



City of Broken Arrow

Request for Action

File #: 16-1436, **Version:** 1

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 23rd 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

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

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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