

ADEQ

ARKANSAS
Department of Environmental Quality

February 13, 2012

Gregg Rainey
Superintendent
Clarksville Light & Water Co.
P.O. Box 1807
Clarksville, Arkansas 72830

Re: City of Clarksville's (NPDES #AR0022187; AFIN # 36-00038) Pretreatment Program Ordinance Modifications per the Pretreatment Streamlining Revisions to 40 CFR 403 Final Approval

Dear Mr. Rainey,

A second review was completed of your final draft Pretreatment Ordinance modifications submitted electronically on 2/9/12.

It has been determined the City's Pretreatment Ordinance now meets the minimum required "streamlining" revisions to 40 CFR 403.

Please expedite the adoption of this Ordinance within ninety (90) days from receipt of this correspondence. Submit the final adopted Ordinance (signed, dated and numbered) to this office electronically in pdf format and one (1) hard copy via the USPS mail.

Along with the above submittal please submit a new attorney's statement per 40 CFR 403.9(b) as follows:

"Contents of POTW program submission. The program description must contain the following information:

(1) A statement from the City Solicitor or a city official acting in a comparable capacity (or the attorney for those POTWs which have independent legal counsel) that the POTW has authority adequate to carry out the programs described in §403.8. This statement shall:

(i) Identify the provision of the legal authority under §403.8(f)(1) which provides the basis for each procedure under §403.8(f)(2);

(ii) Identify the manner in which the POTW will implement the program requirements set forth in §403.8, including the means by which Pretreatment Standards will be applied to individual Industrial Users (e.g., by order, permit, ordinance, etc.); and,

(iii) Identify how the POTW intends to ensure compliance with Pretreatment Standards and Requirements, and to enforce them in the event of noncompliance by Industrial Users..."

Your old Pretreatment Program has an example of this "Attorney's statement" for guidance.

It is not expected much time will have to be devoted to this, but your current City Attorney should be knowledgeable of the content of your newly revised Pretreatment Ordinance.

The remaining Pretreatment Program sections with revisions to "match" your newly revised Pretreatment Ordinance and the minimum 40 CFR 403 procedures should also be submitted within ninety (90) days from the receipt of this correspondence. There should only be a few revisions necessary to bring your entire Pretreatment Program in compliance with the "Streamlined" Nation Pretreatment Regulations in 40 CFR 403.

Thank you for the quick administrative work put into these revisions.

If there are any questions or comments, please feel free to contact this office.

Sincerely,



Allen Gilliam
ADEQ State Pretreatment Coordinator
501.682.0625