

STATE CONSTRUCTION PERMIT
Permit Number: AR0001759C1

Permittee:

Arkansas Electric Cooperative Corporation
Thomas B. Fitzhugh Generating Station
1 Cooperative Way
Little Rock, AR 72209

Consulting Engineer:

Ray Weida, P.E.
Olsson, Inc.
3 Innwood Circle - Suite 220
Little Rock, AR 72211

This permit allows the permittee listed above to construct the wastewater treatment system in accordance with the permit application and plans and specifications which were received on March 28, 2025, with all additional information received by August 1, 2025, under authority of the Arkansas Water and Air Pollution Control Act (Arkansas Code Annotated § 8-4-101 et seq. and Arkansas Code Annotated § 8-4-201 et seq.) and the following terms and conditions.

1. The treatment system shall be constructed in accordance with the final plans and specifications as submitted to the Division of Environmental Quality (DEQ). In case any statement or representation in the aforementioned documents is found to be incorrect, this approval may be revoked.
2. There shall be no deviation from the permitted plans and specifications unless the revisions have been submitted for review and written approval is received.
3. Within thirty (30) days of completion of the construction the permittee shall submit a Notice of Completion of Construction to the Division (Permits Branch of the Office of Water Quality) that the facility has been constructed in accordance with the approved plans and specifications. The certification shall be signed by the Responsible Official as well as stamped and signed by a Professional Engineer (P.E.) licensed in the state of Arkansas. The Notice of Completion of Construction form is located at the following web link:

<https://www.adeq.state.ar.us/water/permits/npdes/individual/pdfs/state-construction-permit-completion-of-construction.pdf>

4. This permit is issued in reliance upon the statements and representations made in the application and the plans and specifications. Issuance of this State Construction Permit does not guarantee satisfactory performance of the treatment system. The permittee shall ensure that water quality standards are not violated. Any modifications to the treatment facility necessary to meet water quality standards are the responsibility of the permittee and would require a modification to this State Construction Permit.
5. A State Construction Permit for a new wastewater treatment facility does not constitute an NPDES permit. Issuance of a State Construction Permit for construction of a treatment system in no way guarantees or assumes that an application for an NPDES permit to operate the system will be approved or an NPDES permit will be issued.
6. A complete "Operations and Maintenance (O&M) Manual" of the wastewater treatment system shall be developed by the facility consultant for the operator's use before the plant is in operation.
7. Failure to begin construction within one (1) year of the effective date may result in termination of this permit if a request for an extension is not submitted to the Division in a timely manner.

8. The permittee must submit notification of the start of construction within fifteen (15) days after construction has begun.
9. If a construction site will disturb greater than or equal to one (1) acre and less than five (5) acres, the permittee shall comply with the requirements in PC&EC Rule 6.203 for Stormwater discharge associated with a small construction site, as defined in PC&EC Rule 6. If the construction site will disturb five (5) acres or more, the permittee shall comply with the terms of the Stormwater Construction General Permit Number ARR150000 prior to the start of construction. BMPs must be implemented regardless of the size.
10. This facility is located as follows: Latitude: 35° 27' 46.64" N; Longitude: 93° 48' 16.24" W in Franklin County, Arkansas.
11. The receiving water for this facility is the Arkansas River in Segment 3H of the Arkansas River Basin. The outfall associated with this construction permit is located at the following coordinates: Outfall 003: Latitude: 35° 27' 43.99" N; Longitude: 93° 48' 21.89" W.
12. The construction will include: an oil/water separator, a retention pond with a vented 60-mil HDPE liner, leak detection pipe, and emergency overflow with a design flow of 0.15 MGD. There is no existing treatment system for this portion of the facility.

Effective Date: November 1, 2025

Stacie R. Wassell
Deputy Director, Office of Water Quality
Arkansas Department of Energy and Environment
Division of Environmental Quality

September 29, 2025

Issue Date

STATEMENT OF BASIS

For State Construction Permit Number AR0001759C1.

The issuing office is:

Division of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118

The applicant is:

Arkansas Electric Cooperative Corporation
Thomas B. Fitzhugh Generating Station
1 Cooperative Way
Little Rock, AR 72209

1. BASIS FOR PERMIT AND CONDITIONS

This permit is your authority to construct the wastewater treatment system in accordance with the permit application and plans and specifications which were received on March 28, 2025, and all additional information received by August 1, 2025. The issuance of this permit and conditions are based on the Arkansas Water and Air Pollution Control Act (Arkansas Code Annotated § 8-4-101 et seq. and Arkansas Code Annotated § 8-4-201 et seq.), Pollution Control and Ecology Commission (PC&EC) Rule 6.202, codified at 8 CAR § 25-202, NPDES Discharge permit AR0001759, and 40 C.F.R. § 122.26.

Specific permit conditions and their sources are listed as follows:

Conditions 1, 2, 3, 4, 5, 6, 7, and 8 are self-explanatory. Condition 9 is based on 40 C.F.R. § 122.26. Conditions 10, 11, and 12 are based on the submitted application and Plans and Specifications.

2. PUBLIC NOTICE

The public notice of the draft permit was published for public comment on August 24, 2025. The last day of the comment period was thirty (30) days after the publication date. The comment received by the DEQ during the public comment period, and the response to the comment, are included with this permit decision.

3. PERMIT FEE

In accordance with PC&EC Rule 9.402(A), codified at 8 CAR § 12-302(b)(2), the fee for issuance of a state construction permit is \$500.

4. SOURCES

1. Application Form 1 and Plans and Specifications dated March 28, 2025, with all additional information received by August 1, 2025.
2. 2014 Edition of Recommended Standards for Wastewater Facilities (Ten State Standards).
3. PC&EC Rules 6, 8, and 9, codified at 8 CAR Parts 25, 11, and 12, respectively.
4. A.C.A. § 8-4-217(b)(1)(C).
5. 40 C.F.R. § 122.26.

5. CONTACT PERSON

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

Guy Lester, P.E.
Professional Engineer
NPDES Branch, Office of Water Quality
Division of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317
(501) 519-0304

RESPONSE TO COMMENTS FINAL PERMITTING DECISION

Permit No.: AR0001759C1

Applicant: Arkansas Electric Cooperative Corporation
Thomas B. Fitzhugh Generating Station

Prepared by: Guy Lester, P.E.

The following are responses to comments received by the Division of Environmental Quality (DEQ) regarding the draft permit number referenced above and are developed in accordance with rules promulgated at Pollution Control and Ecology Commission (PC&EC) Rule 8 (Administrative Procedures), codified as 8 CAR pt. 11, and Arkansas Code Annotated § 8-4-203(e)(2).

Introduction

The above permit was published for public comment on August 24, 2025. The public comment period ended on September 23, 2025.

This document contains a summary of the comments that DEQ received during the public comment period.

The following people or organizations sent comments to DEQ during the public notice period. A total of one (1) comments was raised by one (1) commenter.

Commenter	Number of Comments Raised
Sean Saunders, Environmental Coordination Biologist, Arkansas Game and Fish Commission	1

Comment 1 Biologists with the Arkansas Game and Fish Commission (AGFC) have reviewed the Public Notice for State Construction Permit No. AR0001759C1, AFIN 24-00012 for the Arkansas Electric Cooperative Corporation Thomas B. Fitzhugh Generating Station wastewater treatment system, located in Franklin County, Arkansas. Based on a desktop level review of the project and associated documentation, the AGFC recommends to consider limiting tree trimming and clearing to the bat inactive season (November 16 to March 14). The AGFC appreciates the opportunity to review this permit. Please don't hesitate to contact me if you have any questions or if I can be of further assistance.

Response: The timing of construction activities is outside the scope of DEQ's permitting review. DEQ encourages the permittee to coordinate construction scheduling with the Arkansas Game and Fish Commission.