

Meeting Minutes

City of Hot Springs – Regional WWTP | City of Hot Springs – Southwest WWTP

AR0033880, AFIN: 26-00145 | AR0050148, AFIN: 26-00444

Friday, January 16, 2026 @ 3:00 p.m. via Microsoft Teams

1. Proposed CAO Amendments

- a. DEQ proposed an amendment to CAO LIS 22-007 (CAO-AMEND-25-19) for Gulpha Basin, and
- b. Amendment to CAO LIS 08-099 (CAO AMEND-25-06) for Regional WWTP

2. Discussion

a. Failure to meet milestone schedule

- i. Crist Engineers and City of Hot Springs felt they documented and demonstrated adequate reason for delay. Letters submitted to DEQ. DEQ provided response letter granting extension.
- ii. Crist Engineers was under the impression that any milestone schedule more than 3 years was unacceptable. Stated it is not feasible to complete a big plant modification within a 3-year milestone schedule. 10 months to receive construction permit, 1 year to get a transformer, and 1 year for easement.

b. Sanitary Sewer Overflows (SSOs)

- i. City continues to report high volume and amount of SSOs, which affects public perception.
- ii. SSOs cannot be eliminated until the 150 million dollars of improvements are completed.

c. Penalty

- i. Original penalty amount dismissal is contingent upon compliance, and completion of corrective actions, and stopping SSOs. Amount was in suspension for completion of project.
- ii. The amount payable in the CAO amendments is part of the previously suspended penalty. No new penalty was assessed.
- iii. Federal partners noticed DEQ will suspend and dismiss significant amounts. EPA suggested stipulated penalties assessed for failures. DEQ will recall suspended penalty instead.
- iv. When the CAO goes to public notice, there will not be a new penalty. The whole amount of the penalty was public noticed with each original CAO, not just the payable amount.
- v. DEQ can add up to 25% penalty reduction if a written response is submitted.
- vi. Order and agreement language: 10% of the penalty goes to DEQ's operating budget, not an additional 10% on top of the payable amount.

3. Follow-up and Timeframes

- a. If any corrections to the Findings of Fact of either or both amendments are desired, please submit a written request.
- b. The proposed CAO letter states February 11 is when a response is due, which has been achieved by meeting and emails.
- c. Please keep DEQ updated when a signed meeting minutes or city council resolution can be provided.
- d. Public notice of both amendments can be run at the same time.

Attendance

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