



# City of Broken Arrow

## Legislation Details (With Text)

**File #:** 16-1436 **Name:**  
**Type:** Consent Item **Status:** Passed  
**File created:** 12/1/2016 **In control:** Broken Arrow City Council  
**On agenda:** 12/6/2016 **Final action:** 12/6/2016  
**Title:** Acknowledgement of Department of Environmental Quality's Closure of Consent Order No. 16-180  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. DEQ 16-180

Date	Ver.	Action By	Action	Result
12/6/2016	1	Broken Arrow City Council	approved	Pass

**Broken Arrow City Council**  
**Meeting of: 12-06-2016**

**To:** Mayor and Council Members  
**From:** Office of the City Manager  
**Title:**

Acknowledgement of Department of Environmental Quality's Closure  
of Consent Order No. 16-180

### Background:

The City of Broken Arrow owns and operates the Lynn Lane wastewater collection system and treatment facility (Facility No. S-20409) through its public trust the Broken Arrow Municipal Authority (BAMA). The above identified system and corresponding treatment facility are permitted to operate and discharge treated effluent to the Arkansas River in accordance with Oklahoma State Statutes Title 27A, Environment and Natural Resources, and the rules and regulations promulgated in the Oklahoma Administrative Code Title 252, Department of Environmental Quality (DEQ).

On April 21, 2016, the County Line trunk sewer, which is a part of the Lynn Lane wastewater collection system, collapsed underneath the New Orleans Street roadway pavement immediately west of 23<sup>rd</sup> Street (County Line). This collapsed line created an emergency situation and resulted in unpermitted bypass of raw sewage directly into Broken Arrow Creek. During the repair process, it was noted that a small number of dead fish were discovered downstream of the overflow manhole.

As a result of the unforeseen emergency break and the subsequent unpermitted discharge that may have caused or contributed to the fish kill, the City agreed to remediate the creek and pay associated costs for the remediation and administrative penalties due to the unpermitted discharge. On September 6, 2016, the DEQ and the City memorialized these terms in Consent Order Case No. 16-180.

On November 10, 2016, DEQ closed out the above identified Consent Order due to the fact that the City has completed all repair and clean-up efforts immediately after the event and has paid in full all associated penalties.

**Cost:** None

**Prepared By:** Kenneth D. Schwab, P.E., CFM, Assistant City Manager

**Reviewed By:** Utilities Department  
Finance Department  
Assistant City Manager - Operations  
Legal Department

**Approved By:** Michael L. Spurgeon, City Manager

**Attachments:** DEQ Co 16-180 Closure Letter dated November 10, 2016

**Recommendation:**

Acknowledge Department of Environmental Quality's Closure of Consent Order No. 16-180