

**Nancy Koon (adpce.ad)**

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**From:** Nick Valdez <nickvaldez@gmail.com>  
**Sent:** Monday, December 12, 2022 8:45 PM  
**To:** Water Draft Permit Comment  
**Subject:** Nicholas Valdez - Discharge Permit Number AR0053210, AFIN 60-05010 Letter  
**Attachments:** Nicholas Valdez Public Comment 12-12-22.docx

Please find my letter attached in request of Discharge Permit Number AR0053210, AFIN 60-05010 to be denied.

Best regards  
Nicholas Valdez

Nicholas & Sarah Valdez  
23407 Roland Cutoff Rd  
Roland, AR 72135

Discharge Permit Number AR0053210, AFIN 60-05010

Dear Ms. Carstens

As a property owner of Pulaski County and Roland Arkansas I am writing the Arkansas Division of Environmental Quality to bring attention to the following items and concerns for the Permit Number AR0053210, AFIN 60-05010. The concerns and issues listed below I feel need to be investigated and due diligence adhered to on the part of the ADEQ. It is the responsibility of the ADEQ to protect Arkansas and Arkansans from potential ecological damages being done to Pulaski County as a result of oversight and a lack of thorough review of the aforementioned Permit Number AR0053210, AFIN 60-05010. I benevolently request the ADEQ investigates the gaps in information and data in the application for Permit Number AR0053210, AFIN 60-05010. These gaps and lack of supporting data will undoubtedly impact Arkansas and the community of Roland to an irrecoverable degree and condition.

Maintenance/Monitoring/Operation is key to this system. Any inconsistencies in the operation, maintenance, and upkeep of this system will undoubtedly result in effluent that is not compliant to the ADEQ and Arkansas Department of Health Standards. The proposed facility will require 24-hour monitoring and operator evaluation. Based on the influent volume and the sizing of the influent bar screens they will require daily manual cleaning. If this daily manual cleaning is not done the system will with 100% certainty not perform as designed and specified. Thus, degrading the quality of the processing of wastewater; in turn producing effluent that is outside of acceptable levels established by the state. The public, residence of Roland, and the people that use Mill Bayou for its natural resources cannot be held victim to this result. It is the ADEQ's responsibility to ensure that the effluent produced to by the WWTP is consistent and compliant. I require your due diligence to investigate the maintenance procedures, operational excellence, and up keep plans by the applicant to guarantee that the effluent will at all times be compliant to the required standards. Any gaps in the proposed schedule or procedures, I would hope, would lead to a denial of Permit Number AR0053210, AFIN 60-05010 until corrected by the applicant.

Many Questions:

- A qualified operator who spends time at the plant.
  - How often? What are the schedules and duties to operate the facility?
- Proper maintenance of pump, blower and controls
  - If not properly maintained the pumps, blowers, and controls will struggle to maintain the optimal output of the facility.
    - Once the facility begins to fail and fall outside the acceptable parameters established by the ADEQ what is the applicants plan to handle these issues?
      - Should this plan be outlined in the application form?
- That small sludge holding tank (~7500 gallons?) will need frequent pumping?
  - When and how often?

- Odor Control on Sludge Holding Tank vent?
  - Is the ADEQ and/or the applicant required to submit information regarding the off gassing of the station?
    - If so what are the required parameters the applicant must maintain in order to be compliant to State specifications?
  
- Influent Bar Screen Clean and waste storage to influent rags
  - Who and When is this being completed?
    - The current proposed facility will require the influent bar screen to be cleaned daily in order to maintain 100% optimal performance of the facility
  
- On site Backup Generator,
  - Sizing (who and how was the generator sized?) and transfer switch (automatic or manual?) with power loss?
  - Who is responsible for making sure the station is on backup power? How is it monitored and confirmed that the station is operational?
  - What is the dB rated on the enclosed generator?
    - Does it meet noise attenuation levels established by noise ordinances in Pulaski County
  
- Full flow bypass of the system should equipment fail i.e. transfer pumps or blowers
  - What is the bypass plan?
  - If the station fails and the system is in bypass will the untreated influent be pumped out into Mills Bayou?
  - Was a bypass plan submitted with the application?
    - If so where does the applicant expect to discharge the bypass?
      - Is discharging the bypass into Mills Bayou acceptable even though it will violate the compliance level of the effluent?
      - Even when bypass is unavoidable is it acceptable to be allowed into a critical ecosystem that humans interact with downstream?
  
- The application for Permit Number AR0053210, AFIN 60-05010 does not list a Waste/Solids removal permit.
  - How and where are the solids/sludge going to be handled?
  - Where are the daily bar screen solids going to be stored before they are removed from the premises?
  - What is the plan for the solids/rags/sludge processing at the facility?
    - Will they be stored before being transported to a Saline County Landfill?
      - If so where?
        - Does the ADEQ need these details for the application?
          - If, yes, have they been provided?
      - For how long?
        - Do they need to be treated?
          - If, yes, to what standard?
  - Is the proposed WWTP being constructed by a manufacturer of treatment plants?
    - If so what are the required preventative maintenance schedules to ensure proper operation and effluent output?

- Does the applicants submitted operational plans meet or exceed the manufactures recommend schedule?
  - Was the WWTP stamped by a PE licensed in Arkansas?
    - If so who is this engineer and when did they stamp the submittal for the equipment?
- If the facility is not purchased from a manufacturer of WWTP's how can the operation and effluent output be legitimized to meet ADEQ and Arkansas Department of Health's Standards?
  - Who makes the determination that the unit has been constructed in a way that is compliant to the required parameters?
  - Does the mix match constructed equipment have to be submitted to the state for approval in detail before a permit is granted? I.e.: material, function, size, operation, etc....?
  - Does a WWTP used in Arkansas have to have a ISO 9001 compliance
  - Does a WWTP used in Arkansas have to be stamped by a design engineer to guarantee functionality before its is put into practical use?

As a concerned Pulaski county resident and a tax payer I am concerned about the value and viability of my property that is adjacent to the proposed development and waste water treatment plant. As a water and wastewater industry expert I have firsthand knowledge of the issues this type of facility can create and the impact those issues can have on ecological and environmental systems. I have requested my team of Professional Engineers, listed in Iowa, Nebraska, Illinois, Wisconsin, North & South Dakotas, review the application and proposed WWTP. Their concerns all rang the same with the sizing of the facility and its need for continual operational excellence; in order to maintain compliant effluent. Please note and study that any negligence on the applicant's part, any failure to clean influent screens, any power failure without proper backup, any bypass situation, and any deviance to the daily operational excellence needed to for the facility WILL result in people and a critical ecosystem being irreparably impacted/hurt. The ADEQ needs to ask themselves is the approval of Permit Number AR0053210, AFIN 60-05010 worth the risk; knowing the applicants' previous misconduct of upholding agreed upon obligations as a permit holder. Noting the applicant's prior violations and oversight for maintaining his facilities to compliancy of the ADEQ, in my opinion, would lend reasonable to substantiate my request that a thorough investigation into and due diligence to be conducted by the ADEQ for Permit Number AR0053210, AFIN 60-05010. Upon this investigation and review I hope you find that Permit Number AR0053210, AFIN 60-05010 needs to be denied.

***"The probability that we may fall in the struggle ought not to deter us from the support of a cause we believe to be just."***

***"The struggle of today is not altogether for today--it is for a vast future also."***

***"You must remember that some things legally right are not morally right."***

*Abraham Lincoln*

With Great Concern  
Nicholas Valdez