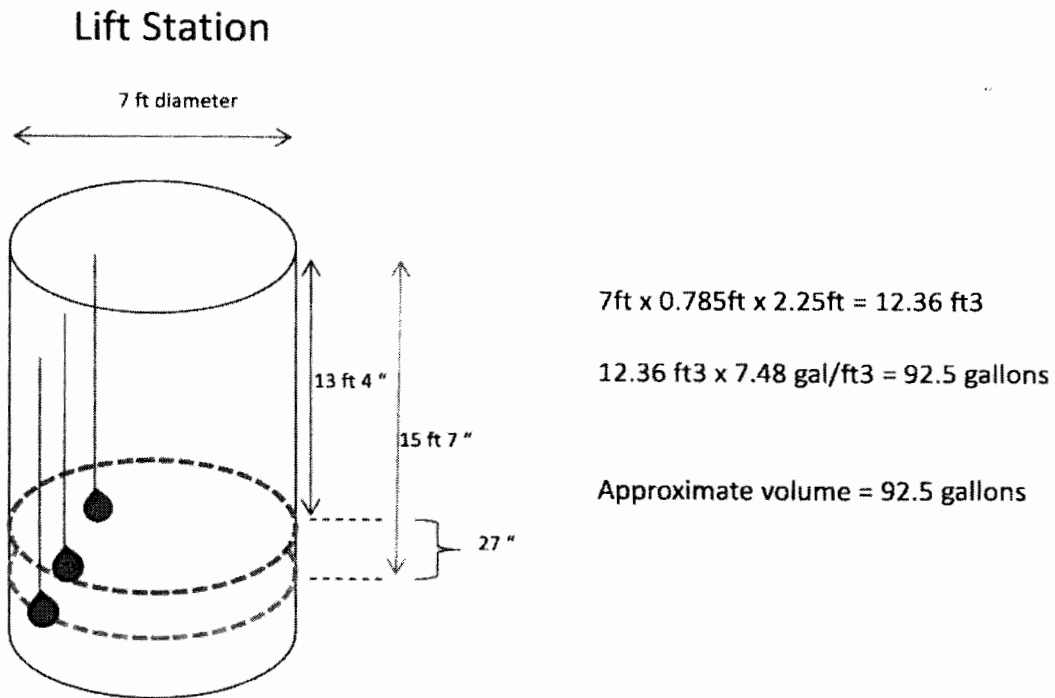


Diagram B



(3) pump stop (in descending order). This entire system is not connected or plumbed in any way to a sanitary sewer connection.

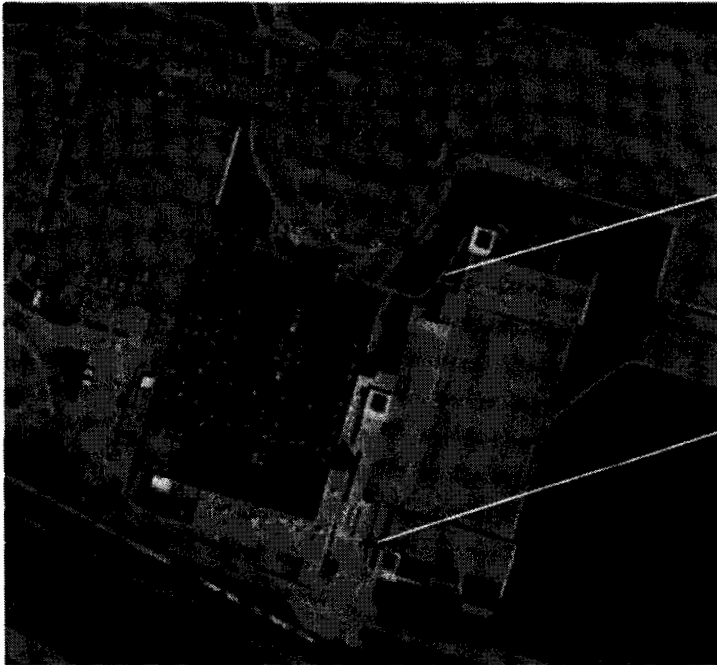
- 1.12. The apparent cause of the overflow is due to inflow of ground water into the lift station through the lower barrel joint seam. The lift station discharges into a series of 2 x 2500 gallon underground storage tanks in series. After mitigating the cause of the overflow, the lift station was pumped down and those in attendance viewed a small stream of water flowing in around the seam.
- 1.13. The lift station is equipped with a check valve on the discharge pipe which prevents water from flowing back from the two underground storage tanks (in series)
- 1.14. During the overflow, it was determined that both tanks were completely full, and the pump cycled at some point around 6:06 am, causing the site tube lids to lift and water to overflow. (see Diagram A)

2. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue

- 2.1. The overflow occurred at approximately 6:30 am Tuesday September 4, 2012. The duration was approximately 5 minutes. The volume can be approximated using a volume calculation of the lift station (see diagram B). The overflow could have occurred during 1 to 2 pumping cycles.
- 2.2. The immediate corrective action was taken by shutting the lift station pump off
 - 2.2.1. The facility staff transferred the water from this entire holding tank system and transfer to sanitary sewer onsite via small trash pump and discharge hose
- 2.3. During the transfer authorized facility staff took duplicate grab samples for constituent parameters on the permit.
 - 2.3.1. pH, TSS, COD, O&G
 - 2.3.2. These samples were transported to an approved lab with appropriate perseverant and chain of custody paperwork.
 - 2.3.3. Turn around for complete analysis will be 5-6 days

3. Steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance

- 3.1. A visual measurement of all three tanks by Data Center HO Maint personnel has been added to the weekly maintenance schedule for both the EDC & NDC.
- 3.2. Formal procedure concerning handling of Stormwater issues at the EDC is pending management review.
- 3.3. Gather recommendations from WM Compliance.
 - 3.3.1. Compliance sent recommendation on product to use to stop the ground water infiltration.
- 3.4. Hire contractor to enter tank and install permanent corrective to stop ground water infiltration of the primary storage container in the dock location for the East Data Center.
 - 3.4.1. Discussions ongoing with HO Maint on this repair.



Outfall 001 non –
contact cooling
water

Discharge from
Hallway
overflow storage
tanks in dock
area

1. Description of Noncompliance and its cause.

- 1.1. 6:30 – Dennis Daulton identified the concrete around to EDC dock was wet and the probable cause was the tank on the dock had discharged.
- 1.2. 6:35 – Facilities onsite personnel verified discharge has stopped.
- 1.3. 6:38 – HO Maint notified of discharge and requested them to come pump it out to sanitary.
- 1.4. 7:10 – HO Maint plumbing team onsite to pump the tanks over to Sanitary Sewer.
- 1.5. 7:22 – HO Maint alarm on sump pump and investigated. Pump electrical seal showing failure so pump will need to be replaced in the near future.
- 1.6. 7:52 – WM Compliance was notified of a Stormwater discharge at the EDC.
- 1.7. 8:00 – HO Maint run pump in hand to validate operation and move water to secondary tank so it could be pumped to sewer.
- 1.8. 08:10 – HO Maint Chris Trudo onsite to review issue.
- 1.9. 08:20 – Samples taken from pump discharge as tanks are transferred.
- 1.10. 09:40 – Chain of custody signed by Environmental Testing Group showing ownership of the water samples.
- 1.11. Upon visual investigation the facilities manager determined this was due to an overflow of the two holding tanks after heavier rains coupled with a long weekend (Labor Day). The tanks are designed to retain water in the event that an internal hallway overflows water after a catastrophic cooling pipe break. These two tanks receive water via an approximately 7 feet diameter x 16 feet deep lift station, equipped with a submersible pump with a three float system; (1) high level alarm (2) pump start



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508 SW 8th Street
Bentonville, AR 72716-0505
Phone 479 277 3401
Steven.outain@wal-mart.com
www.wal-mart.com

October 1, 2012

Arkansas Department of Environmental Quality
NPDES Enforcement Section
5301 Northshore Drive
North Little Rock, AR 72118-5317

RE: **Walmart Stores Inc. East Data Center**
AR/NPDES Permit No. AR0050652
Wastewater Treatment Facility- Discharge Report

Attention: Mr. Kevin Suel

Walmart Stores, Inc. is submitting this letter and report for the over flow and discharge from the underground storage containment storage for the catastrophic cooling pipe system.

Should you have any questions concerning this location or report, please do not hesitate to contact me at 479-277-3401.

Sincerely,

Steven A. Outain
Senior Manager
Walmart Environmental, Health and Safety Compliance

East Data Center Stormwater Discharge Procedure

Due to the Emergency operations capability of the underground water storage tank to overflow to extend cooling capacity, the State of Arkansas Dept. of Environmental Quality (ADEQ) requires Wal-Mart Stores, Inc. to maintain a Stormwater Discharge Permit. This permit outlines specific tasks that have to be accomplished in the event of a water discharge to Stormwater at the EDC. This Procedure is intended to outline those tasks into a step by step procedure that can be followed by onsite personnel.

Definition: Stormwater Discharge –

- A. The term "storm water discharge associated with industrial activity" means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant
<http://www.epa.gov/region8/water/stormwater/pdf/storm%20water%20permitting%20definitions.pdf>
- B. The National Pollutant Discharge Elimination System (NPDES) Stormwater Program regulates storm water discharges from three potential sources: municipal separate storm sewer systems (MS4s), construction activities, and industrial activities. Most storm water discharges are considered point sources, and operators of these sources may be required to receive an NPDES permit before they can discharge. This permitting mechanism is designed to prevent storm water runoff from washing harmful pollutants into local surface waters such as streams, rivers, lakes or coastal waters.
<http://cfpub.epa.gov/npdes/stormwater/swbasicinfo.cfm>

Definition: Chain of Custody –

- A. **Chain of custody** (CoC) refers to the chronological documentation or paper trail, showing the seizure, custody, control, transfer, analysis, and disposition of evidence, physical or electronic. Particularly important in criminal cases, the concept is also applied in civil litigation - and sometimes more broadly in drug testing of athletes, traceability of food products and to provide assurances that wood products originate from sustainably managed forests.
http://en.wikipedia.org/wiki/Chain_of_custody
- B. Chain of custody involves tracking evidence that comes up in a court trial from the time it is collected until it is presented and aims to show it has not been tampered with in the meantime. A chain of custody affidavit documents the evidence's collection, transportation and storage. Physical evidence is handled by a number of people, including investigators, technicians, forensic specialists and storage clerks. How these people maintain the evidence placed in their hands and how well they keep a record of its movements will determine whether it will be accepted in court. Rule 901(b) (9) of the Federal Rules of Evidence (2009 edition) defines a chain of custody only as "a process or system used to produce a result and showing that the process or system produces an accurate result."
http://www.ehow.com/about_5087510_definition-chain-custody.html

The definitions listed above roughly mean that any fluids discharged from the operation of the data center facility that is discharged onto the ground and not into a sanitary sewer is considered Stormwater Discharge.

The Stormwater permit agreement we have with the ADEQ requires us to monitor for these types of discharges and to report such events in a timely manner. In order to report these events accurately, we have to collect samples of the discharge water at the point of the discharge for testing purposes and maintain the chain of custody for these samples. These test results will be included in the official report that is submitted to the ADEQ

Listed on the following pages you will find the steps required to collect the information needed to maintain compliance with our ADEQ EDC Stormwater discharge agreements.

Here is an overview of what steps need to occur once a discharge is identified.

1. Begin a timeline of the incident.
2. Collect water samples from the point of discharge and pack with ice.
3. Complete chain of custody paperwork for samples and maintain custody until delivered to the testing lab.
4. Take steps to halt the Stormwater discharge if possible.
5. Notify the Wal-Mart Stores, Inc. Compliance division of the incident.
6. Wal-Mart Stores, Inc. Compliance division will make precursor notification to the ADEQ of event within 24 hours.
7. Takes samples to the testing lab and get a copy of the chain of custody paperwork.
8. Complete a report of the incident outlining what occurred and the timeline of when all steps were taken.
9. Submit test lab results ASAP to Wal-Mart Stores, Inc. Compliance division.
10. Wal-Mart Stores, Inc. Compliance division will submit the official report to the ADEQ within five business days.

1. Begin a timeline of the incident.

Make note of the following milestones:

Time the discharge was first observed and by whom.

Time that support was onsite and what teams they are with.

What actions were taken and the time when they occurred.

Time the samples were taken and the conditions during this event.

Time the discharge stopped.

Time the samples were taken to the lab for testing.

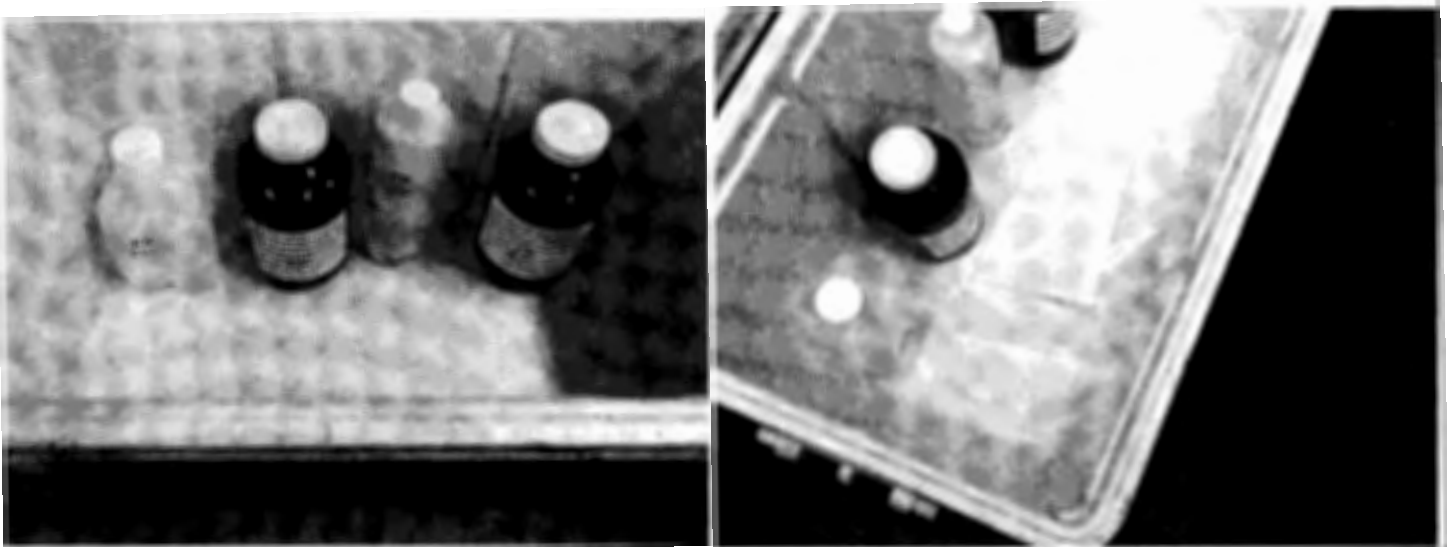
Time the Compliance department was notified of the incident.

2. Collect water samples from the point of discharge and pack with ice.

The sample kits are located in the Facilities office on the dock of the EDC. You will only need to use one of the two kits that are kept on-hand. The other kit is a spare in case of two issues simultaneously.

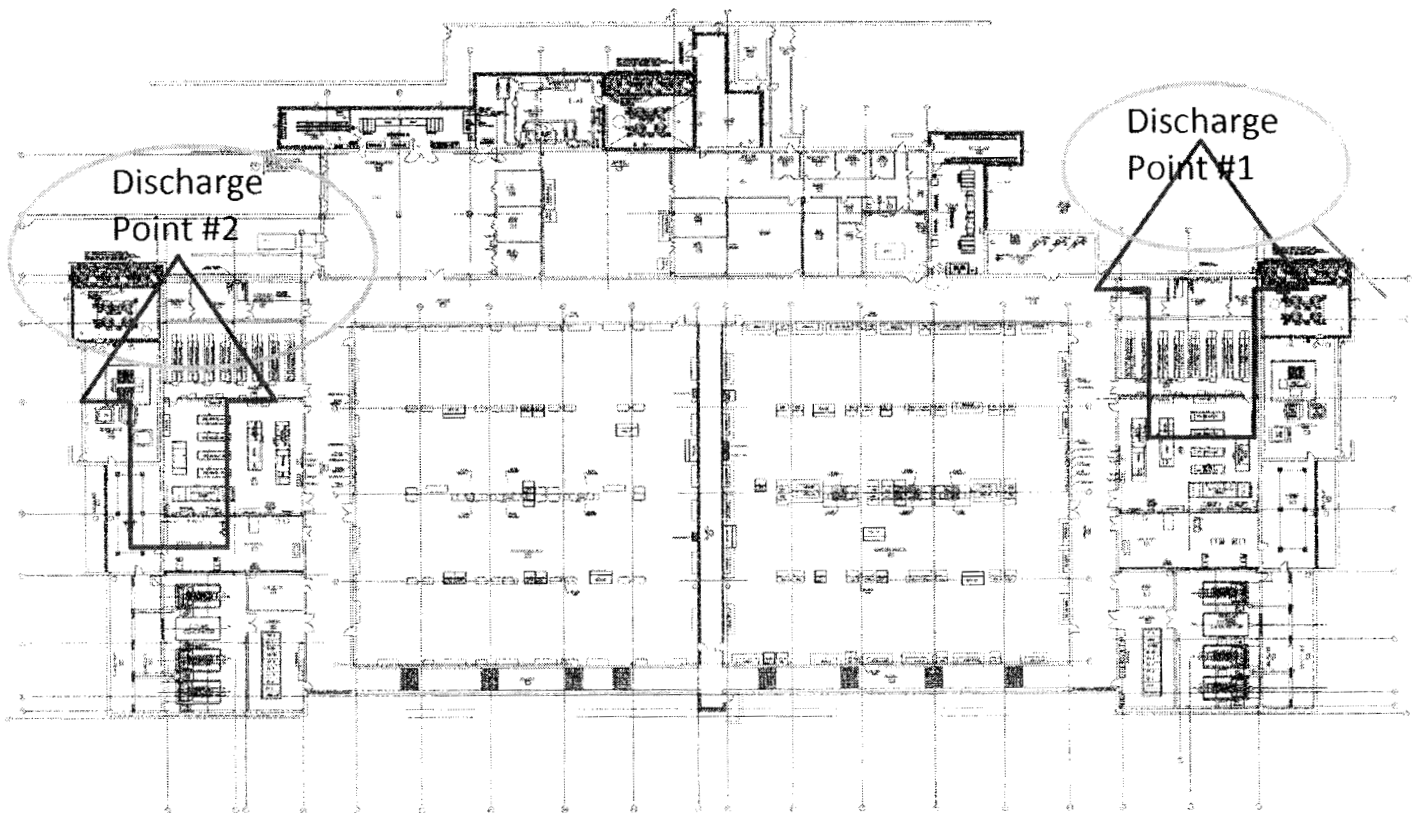


In each kit you will find four bottles and the chain of custody documents. These bottles should match the picture below. All four bottles will need to be filled to the top. DO NOT rinse out the bottles and DO NOT overflow the bottles while filling them. These bottles have special preservatives in them designed to stabilize the water samples for each particular testing sample. Fill them one at a time and place directly back into the cooler



Inside the kit, you will find two documents. One is the Chain of Custody form that has to be filled out for each kit, and the other is the sample showing you what sections need to be filled out and suggestions on what to information to enter. This Chain of Custody Document needs to be filled out by the person taking the samples and delivering them to the testing lab.

Listed on this overview are the most likely points of discharge that will be encountered.



Be sure to take the sample from the discharge pipe on the left. Try to gather moving water for the sample and not dip into any pools of water. Use a separate cup or container to fill the bottles if needed, just make sure the container is clean before using it. This is Discharge Point #1 or (NPDES permitted Outfall 001) for this facility.



You will most likely not be onsite when this dock tank is overflowing to capture a sample. Contact HO Maint to have them pump the tanks out to sanitary sewer. Your samples can be taken from the pump at this time. This is Discharge Point #2 and is NOT an NPDES permitted Outfall location.



3. Complete chain of custody paperwork for samples and maintain custody until delivered to the testing lab.



Pack the samples in ice probably from the break room ice machine with the Chain of Custody Documents placed on top of the ice and in the plastic bag.

4. Take steps to halt the Stormwater discharge if possible.

Refer to onsite facilities management to remediate the Stormwater discharge if possible. It is possible that this overflow is a function of the building operation and cannot be halted.

5. Notify the Wal-Mart Stores, Inc. Compliance division of the incident.

Make contact with the WM Compliance during business hours or the EOC during the weekend.

Remember: We are under a 24 hour deadline to notify ADEQ of the discharge!

Steven Outain	<u>Or if not available</u>	Ryan Hicks - Mgr
Environmental, Health & Safety Compliance		Environmental, Health and Safety - Compliance
Desk - 479-277-3401		Desk - 479-204-2206 Cell - 479-372-0629

6. Wal-Mart Stores, Inc. Compliance division will make precursor notification to the ADEQ of event within 24 hours.

7. Takes samples to the testing lab and get a copy of the chain of custody paperwork.

Deliver the full samples to this testing lab as soon as possible. Once custody is signed over to the testing lab, ask them to make a copy of the Custody document and bring it back to one of the Facilities managers.



8. Complete a report of the incident outlining what occurred and the timeline of when all steps were taken.

Using the timeline kept earlier, One of the facilities managers will complete an incident report and submit to management.

9. Submit test lab results ASAP to Wal-Mart Stores, Inc. Compliance division.

Once the testing lab completes the tests required, they will email a report to one of the facilities managers. This report has to be submitted immediately to the compliance division to be included in the five business day final report submitted to ADEQ.

10. Wal-Mart Stores, Inc. Compliance division will submit the official report to the ADEQ within five business days.

