



ARKANSAS
Department of Environmental Quality

February 13, 2012

Kathryn Catlin
Wastewater Systems Manager
City of Harrison Department of Public Works
P.O. Box 1715
Harrison, Arkansas 72601

Re: City of Harrison's (NPDES #AR0034321; AFIN # 05-00054) Pretreatment Program Ordinance Modifications per the Pretreatment Streamlining Revisions to 40 CFR 403 Final Approval

Dear Ms. Catlin,

A second review was completed of your final draft Pretreatment Ordinance modifications submitted electronically on 2/7/12.

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

No comments will be made by this office regarding your separate "Fat, Oil, and Grease [FOG] Control Program". The City is lauded for developing, implementing and enforcing this separate best management practice (BMP) for further control over your food handling businesses and their inherent potential to cause sanitary sewer FOG obstructions, therefore, overflows.

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.

As time allows, this office will soon review the CD material (the narrative sections of your Pretreatment Program) sent by Mr. Holt’s predecessor to ensure it includes the elements necessary to match your Pretreatment Ordinance’s language and the minimum requirements in the revised National Pretreatment Requirements 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,

A handwritten signature in cursive script that reads "Allen Gilliam".

Allen Gilliam
ADEQ State Pretreatment Coordinator
501.682.0625