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August 22, 2024

Mr. Richard C. Healey
Enforcement Branch Manager, OWQ, DEQ
Arkansas Department of Energy and Environment
Division of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

**RE: REVISED CORRECTIVE ACTION PLAN
NPDES PERMIT NUMBER AR0022039, AFIN 18-00879
AMENDED CAO LIS 20-134-001**

Dear Mr. Healey:

On behalf of West Memphis Utilities (WMU), please accept the following Revised Corrective Action Plan (R-CAP) in response to your Amendment No. 001 to Consent Administrative Order referenced above. As part of this letter Request dated February 21, 2018. As outlined in the Amended CAO, EQ conducted a records review of all Discharge Monitoring Reports (DMRs) for the period of April 1, 2019, to present and found a total of 21 separate discharge limitation violations, as well as two occasions where West Memphis failed to file required monthly reports. And finally, during a review of previously filed DMRs between April 1, 2019, through April 30, 2023, noted a total of 65 SSOs, 39 of which resulted in untreated wastewater reaching waters of the state. This R-CAP will describe steps West Memphis has implemented to correct those noted issues above, as well as provide highlights of those projects completed or underway that will satisfy Findings of Fact highlighted in the originally issued CAO.

WMU understands and appreciates the severity of these additional Findings of Fact and will continue its effort to identify, quantify and remedy the root causes of those collection and treatment systems and processes that have contributed to these issues.

Relative to the new Finding of Fact as defined in Section 1 of this Amendment identified below:

26. The review revealed that Respondent reported the following violations of the permitted discharge limits detailed in Part I, Section A of the Permit from April 1, 2019, through February 29, 2024:

a. Twelve (12) violations of Total Suspended Solids

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- b. Four (4) violations of Carbonaceous Biochemical Oxygen Demand;**
- c. Four (4) violations of Fecal Coliform Bacteria; and**
- d. One (1) violation of pH**

During the time period noted above, the WMU received intermittent flows from a local industry with exceptionally high organic loading. Based upon WMU's sampling and analysis of those flows, it is clear that this industry caused those upsets noted above.

Corrective actions that WMU has taken, with the assistance of subject industry, since the first part of 2024 include the addition of four (4) 30-Hp floating aerators to supplement dissolved oxygen in the two functioning aeration basins. Additionally, WMU and the subject industry are working towards the steps that industry can take to better regulate the waste load introduced into the WWTF. And finally, WMU is moving forward with modifications to this industry's industrial discharge permit that will place more stringent limits on average and peak day organic loadings that will eliminate the potential of these exceedances in the future. And, while not meant to be a solution to this industry's high-strength discharge, once WMU completes the expansion of their WWTF, currently scheduled for January, 2026, the increased organic treatment capacity afforded by these improvements will offer a buffer to safeguard against future permit violations caused by this industry. *To be clear; WMU is moving forward with modifications to this industry's discharge permit and is not going to allow the industry to consume a large portion of the expanded WWTF's increased organic treatment capacity.*

28. The review of the DMRs also revealed that the Respondent failed to submit the DMRs by the due date for June 2020 and June 2023 monitoring periods. Failure to submit DMRs with the monitoring results obtained during the monitoring period no later than the 25th of the month following the completed monitoring period is a violation of Part III, Section C, Condition 5 of the Permit and therefore is a violation of Ark. Code Ann. 8-4-217(a)(3).

WMU acknowledges that biomonitoring reports for these two periods were not submitted in the specified time period; however, added emphasis has been made to verify submission deadlines by staff. Going forward, staff has implemented a process to verify that all required periodic reports have been submitted by reviewing data posted to ADEQ's website on a monthly basis, prior to the submission deadline. If a report previously thought to have been submitted is not found on the state's database, staff will verify it has been sent. If it has not been sent, it will be done so at that time. If it has been sent,

staff will contact ADEQ and request that they upload be appropriately uploaded. These actions should prevent the possibility of missing a submission deadline in the future.

29. DEQ conducted a review of SSOs and treatment plant bypasses reported by the Respondent in accordance with the Permit for the period of April 1, 2029, through April 30, 2023. Review revealed that Respondent reported sixty-five (65) SSOs totaling over 40,000 gallons. Of these SSOs, thirty-nine (39) reached waters of the state. Respondent is permitted to discharge treated municipal wastewater from its permitted outfall. Respondent is not permitted to discharge untreated wastewater from its collection system. Each SSO constitutes an unpermitted discharge. Each unpermitted discharge violated Ark. Code Ann 8-4-217(a)(3).

The impact heavy rainfall and extraneous water has on WMU's collection system and treatment facility has been noted for several years and the Utility has taken measurable steps to both identify, and quantify sources of I/I as well as undertaking significant collection system rehabilitation and reconstruction. Those past efforts, as well as efforts planned over the next two years will abate SSOs noted both in the original CAO, as well as those additional SSOs noted in the Amended CAO. Since 2020, West Memphis has completed the interior rehabilitation of all sanitary sewer manholes as identified in past documented SSES Reports (previously provided to ADEE). They have also completed point repairs to existing gravity lines to allow for upcoming CIPP of approximately 20,400 LF of 8-inch to 24-inch gravity sewer lines within their collection system. Other work that the City is nearing completion of is the replacement of two of their larger sewage pumping stations, PS 3 and PS 4, which, in the next few weeks will both be discharging flow into a new common force main that delivers sewage their under-utilized PS 9 station, thereby removing flow from an overloaded pumping station. This will have an immediate positive impact on reducing documented SSOs.

Another notable work that the City has undertaken is the expansion of their existing WWTF. This project, when completed, will expand the average daily flow of this facility from 6.3 MGD to 12 MGD. It will also be able to pass a peak hydraulic load of 18 MGD, thus allowing the City to handle the 2-year, 24-hour wet weather flow that was identified during ADEE-DEQ required Hydraulic Modeling of the collection system, as well as the WWTF. This expansion is underway at a cost of \$43,123,000.00 with a scheduled completion date of January 26, 2026. Its completion will eliminate plant bypasses due to high flows as identified in the original CAO's Findings of Fact.

WMU clearly understands that the work undertaken to date is only a start of the actions necessary to eliminate those noted bypasses and SSOs. However, future projects in the design development and bid phase for implementation over the next two years will eliminate these issues, based upon the analysis that has been performed since 2019. These near-term projects include the completion of the aforementioned WWTF expansion that will eliminate the possibility of plant bypasses during the agreed upon design storm, the completion of the above mentioned CIPP work, as well as the redirection of PS 10, currently delivering its flow to the overutilized PS 8, directly to the WWTF, either by direct connection to an existing force main serving PS 8, or a new connection to the WWTF headwork.

Finally, WMU will undertake post-rehab/post-reconstruction flow monitoring of its collection system to gauge the positive impacts those already completed projects have had, in addition to the impact the completion of CIPP work and redirection of PS 10 have, when completed.

Below is an estimated completion schedule of those tasks outlined above.

Task	Time Frame	Anticipated Cost
<i>Completion of WWTF Expansion</i>	<i>Present-January, 2026¹</i>	<i>\$25,500,000¹</i>
<i>CIPP Work</i>	<i>October, 2024-June, 2026</i>	<i>\$ 6,600,000</i>
<i>PS 10 Rehab/Force Main</i>	<i>September, 2024-June, 2026</i>	<i>\$ 1,500,000²</i>
<i>PS 7 Rehabilitation</i>	<i>September, 2024-June, 2025</i>	<i>\$ 500,000²</i>
<i>PS 9 Pump 3rd Pump Installation</i>	<i>September, 2024-March, 2025</i>	<i>\$ 350,000²</i>
<i>PS 8 Pump Replacements</i>	<i>January, 2025-June, 2026</i>	<i>\$ 1,250,000²</i>
<i>Post-Rehab Flow Monitoring (West)</i>	<i>October, 2024-January, 2025</i>	<i>\$ 225,000</i>
<i>Post Rehab Flow Monitoring (East)</i>	<i>October 2026-December, 2026</i>	<i>\$ 300,000</i>
<i>Estimated Total</i>		<i>\$36,225,000</i>

¹ Schedule does not reflect that construction of WWTF Expansion commenced in October, 2023 and Anticipated Cost only reflects the remaining contract amount from the original \$43,123,000.00 bid amount.

²Estimated costs. Final costs to be determined after detailed design and/or receipt of bids..

In summary, WMU is fully engaged in the execution of those projects and activities referenced in this R-CAP, as well as the previously submitted and approved CAP. WMU also wants to stress that the above

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referenced expenditures are in addition to those on-going investments made to continue their normal O&M to their collection and treatment systems.

On behalf of WMU, we look forward to your review and comment on this proposed CAP. If I can be of any assistance during your review, please do not hesitate to contact me at this office.

Sincerely,

FISHER & ARNOLD, INC.



Tim Verner, P.E.
Senior Vice President

TV/tv

Cc: Bob Atkins, General Manager, WMU
Paul Holloway, WWTF Superintendent