

ADEQ

ARKANSAS
Department of Environmental Quality

CERTIFIED MAIL: 7005 1160 0000 3835 0315
RETURN RECEIPT REQUESTED

January 30, 2007

Honorable Chris Holland
Mayor, Town of Highfill
11,978 Highfill Avenue
Gentry, Arkansas 72734

RE: AFIN No. 04-01688, Permit No. 4911-W

Dear Mayor Holland:

Enclosed is your permit for the waste disposal system as set forth in your application received July 13, 2006.

After consideration of the completed application, the public comments on the record, the requirements of the Arkansas Water and Air Pollution Control Act (A.C.A. Sec. 8-4-101 et seq) and pertinent regulations, the Department has determined that your permit for the construction, operation, and maintenance of a water pollution control system be issued and effective on the date specified in the permit. This decision is final unless a Commission review has been properly requested under Arkansas Pollution Control and Ecology Commission, Regulation No. 8, within 30 days after service of this decision. If you wish to request a Commission review of this decision, you may submit a Request for Commission review and Adjudicatory Hearing pursuant to APC&EC Regulation No. 8, §2.1.14. Any other person, who submitted comments on the record, may request an adjudicatory hearing and Commission review pursuant to Regulation 8, §2.1.13 and §2.5.3. Any request must be in the form and submitted in the manner required by Regulation No. 8, as amended.

In addition to the permit conditions contained herein, the permittee must comply with all other applicable State and Federal Regulations, including, but not limited to, Acts 1059, 1060, and 1061 of 2003, and the regulations promulgated there-under by the Arkansas Natural Resources Commission.

Please note that per Condition 11 of the attached permit, you must obtain a letter of authorization from the Department prior to the operation of your facility. This letter may be obtained once the consultant issues a Certification Letter stating that the system was built in accordance with the design shown in the approved waste management plan.

Please be aware that this permit may be modified at any time in the future to include a Total Phosphorous concentration limit for the effluent discharge prior to entering the drip irrigation system in nutrient surplus designated areas.

If you have any questions, please contact the State Permits Branch at 501-682-0648.

Sincerely,



Martin Maner, P.E.
Chief, Water Division

cc: Stephanie A. Reynolds, Engineering Services, Inc.
Alison West, ADEQ District Inspector
Robert Hart, Arkansas Department of Health & Human Services
Permit files



PERMIT



ISSUED BY
STATE OF ARKANSAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
8001 NATIONAL DRIVE, P.O. BOX 8913
LITTLE ROCK, ARKANSAS 72219-8913

AFIN No. 04-01688

Effective Date March 1, 2007

Permit No. 4911-W

Expiration Date February 28, 2012

TO: **Town of Highfill**
11,978 Highfill Avenue
Gentry, Arkansas 72734

This permit is your authority to construct, operate and maintain the wastewater treatment and disposal system in Section 7, Township 18 North, Range 31 West, in Benton County as set forth in your application form received July 13, 2006. This permit is issued subject to provisions of the Arkansas Water and Air Pollution Control Act (A.C.A. Sec. 8-4-101 et seq.) and the following conditions:

1. This permit is for the operation and maintenance of a wastewater treatment plant with a drip irrigation system for the beneficial disposal of the treated plant effluent. Waste shall not be discharged from this operation to the waters of the State or onto the land in any manner that may result in runoff to the waters of the State.
2. The waste disposal system shall be constructed, operated, and maintained in accordance with the Waste Management Plan (WMP) as approved by the Department of Environmental Quality.
3. Failure to begin construction within six (6) months of the effective date may result in termination of this permit if a request for an extension is not submitted to the Department in a timely manner.
4. The disposal system shall be serviced by qualified personnel and maintained in good operating condition at all times.
5. Bypassing of the disposal system is prohibited and may result in the revocation of this permit and/or other appropriate enforcement action by the Department.
6. There shall be no increase in the volume or strength of the waste being treated by the disposal system except within design limits covered in the WMP approved by the Department.
7. This permit may be revoked or modified at any time, if in the opinion of the Department, it is necessary to prevent or abate pollution of any waters of the State.
8. Nothing herein contained shall be construed as releasing the permittee from any liability for damage to persons or property by reason of the installation, maintenance or operation of the disposal system.
9. This permit is issued in reliance upon the statements and representations made in the application and the WMP. The Department has no responsibility for the adequacy or proper functioning of the disposal system.
10. Operations shall not commence until the permittee has obtained a "Letter of Authorization" from the Department.
11. Any violations of this permit must be reported to the Department immediately

PLEASE NOTE ADDITIONAL CONDITIONS ON THE ATTACHED SHEETS.

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

By: Martin Maner 1-30-07
Martin Maner, P.E., Chief, Water Division Date

**ADDITIONAL CONDITIONS FOR THE DISPOSAL
OF
TREATED EFFLUENT VIA DRIP IRRIGATION**

**Highfill Wastewater Treatment Facilities
Permit No. 4911-W; AFIN No. 04-01688**

12. The permittee shall comply with all applicable permit fee requirements for state permits as described in ADEQ Regulation No. 9, Fee System for Environmental Permits, as amended. Failure to promptly remit all required fees shall be grounds for the Director to initiate action to terminate this permit under the provisions of ADEQ Regulation No. 8, Administrative Procedures, as amended.
 13. Drip Irrigation Systems shall be designed, constructed, and operated in accordance with the latest version of the Arkansas Department of Health's "Guidelines for the Design and Construction of Drip Dispersal Systems" and any additional requirements of ADEQ.
 14. The Department reserves the right to require additional measures, as necessary, to eliminate public nuisance conditions.
 15. The permittee shall take all reasonable and necessary measures to minimize obnoxious and offensive odors.
 16. Solid materials, oil or grease accumulated in the tanks, filters, etc., shall be removed as necessary to maintain the proper design volume and to protect the system. Solid materials, oil and grease, or any other waste collected in the conveyance and treatment system shall be disposed through methods approved by the Department.
 17. The system shall be maintained to prevent leaks, seeps or surfacing. Any leaks, seeps, or surfacing shall be reported to the Department and appropriately corrected. Any discharge from the system due to an overflow, broken pipe, or any other malfunction, shall be immediately corrected and reported to the Department. The drip fields must be regularly checked for water surfacing. Field lines must be regularly flushed to avoid plugging of the emitters.
 18. The site shall be maintained with a vegetative cover for additional treatment and to prevent erosion. When the vegetative cover is mowed, clippings shall be removed from the drip field. Vegetation not appropriate for the drip field cover, such as tree and shrub growth, shall be removed. The drip field shall be protected from any activity that might damage the system.
 19. Signs shall be posted around the disposal area indicating that the area is irrigated with treated wastewater effluent.
 20. The permittee must maintain current and complete records of all activities related to the removal of solid materials, oil, grease, wastewater, etc., from the operation. The following information must be recorded and made available to ADEQ personnel on request: date of the activity, volume or weight of material removed, type of material removed, interim or final destination of the material discarded, and complete identification of the carrier(s) transporting the material. If the waste is to be recycled or reused, document the name and address of the receiving entity or firm.
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21. Treated wastewater from the plant shall be “grab” sampled at the peak loading period. A representative effluent sample shall be analyzed according to the following schedule:

<u>Parameter</u>	<u>Frequency</u>
CBOD	Once per month
TSS	Once per month
Ammonia – N	Once per month
Fecal Coliform	Once per month
pH	Once per month
Total P	Once per month

22. The maximum parameter values for the treated wastewater effluent that may be disposed of through the drip irrigation lines are:

<u>Parameter</u>	<u>Limit</u>	<u>Units</u>
CBOD	15	mg/l
TSS	15	mg/l
Fecal Coliform	10,000	N/100 ml
pH	6 to 9	S.U.

23. A lysimeter shall be installed in the drip irrigation field below the emitter lines of each zone at a depth of four (4) feet below the surface of the drip irrigation field. The lysimeter shall be sampled quarterly for the following parameters:

<u>Parameter</u>	<u>Units</u>
Total P	mg/l
Ammonia -- N	mg/l
Nitrate + Nitrite - N	mg/l
Chlorides	mg/l

24. Monitoring wells shall be sampled quarterly for the following parameters:

<u>Parameter</u>	<u>Units</u>
Total P	mg/l
Ammonia – N	mg/l
Nitrate + Nitrite – N	mg/l
Chlorides	mg/l

25. The Department shall receive monthly reports and lab analyses of the treated wastewater effluent parameters as required by condition 21. Lysimeter and monitoring well parameters must also be reported quarterly as required by conditions 23 and 24. Monthly and quarterly reporting forms will be provided by the Department. These reports and lab analyses must be received by the Department no later than the 15th of the following month. The reports must also include monthly volumes of wastewater processed by the treatment plant.

26. The waste disposal system shall be operated by a licensed Class II wastewater treatment plant operator that shall be responsible for the actual operation and maintenance of the facilities, as well as the record keeping requirements.

STATEMENT OF BASIS

THIS IS A STATE WATER PERMIT FOR A NO-DISCHARGE OPERATION UNDER DRAFT PERMIT NUMBER 4911-W AND AFIN (FILE) NUMBER 04-01688. WASTE MUST NOT BE DISCHARGED FROM THIS FACILITY TO THE WATERS OF THE STATE OR ONTO LAND IN ANY MANNER THAT MAY RESULT IN RUNOFF TO THE WATERS OF THE STATE.

DATE: January 25, 2007

ISSUING OFFICE:

Arkansas Department of Environmental Quality
Water Division, State Permits Branch
8001 National Drive
Post Office Box 8913
Little Rock, Arkansas 72219

ADEQ EVALUATING ENGINEER: Henry C. Insua

APPLICANT:

Town of Highfill
Highfill Wastewater Treatment Plant
11,978 Highfill Avenue
Gentry, Arkansas 72734
479-736-5711

CONSULTANT:

Stephanie A. Reynolds
Engineering Services, Inc.
P. O. Box 282
Springdale, Arkansas 72765-0282
479-751-8733

1. FACILITY INFORMATION

SIC Code: 6552

NAICS Code: 237210

Facility Type and Size: Wastewater conveyance, treatment and disposal system consisting of raw sewage gravity lines, pump stations, a wastewater plant and drip irrigation for final disposal of the treated effluent.

The plant will consist of a moving bed biofilm reactor equipped with two clarifiers. A subsurface drip-irrigation system has been designed for the beneficial disposal of the treated effluent. The plant's wastewater treatment capacity is approximately 100,000 gpd.

Storage & Treatment Components: Two 38,000-gallon septic tanks (primary settling tanks) with a net storage capacity of 70,000 gallons, one 25,000-gallon equalization tank with two mixers, two in-line "moving bed biofilm reactors" (Lotus units) with plastic media, two hopper-bottom clarifiers with flocculant addition, one 20,000-gallon dosing tank that will feed the drip irrigation lines.

Drip Field Loading Rate: Different effluent loading rate values were utilized for each zone in this first phase of the project. Those values are: Zone 7-U 0.643, Zone 8-U 0.349, Zone 9-U 0.513, Zone 10-U 0.451; Zone 11-U 0.369, Zone 12-U 0.656. All loading rates expressed in gallons/ft²/day.

Drip Irrigation Area: 4.6 acres Drip Irrigation Line Length: 107,880 ft.

Stream Segment: 3J

Nearest Stream: Lick Branch

Nearest Community: Highfill

County: Benton

Section: 7

Township: 18 North

Range: 31 West

Facility Latitude: 36° 15' 24" N Facility Longitude: 94° 19' 38" W Source Datum: NAD 83

Road Location Description: 300 South of Highway 264, 1/3 of a mile East of Bryant Road

Additional Information: The proposed Highfill wastewater treatment plant has been designed based on expected developments for the area rather than for specific ones. The City of Highfill is anticipating housing developments in the adjacent areas and is willing to provide the necessary sewage conveyance and

treatment services for these future subdivisions. City officials have indicated that when a regional wastewater treatment plant is built for the area, the wastewater will be diverted to this facility.

Permit History: This is a new permit

2. GENERAL REQUIREMENTS

The storage volume required for the waste generated at the facility is based on the size of the facility and the amount of waste produced. Solid material accumulated in all waste storage basins shall be removed as necessary to maintain the basin's design volume. The storage facility's liners and structures shall be maintained to prevent leaking or seepage. Any leaks or seeps shall be reported to the Department and appropriately corrected. Any discharge from the waste storage system such as an overflow, a broken pipe, etc., shall be immediately reported to the Department.

3. BASIS FOR PERMIT CONDITIONS

The Arkansas Department of Environmental Quality has made a tentative determination to issue a permit for the no-discharge facility as described in the application and waste management plan. Permit requirements and conditions are based on regulations pursuant to the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended, Ark. Code Ann. 8-4-101 et. seq.).

4. SOURCES FOR DOCUMENT DEVELOPMENT

- A. Regulation No. 2, Water Quality Standards for Surface Waters of the State of Arkansas, as amended.
- B. Regulation No. 8, Administrative Procedures, as amended.
- C. Regulation No. 9, Fee System for Environmental Permits, as amended.
- D. ACT 165 of 1993, Public Notice Requirements
- E. ACT 472 of 1949, as amended, Arkansas Water and Air Pollution Control Act

5. PUBLIC NOTICE

A public notice regarding this draft permit was sent to the applicant for publication in a newspaper having general circulation in the county of the facility. The public notice described the facility and the procedures used in issuing the permit. A 30-day comment period followed the publication of the notice, during which the Department accepted written comments regarding the technical merits of the permit. In addition, a public hearing may have been held during which the Department accepted both written and oral comments. All comments were considered by the Director before a final permit decision was made. Those who submitted written comments or made oral comments for the record at a public hearing had legal standing to appeal the Director's final permit decision. The permit became final and effective 30 days following the Director's final permit decision.

For additional information, contact:

Doug Szenher, Information Officer
Arkansas Department of Environmental Quality
8001 National Drive
P.O. Box 8913
Little Rock, Arkansas 72219-8913

501-682-0915

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER DIVISION
STATE PERMITS BRANCH

RESPONSE TO COMMENTS

**Highfill Wastewater Conveyance, Treatment and Effluent Disposal
System**

Permit No. 4911-W; AFIN No. 04-01688

January 25, 2007

Comment 1. Draft Permit Condition 1 requires review.

Permit Condition 1 reads: "Waste shall not be discharged from this operation to the waters of the State or onto the land in any manner that may result in runoff to the waters of the state."

Commenter's Observations: 'The immediate area of the drip field contains an obscure wet weather stream. Albeit dry, it becomes an active flow and facilitates the run off waters from the eastern slope of Bryant Road. The course drains into the springs south of Arkansas [Highway] 264 west along the right of way, a very pronounced "ditch." The flow enters the springs of Lick Branch, a losing stream. Lick Branch flows east turning south and enters the Osage Creek. Point of entry for water of the Lick Branch to Osage Creek is approximately five-eighths (5/8) of a mile west of the proposed treatment plant, NACA. Design places a lift station #3 in the flood plane.' *(This paragraph was copied verbatim from the commenter's text)*

Response 1. It appears that the commenter is indicating the possibility of plant runoff entering the Osage Creek through a detailed description of the drainage area. The treated effluent will be disposed by subsurface drip irrigation which will minimize any possibility of runoff. Condition 1 of the Draft Permit clearly states that contaminated runoff will not be allowed to take place. No revisions are being considered for this condition at this time.

Comment 2. Draft Permit Condition 6 requires review.

Permit Condition 6 reads: "There will be no increase in volume and strength of the waste being treated by the disposal system except within the design limits covered in the waste management plan approved by the Department."

Commenter's Observation: 'Preparation for expansion to 200,000 gpd have been discussed and addressed in the official minutes of the City Council and City Planning Committees.'

Response 2. The Town of Highfill has applied for a permit for a wastewater system with a capacity of 100,000 gallons per day. The Department is aware that in the future Highfill may request a permit modification which could bring the plant capacity to 200,000 gallons per day. No revisions are being considered for this condition at this time.

Comment 3. Draft Permit Condition 7 requires review.

Permit Condition No. 7 reads: "This permit may be revoked or modified at any time, if in the opinion of the Department, it is necessary to prevent or abate pollution of the water of the State."

Commenter's Observation: 'The immediate area of the drip field contains an obscure wet weather stream. Albeit dry, it becomes an active flow and facilitates the run off waters from the eastern slope of Bryant Road. The course drains into the springs south of Arkansas [Highway] 264 west along the right of way, a very pronounced "ditch." The flow enters the springs of Lick Branch, a losing stream. Lick Branch flows east turning south and enters the Osage Creek. Point of entry for water of the Lick Branch to Osage Creek is approximately five-eighths (5/8) of a mile west of the proposed the proposed treatment plant, NACA. Design

places a lift station #3 in the flood plane.' *(This paragraph was copied verbatim from the commenter's text)*

Response 3. Please refer to Response 1 as the commenter observations are identical

Comment 4. Draft Permit Condition 8 requires review.

Permit Condition No. 8 reads: "Nothing herein contained shall be construed as releasing the permittee from any liability for damage to persons or property by reason of installation, maintenance, or operation of the disposal system."

Commenter's Observation: The area south and east of drip field is not served by rural water district. The subsurface that supplies the aquifer to these wells will be affected. *(This paragraph was copied verbatim from the commenter's text.)*

Response 4. The commenter fails to elaborate on how the wells will be affected by the installation of a wastewater treatment plant. The treated effluent quality plus the soils treatment of the effluent will minimize any possibility of contamination of the groundwater. Lysimeters and monitoring wells will be in place to check any potential impact on ground water quality. No revisions are being considered for this condition at this time.

Comment 5. Major consideration is the statement from Marcus Devine -- "there will be no more small wastewater treatment plants build in Northwest Arkansas. Does he recant?" *(This paragraph was copied verbatim from the commenter's text)*

Response 5. The Department is definitely in favor of regional treatment plants as opposed to several treatment units processing relatively smaller volumes of wastewater. However, in cases such as the Town of Highfill that proposes to build a wastewater treatment plant to serve immediate needs and later connect to a regional plant, when it becomes available, is considered very acceptable.

Comment 6. Objection is not raised to projects that are properly designed for the good of the whole. The overall economy of the region will be impacted by reduced growth in the developments of new residential centers. Is there such haste the impediment of the development of a regional wastewater treatment plant (NACA) is irrelevant? *(This paragraph was copied verbatim from the commenter's text)*

Response 6. The installation of a wastewater treatment system will not adversely impact developments in the area, on the contrary. The proposed Highfill wastewater system will stimulate immediate growth in the area as the wastewater system will be available in the immediate future. It will not affect the time table for the construction of a regional (NACA) treatment system which is scheduled to be completed sometime in 2009.

Comment 7. Prior to the issuance of discharge permit to the Town of Highfill, Gentry, Arkansas for a proposed wastewater conveyance, treatment and effluent disposal via drip irrigation a public hearing is requested. *(This paragraph was copied verbatim from the commenter's text)*

Response 7. ADEQ's Director reviewed all submitted comments and decided to hold a public hearing which took place on January 11, 2007 at the Highfill Community building.

Comment 8. a) The vendor of the wastewater treatment system to be used by Highfill indicates that the 100,000 gallons per day gravity system is expected to accommodate the treatment of wastewater for approximately 380 homes. b) The mayor of the Town of Highfill has stated in public meetings and in published reports that the same 100,000 gallons per day system will accommodate 500 and 1000 homes.

Response 8. a&b This agency reviews the information presented in the permit application, waste management plan, plans and specifications, and other documents submitted by the Town of Highfill. Most of this information is developed and compiled by an Arkansas registered professional engineering firm. The permit applicant intends to design a system capable of conveying and treating 100,000 gallons per day of wastewater. Residential construction will be limited to that number of homes in developments that will not exceed the permitted capacity. It has been our experience that newspaper reports or quotations are

occasionally inaccurate.

Comment 9. a) The proposed wastewater treatment plant will have a maximum capacity of 200,000 gallons per day following completion of Phase II. b) Approved development of residential lots which are scheduled to be connected to Highfill's proposed wastewater treatment system is in excess of 3,000 lots - greater than the system is designed to service even at its greatest proposed capacity.

Response 9. a&b The current permit application received by this agency is for 100,000 gallons per day. Phase II is not included in this permit application. The wastewater treatment plant capacity or the generation of wastewater shall not exceed 100,000 gallons per day. It is our understanding that Highfill has not approved yet any lots or specific developments.

Comment 10. Current residents of the Town of Highfill who may have failing or inadequate septic systems will not have access to this proposed wastewater treatment facility.

Response 10. The Arkansas Department of Health and Human Services (ADHHS) "Rules and Regulations Pertaining to Sewage Disposal Systems, Designated Representatives and Installers" require that new residences 300 feet or closer to sewer lines must connect to them. ADEQ does not have jurisdiction over septic systems. The ADHHS is the responsible agency for the design, adequacy, and proper operation of septic systems. The Town of Highfill will be the responsible entity in determining what existing septic systems may be connected to the new system.

Comment 11. Upon information and belief, Town of Highfill intends to connect commercial and industrial developments to this system.

Response 11. The information furnished by the Town of Highfill indicates that commercial and residential developments will be the principal generators of wastewater. These future commercial establishments will service the developments. It is our understanding that no industry has approached the city for the installation of a plant, a factory or similar business. However, if in the future such an activity is considered, the capacity of the treatment plant shall not be exceeded in both wastewater volume and strength.

Comment 12. At least one of the proposed lift stations is located in a floodway

Response 12. The engineering consultant has indicated that all lift stations are outside the 100-year flood plain.

Comment 13. The size of the pipe carrying the wastewater from the residential developments to the plant site is inadequate to accommodate connecting to the proposed regional plant at a later date. Transmission lines of 18" are proposed to connect to the drip irrigation system under this draft permit. Connecting to a regional facility will require transmission lines of 24" in diameter as a minimum.

Response 13. The commenter fails to substantiate the technical or design reasons for considering the above mentioned undersized conveyance lines. The engineering consultant considers that the proposed lines are adequate for handling the design flows and meeting current engineering design standards.

Comment 14. The proposed drip irrigation field is inadequate to insure prevention of contaminated runoff into nearby streams - in particular, Lick Branch Creek.

Response 14. Again the commenter fails to explain the reasons for the inadequacy of proposed drip irrigation that could contaminate nearby streams. The effluent quality from the proposed wastewater treatment plant amply satisfies tertiary limits in the effluent. As the effluent travels through the soils additional treatment is provided.

Comment 15. The granting of permits, such as the one sought by the Town of Highfill, contradicts ADEQ's stated position that wastewater should be treated on a regional basis at a regional facility.

Response 15. The Town of Highfill officials have indicated that once a regional facility is built for the area, the wastewater generated by developments serviced by the currently proposed wastewater treatment system may be diverted to it. The installation of a wastewater treatment and disposal system will provide an adequate effluent quality until the regional plant is operational. According to the Northwest Arkansas Conservation Authority (NACA) the planned 4.0 mgd regional treatment plant is planned to be operational sometime in 2009.

Comment 16. The granting of such permits fragments the goal of treating wastewater on a regional basis.

Response 16. The granting of this permit will allow the Town of Highfill to provide adequate wastewater treatment to potential developments in the area which is unavailable at the present time. Once the NACA plant is operational, wastewater may be diverted to the future NACA wastewater treatment plant.

Comment 17. The granting of such permits result in duplication of expenditures related to the construction of wastewater treatment facilities and unnecessary wastes the limited financial resources available to provide such facilities.

Response 17. It is our understanding that most of the conveyance equipment (gravity lines, force-mains, pump stations, etc.) will be utilized when the Town of Highfill ties to the NACA sewer line. The Department reviews permit applications to ensure that the environment is protected. Issues regarding financial resources should be dealt with the proper local or county authorities since ADEQ has no jurisdiction over these matters.

Comment 18. The primary concern expressed during the Public Meeting and Hearing was not of environmental nature but rather of economical nature. It reflected the opinions of developers, landowners, etc. The proposed system was designed to accommodate developers. Existing residents will not benefit from the project. Sewer lines will be installed for future developments.

Response 18. The Department does not have jurisdiction over community decisions regarding the reasons for the installation of wastewater conveyance and treatment systems. ADEQ's function is limited to review the proposals submitted to insure the wastewater conveyance and treatment, and effluent disposal system will have no adverse effects on the waters of the state. It is ADEQ's understanding that the proposed wastewater system has been planned anticipating a strong demand for residential developments in the area as part of the rapid growth of the Northwest Arkansas region.

Comment 19. A census conducted on November 2006 showed the Highfill existing population to be 654. The approved total residential structure in subdivisions is unclear. The approved residential structure in subdivisions total 685 plus. Therefore the design is over subscribed and will create serious environmental impact. Furthermore, a second 100,000 gallons per day expansion is inclusive in the planning.

Response 19. The writer does not understand the statements regarding residential structure. However, the wastewater system has been designed for a total initial wastewater capacity of 100,000 gallons per day as previously stated. The permit, if issued, will be for 100,000 gallons per day. That is the total approved capacity. Should the city in the future decide to increase the system's capacity to 200,000 gallons per day, the permit applicant must request a permit modification from the Department which is essentially processed by the Department as a new permit application. A permit modification will include the publishing of public notices and a Public Hearing if deemed necessary.

Comment 20. A 4.6-acre tract of land is designed to receive lateral lines for the subsurface drip irrigation. This enters the environment.

Response 20. 4.6 acres of land are proposed to be utilized for the drip irrigation area. The plant effluent to be irrigated will have to meet tertiary treatment standards as required by the permit. All wastewater treatment plant effluents enter the environment. ADEQ's role is to protect the environment by minimizing the possibilities of pollution. It is considered that the proposed wastewater treatment system will provide adequate treatment and proper disposal of a high quality plant effluent.

Comment 21. Chemicals to abate plant roots from invasion of the numerous orifices of the drip irrigation lines impregnate the environment. *(This statement was copied verbatim from the commenter's text)*

Response 21. The half-inch drip irrigation lines are impregnated with "Geoflow Root Guard" which protects the emitters from root invasion. Similarly, the drip irrigation lines have a liner that is impregnated with a bactericide ("Ultra-Fresh DM-50") to inhibit bacterial growth on the walls of the tube and emitters.

Comment 22. Sewage flow is domestic, commercial and industrial. Can ADEQ control the quality of the building to exclude any of the above entities? *(This statement was copied verbatim from the commenter's text)*

Response 22. The City of Highfill intends to provide the proposed wastewater facilities for the collection and treatment of wastewater generated by developments. Developments generally generate wastewater from residences and commercial establishments. No industrial facilities have been considered in this project. However, if in the future an industry desires to locate in the area, the discharge of the industrial waste may have to be studied to determine if its wastewater can be discharged to the proposed system, if it requires pretreatment, if it exceeds the plant treatment or hydraulic capacity, etc., etc.

Comment 23. Karst formations common to the region are the natural or artificial underground channel for the release from the proposed drip field. Gravitational flow sinks vertically until it reaches the water table or other impervious stratum where it becomes residual or reappears at a point where the imperious condition ends. Have valid studies concluded such condition does not exist in the designated location for the alternative wastewater treatment plant? Does this unique situation of Karst formation preclude contaminated discharge from entering any of the waters of the state? *(This paragraph was copied verbatim from the commenter's text)*

Response 23. The proposed drip irrigation area was evaluated by a registered Professional Soil Classifier (PSC). The PSC determined, utilizing scientific methods, the hydraulic loading rates of the soils that are suitable for the tract of land to be utilized for drip irrigation. If Karst formations would have precluded the utilization of the available tract for drip irrigation, the PSC would have it indicated in the report. The treated effluent proposed to be drip irrigated is permitted for <15 mg/l of BOD₅ and <15 mg/l of Total Suspended Solids (TSS). The effluent pH must be in the 6 to 9 range. Effluent as it travels downward through the soils is further treated. Lysimeters and monitoring wells will be in place to check any impact on ground water quality.

Comment 24. Four verbal comments were received during the hearing supporting the Highfill wastewater project. Several comment letters were also received during the post-hearing comment period supporting the project. The basis for the support of the construction of a wastewater conveyance, treatment and effluent disposal system may be summarized as follows:

- a. Will provide the necessary adequate treatment of wastewater for potential residential developments in the area.
- b. Will provide the necessary sanitary conditions for the expected growth in the area
- c. Will virtually eliminate pollution generated by septic systems that will be required for new construction in the absence of a sewer system.
- d. The sewer project has been approved by the citizens of the Town of Highfill.

Response 24. The Department acknowledges the receipt of the above comments.

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Theresa L. Pockrus
P. O. Box 37
Cave Springs, AR 72718

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Ms. Pockrus:

Thank you for your comments submitted to the Department regarding the above referenced permit.

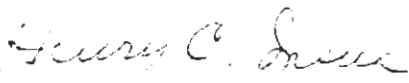
We acknowledge the comments and concerns regarding the referenced permit application above. The Arkansas Department of Environmental Quality carefully evaluates all permit applications before the issuance of a permit. Our regulations provide the opportunity for all interested persons or entities to comment on the environmental issues that the approval or denial of a permit may generate.

The Department issued the draft permit on October 9, 2006. Two comment letters opposing the project were received during the thirty-day comment period after the draft permit public notice was published. As a result of ADEQ's Director decision a Public Meeting and Hearing was scheduled and held on January 11, 2007 in the Highfill Community Building, Benton County. Forty three persons signed the Hearing/Meeting registration sheets. During the Hearing four persons verbally expressed their comments for the project while three individuals submitted their comments in writing. All Hearing comments were in support of the project. During the additional written comment period that ended on January 18, 2007, eight additional comment letters were received by this agency. Two letters opposed the project while the rest supported it.

The Department has reviewed all comments received. Similar comments have been consolidated to avoid redundant Department responses. The comments and responses appear in the attached "Response to Comments" document.

Thank you again for your comments and concerns regarding environmental matters. Please contact me at 501-682-0651 if you have any questions or need any additional information.

Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

LaJoyce & Dalton Vann
12647 Dalia Rosa
Gentry, AR 72734

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Mr. and Mrs. Vann:

Thank you for your comments submitted to the Department regarding the above referenced permit.

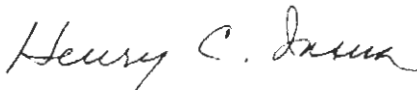
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Thank you again for your comments and concerns regarding environmental matters. Please contact me at 501-682-0651 if you have any questions or need any additional information.

Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Chris Holland
13955 West Holland Ave.
Gentry, AR 72734

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Mr. Holland:

Thank you for your comments submitted to the Department regarding the above referenced permit.

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Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Steve J. Miller
P. O. Box 687
Springdale, AR 72765

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Mr. Miller:

Thank you for your comments submitted to the Department regarding the above referenced permit.

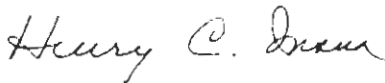
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Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Doug True
9540 True Road
Bentonville, AR 72712

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Mr. True:

Thank you for your comments submitted to the Department regarding the above referenced permit.

We acknowledge the comments and concerns regarding the referenced permit application above. The Arkansas Department of Environmental Quality carefully evaluates all permit applications before the issuance of a permit. Our regulations provide the opportunity for all interested persons or entities to comment on the environmental issues that the approval or denial of a permit may generate.

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Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Jay Jordan
12790 Merit Drive, Suite 100
Dallas, TX 75251

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Mr. Jordan:

Thank you for your comments submitted to the Department regarding the above referenced permit.

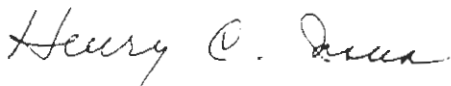
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Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Rob Holland
13955 West Holland Ave.
Gentry, AR 72734

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Mr. Holland:

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Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

8001 NATIONAL DRIVE / POST OFFICE BOX 8913 / LITTLE ROCK, ARKANSAS 72219-8913 / TELEPHONE 501-682-2199 / FAX 501-682-0910

www.adeq.state.ar.us

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Crist Cunico
13579 Goose Creek Road
Fayetteville, AR 72704

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Mr. Cunico:

Thank you for your comments submitted to the Department regarding the above referenced permit.

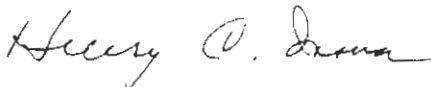
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Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Fred Wanger
903 N 47th Street
Rogers, AR 72756

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Mr. Wanger:

Thank you for your comments submitted to the Department regarding the above referenced permit.

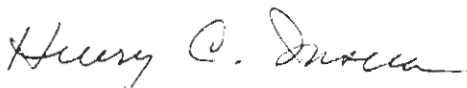
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Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

James McArthur
2941 Katelyn Lane
Lincoln, NE 68516

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Mr. McArthur:

Thank you for your comments submitted to the Department regarding the above referenced permit.

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Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Jim Johnson
14355 Pautsky Lane
Bentonville, AR 72712

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Mr. Johnson:

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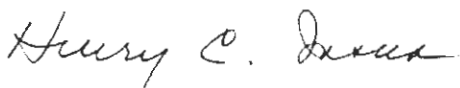
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Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Jeanetta Evans
11978 Highfill Ave.
Gentry, AR 72734

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Ms. Evans:

Thank you for your comments submitted to the Department regarding the above referenced permit.

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Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Pat Morrison
903 N 47th Street, Suite 103
Rogers, AR 72756

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Mr. Morrison:

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Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Scott and Cassie Elliot
11811 Douglas Cementery Road
Gentry, AR 72734

RE: Town of Highfill
AFIN No. 04-01688. Permit No. 4911-W

Dear Mr. and Mrs. Elliot:

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Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

ADEQ

ARKANSAS
Department of Environmental Quality

January 26, 2007

Dianne Burnett
402 Hudson Road
Rogers, AR 72756

RE: Town of Highfill
AFIN No. 04-01688, Permit No. 4911-W

Dear Ms. Brunett:

Thank you for your comments submitted to the Department regarding the above referenced permit.

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Sincerely,



Henry C. Insua
Permit Engineer
State Permits Branch

cc: Permit files

WATER DIVISION

CERTIFICATE OF SERVICE

The Department's decision to issue a permit is final for purposes of appeal, as of the date indicated in the certification below.

I, Mary Doolin, Secretary of the State Permits Branch, Water Division, hereby certify that a permit (Permit No. 4911-W, AFIN No. 04-01688) has been sent by certified mail to the permittee at the following address:

The Honorable Chris Holland
Mayor, City of Highfill
11,978 Highfill Avenue
Gentry, Arkansas 72734

This final permit was mailed on or before this 30 day of January, 2007.

Mary Doolin
Signature

1-30-07
Date