



DIVISION OF ENVIRONMENTAL QUALITY

Sarah Huckabee Sanders
GOVERNOR

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SECRETARY

October 1, 2024

J Allan Gilbert, City Administrator
City of Siloam Springs
P.O. Box 80
Siloam Springs, AR 72761

Email: agilbert@siloamsprings.com

NOTICE OF NON-COMPLIANCE

RE: Notice of Non-Compliance and Corrective Action Plan Request
NPDES Permit Number: AR0020273, AFIN: 04-00106

Dear Mr. Gilbert:

The Division of Environmental Quality Office of Water Quality (DEQ) requests your response to the violations of the Arkansas Water and Air Pollution Control Act, Ark. Code Ann. §§ 8-4-201 et seq., set forth below and requests the submission and immediate implementation of a corrective action plan to address each of the violations set forth below.

Findings of Non-Compliance

Since August 2021, Siloam Springs reported seventeen (17) Sanitary Sewer Overflows (SSO) totaling 3,609,000 gallons of untreated sewage at the wastewater treatment plant from the headworks bar screen, Waste Activated Sludge tank, Return Activated Sludge tank, and digester. These SSOs are unpermitted discharges and flow into Sager Creek.

Statutory, Regulatory, or Permit Authority

1. Arkansas Code Annotated § 8-4-201 et seq.
2. Ark. Code Ann. §§ 8-4-217(a)(2) and (3)
3. Ark. Code Ann. § 8-4-217(b)(1)(E)
4. APC&EC Rule 6
5. Part II.B.1.a of the Permit

Corrective Action Plan to Address Non-Compliance

1. As a result of the violations noted above, DEQ requests the City of Siloam Springs submit a Corrective Action Plan (CAP) **within forty-five (45) calendar days** of receipt of this letter to ee.water.enforcement.report@arkansas.gov. The CAP shall be certified by a Professional Engineer (PE) licensed in the state of Arkansas and, at a minimum, shall detail the corrective actions taken or that will be taken to reduce and eliminate SSOs at the wastewater treatment plant. The CAP should include the date the City of Siloam Springs expects to be in compliance.
2. Implement the approved CAP and submit the following to DEQ:

ARKANSAS DEPARTMENT OF ENERGY AND ENVIRONMENT

ee.arkansas.gov | 5301 Northshore Drive, North Little Rock, AR 72118 | 501.682.0744

- a. Quarterly progress reports, detailing the progress made under the CAP and the remaining items to be completed. The quarterly reports shall be due on the 15th day of the month following each quarter: January 15, April 15, July 15, and October 15 of each calendar year until the CAP is complete.
- b. A final report, upon completion of the CAP, stamped by a PE licensed in the state of Arkansas, certifying that all corrective actions in the CAP have been completed.

In addition, due to the significant number of SSOs reported by the City of Siloam Springs, DEQ is drafting a Consent Administrative Order to address the violations.

Should you have any questions concerning this matter, please contact Tiana Toups, Compliance Analyst, at 501-682-0699 or tiana.toups@arkansas.gov.

Sincerely,



Richard Healey
Enforcement Branch Manager, DEQ, OWQ

Cc: Steve Gorszczyk, Public Works Director, sgorszczyk@siloamsprings.com
Tony F. Brown, WW Superintendent, abrown@siloamsprings.com
Stacie R. Wassell, Associate Director, DEQ Office of Water Quality
Joe Martin, Interim Deputy Associate Director, DEQ Office of Water Quality
Jessica Sears, Senior Operations Manager, DEQ Office of Water Quality
Jason Bolenbaugh, Compliance Branch Manager, DEQ Office of Water Quality