

## Waller, Scott

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**From:** Torrence, Rufus  
**Sent:** Monday, March 07, 2011 8:46 AM  
**To:** Henderson, Katie  
**Cc:** Fuller, Kim  
**Subject:** FW: AFIN 18-00109 AR0022039 City of West Memphis Streamlining Program Modification  
**Attachments:** image001.gif; image002.gif; image003.gif; WMPS Adopted Ordinance 2187 20110214.doc

[Katie, please place this letter/email in Zylab.](#)

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**From:** Torrence, Rufus  
**Sent:** Monday, March 07, 2011 8:42 AM  
**To:** Denise Bosnick  
**Subject:** AFIN 18-00109 AR0022039 City of West Memphis Streamlining Program Modification



March 7, 2011

Ms. Denise Bosnick  
West Memphis Utility Commission  
604 East Cooper  
West Memphis, AR 72301

Re: City of West Memphis Streamlining Program Modification  
(Permit No. AR0022039, AFIN 18-00109)

Dear Ms. Bosnick:

Referring to your email dated February 14, 2011, you sent me a "Word" version of the "adopted" Ordinance #2187. In your letter dated December 14, 2010, you indicated that the West Memphis Utility Commission approved the ordinance on December 9, 2010. In the letter you also indicated that you expected the West Memphis City Council to adopt the ordinance in January 2011. Since your email contained no message, I am assuming that the Council adopted the attached ordinance. Do you have a PDF copy of the "signed" signature page? The signature page (Page 45) in the attached Word document is blank.

If the City Council has adopted this ordinance, your next step is to review your old program and make the necessary changes and updates. I recommend that you make a new notebook with a new narrative to include the "Streamlining Updates". The new narrative must include language on BMPs, Slugs, Sampling [new 403.12(g) changes], etc. These are required streamlining updates.

The City may include an "Introduction" in the new narrative which describes why the City has developed the document (NPDES Permit Requirement for pretreatment program and also refer to 40CFR403.1) and in another section with the recommended title "Program Objectives" the City may list the objectives (found in 40 CFR 403.2) of the pretreatment program

Please do NOT include any CFRs (do not include a copy of 40 CFR 403 or any cites from 403), a copy of the City's NPDES permit nor any lab reports in the new documents. The City should refer the reader to websites, city offices, etc. where the most current copy of this information is available.

In the letter dated December 14, 2010, you indicated the WMUC "*will need to confer with the City Attorney about the Municipal Codes*". Since the codes are the primary means of conveying the "law/ordinances" to the public, the Department will deem that the City has not updated its legal authority until the codes reflect the most recent ordinances. The City still has local limits

[http://search.municode.com/html/16688/level3/WEST\\_MEMPHIS\\_MUNICIPAL\\_CODE\\_1973\\_TIT14PUUT\\_CH14.32SESE RE.html#WEST\\_MEMPHIS\\_MUNICIPAL\\_CODE\\_1973\\_TIT14PUUT\\_CH14.32SESE\\_14.32.030PRDIINPUSE](http://search.municode.com/html/16688/level3/WEST_MEMPHIS_MUNICIPAL_CODE_1973_TIT14PUUT_CH14.32SESE RE.html#WEST_MEMPHIS_MUNICIPAL_CODE_1973_TIT14PUUT_CH14.32SESE_14.32.030PRDIINPUSE) shown in the codes [section 14.32.030] that were repealed by Ordinance #1714 for the January 11, 1996 program modification to the City's NPDES permit. Please provide the Department with an approximate time frame for updating the codes.

If you have any questions or concerns, please contact the Department at (501) 682-0626 or by email at [torrence@adeq.state.ar.us](mailto:torrence@adeq.state.ar.us).

Sincerely,



Rufus Torrence, Pretreatment Engineer  
Water Division

**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY**  
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