



August 27, 2008

Mr. Gary Combs, Owner
Basic Construction Co.
1695 Electric Ave.
Springdale, Arkansas 72764

RE: Small Construction Site – Stonebridge & Huntsville Rd., Fayetteville, Arkansas

Dear Mr. Combs:

On August 13, 2008, I performed a follow-up storm water discharge permit compliance inspection of the above-referenced construction site in accordance with the provisions of the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, and the regulations promulgated thereunder. The initial inspection was conducted on March 25, 2008. The following violations were noted at the time of the August 13, 2008 inspection:

1. The Construction Site Notice was not posted in a prominent place for public viewing. This is in violation of Part 1.B.7.e of the permit. **This is a repeat violation.**
2. Sediment and erosion controls were not being maintained and were inadequate in areas. This is a violation of Part I.C.3 of the permit. **This is a repeat violation.** The outfall located at the southeast corner of the site is located in close proximity to a receiving stream and needs maintenance. This site has remained inactive for several months. The vast majority of the site still lacks vegetative growth. No stabilization measures, either temporary or permanent, have been initiated. Site stabilization must be initiated and established in accordance with the requirements of the permit.
3. The Storm Water Pollution Prevention Plan (SWPPP) is incomplete. For instance, there were no records of the dates indicating when major grading activities occurred, and when construction activities temporarily or permanently ceased on a portion of the site. This is in violation of Part II.A.4.b.i of the permit. Refer to the permit for all of the necessary elements of a SWPPP.
4. Inspections of the construction site were not being performed as required by the SWPPP and the permit. This is in violation of Part II.A.4.e of the permit. According to the SWPPP, inspections of the construction site are required to be performed every 7 days in addition to within 24 hours of the end of a storm that is 0.5 inches or greater. There were no records indicating that inspections have been performed.

Gary Combs, Small Construction Site – Corner of Stonebridge & Huntsville Rd., Fayetteville
August 27, 2008
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The above items require your immediate attention. Please submit a written response to these findings to the Water Division Enforcement Branch of this Department at the following address:

Water Division Enforcement Branch
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

This response should contain detailed documentation describing the course of action taken to correct the items noted. This corrective action should be completed as soon as possible, and the written response is due by September 17, 2008. A follow-up inspection will be conducted.

For additional information you may contact the Enforcement Branch by telephone at 501-682-0639 or by fax at 501-682-0910.

If I can be of any assistance, please contact me at 479-267-0811, ext. 16.

Sincerely,

A handwritten signature in black ink, appearing to read "John Fazio". The signature is stylized with a large "J" and "F".

John Fazio
District 1 Field Inspector
Water Division

cc: Water Division Enforcement Branch
Water Division Permits Branch



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

NPDES Compliance Inspection Report

Form Approved
OMB No. 2040-0003

Section A: National Data System Coding

Transaction Code			NPDES								Yr/Mo/Day					Inspec. Type		Inspector		Fac. Type								
1	N	2	5	3	A	R	R	1	5	0	0	0	0	11	12	0	8	0	8	1	3	17	18	W	19	S	20	2
Remarks																												
S M A L L C O N S T R U C T I O N S I T E																												
Inspection Work Days						Facility Evaluation Rating						BI		QA		Reserved												
67				69	70	N	71	N	72	N	73			74	75													80

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number)

Small Construction Site
Corner of Stonebridge & Huntsville Rd.
Fayetteville, Arkansas

Entry Time/Date
1158 / 08-13-08

Permit Effective Date
N/A

Exit Time/Date
1218 / 08-13-08

Permit Expiration Date
10/31/08

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)
No-one present

Other Facility Data

36 03 15.26, -94 07 19.29

Name, Address of Responsible Official/Title/Phone and Fax Number

Gary Combs, Owner
Basic Construction Co.
1695 Electric Ave.
Springdale, Arkansas 72764
479-601-2153

Contacted

Yes ☐ No ☒

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

S	Permit	N	Flow Measurement	U	Operations & Maintenance	N	Sampling
U	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
U	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	U	Storm Water		Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

- The construction site notice was not on site.
- The SWPPP is incomplete.
- Sediment and erosion controls were not maintained and were inadequate in areas.
- Site inspections have not been performed.

Name(s) and Signature(s) of Inspector(s)

John Fazio

Agency/Office/Telephone/Fax
AR Dept. of Environmental Quality-Fayetteville
479-267-0811, ext. 16 / 479-267-0819

Date

8/27/08

Signature of Reviewer

Agency/Office/Phone and Fax Numbers

Date

A. General InformationSite Name: **Small Construction Site, Corner of Huntsville and Stonebridge Rds., Fayetteville**Latitude: **36 03 15.26**Longitude: **-94 07 19.29**Total Acreage: **1 to 5**Acreage Disturbed: **1 to 5**Starting Date: **unknown**

Project Type:

☐Residential ☐Commercial ☐Industrial ☐Roadway ☒Other: **unknown**

Construction Stage:

☐Clearing ☐Rough Grading ☐Infrastructure ☐Building Construction ☐Final Stabilization☒Inactive ☐Other:

Permit Type:

☒General ☐Individual ☐Unpermitted

Site Posted:

☐Yes ☒No ☐Improper**B. Storm Water Pollution Prevention Plan (SWPPP)** [Part II Section A of Permit]SWPPP developed and onsite? ☐Yes ☐No ☒Incomplete ☐Not Updated as Needed

Comments:

Are stabilization practices satisfactory? ☐Yes ☒No ☐NAComments: **No stabilization initiated on vast majority of site for at least 5 months.**Are sediment controls satisfactory? ☐Yes ☒No ☐NAComments: **Outfall controls above water body in need of maintenance.**Evidence of sediment leaving the site? ☐Yes ☒No ☐NA

Comments:

Evidence of off-site tracking? ☐Yes ☒No ☐NA

Comments:

Evidence of sediment entering the waters of the State? ☐Yes ☐Likely ☒No ☐NA

Comments:

Are inspections conducted and records kept as required in the permit? ☐Yes ☒No ☐NA

Comments:

Is corrective action taken based on results of inspections? ☐Yes ☐No ☒NA

Comments:

Are daily rainfall totals recorded? ☐Yes ☐No ☒NARainfall measured using: ☐On-site Rain Gauge ☒NA ☐Other:

Comments:

General Comments:

Water Division Construction Storm Water Photographic Evidence Sheet									
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Location:	Small Construction Site, Corner of Huntsville and Stonebridge Rds.								
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Photographer:	John Fazio				Witness:	None			
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Photo #	1	Of	2	Date:	8/13/08	Time:	1206		
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Description:	No site stabilization has taken place. Conditions since 3/25/08 inspection virtually unchanged.								
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Photographer:	John Fazio				Witness:	None			
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Photo #	2	Of	2	Date:	8/13/08	Time:	1210		
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Description:	Unstabilized slopes on perimeter of site.								
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October 9, 2008

Mr. Wes Taylor
Basic Construction Co., Inc.
1695 Electric Avenue
Springdale, AR 72764

RE: Small construction site at Stonebridge and Huntsville Road, Fayetteville

Dear Mr. Taylor:

Enclosed are copies of the documents you have requested pertaining to the March 25, 2008 and August 18, 2008 inspections of the construction site located at Stonebridge and Huntsville Road in Fayetteville, AR. As we discussed during our phone conversation today, I will need an adequate response along with photographic evidence in our office no later than **October 31, 2008**. Failure to provide the requested information will be considered in determining the enforcement action, if required, for this site.

If you have any questions, please do not hesitate to contact me. I can be reached at (501) 682-0630, or by e-mail at stout@adeq.state.ar.us. Thank you for your attention to this matter.

Sincerely,

Marilyn Stout
Program Support Manager
Water Division, Enforcement Branch



November 5, 2008

Wes Taylor
Basic Construction
1695 Electric Avenue
Springdale, AR 72764

RE: Small construction site at Stonebridge and Huntsville Road, Fayetteville, AR,
NPDES Permit Number ARR150000, AFIN 72-00000 Response to Inspection

Dear Mr. Taylor:

The Department has received your response to the August 18, 2008 inspection of your construction site by our District Field Inspector, John Fazio. Your letter appears to adequately address the discrepancies identified during the visit. The Department assumes the corrective actions taken will be maintained to ensure consistent compliance with the requirements of the permit. Acceptance of this response by the Department does not preclude any future enforcement action deemed necessary at this site or any other site.

The Department will keep the inspection and response on file. If future violations occur that require enforcement action, the Department will consider the inspection and response as required by the Pollution Control and Ecology Commission Regulation No. 7, Civil Penalties. This regulation requires the Department to consider the past history of your company and how expeditiously the violations were addressed in determining any civil penalty that may be necessary for any future violations.

If we need further information concerning this matter, we will contact you. Thank you for your attention to this matter. Should you have any questions, feel free to contact me at 501-682-0630 or you may e-mail me at stout@adeq.state.ar.us.

Sincerely,

Marilyn Stout
Program Support Manager
Water Division, Enforcement Branch