



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

ELECTRONIC EMAIL
CONFIRMATION OF EMAIL RECEIPT REQUESTED

Larry L. King
President, Bolivar County Board of Supervisors
PO Box 345
Shaw, Mississippi 38773
Kinglarry3256@yahoo.com

Re: Compliance Evaluation Inspection Report
NPDES Permit No. MS0054941
Bolivar County Board of Supervisors, Choctaw Sewer Association (POTW)

Dear Mr. King:

The U.S. Environmental Protection Agency Region 4 conducted a Compliance Evaluation Inspection of the Bolivar County Board of Supervisors, Choctaw Sewer Association (POTW) owned by the Bolivar County Board of Directors and operated by the Choctaw Sewer Association, on September 23, 2021. The objective of the inspection was to assess the permittee's compliance with the Clean Water Act and to evaluate the general condition of the facility. The inspection results have been summarized in the enclosed Water Compliance Inspection Report.

The EPA appreciates your cooperation. If you have specific questions about the inspection report, please contact Mr. William Joyner at (404) 562-8795 or via email at Joyner.william@epa.gov. Please verify receipt of this letter and report by emailing Mr. Joyner at the email address provided.

Sincerely,

JAIRO
CASTILLO

Digitally signed by JAIRO
CASTILLO
Date: 2021.12.01
13:44:15 -05'00'

Jairo Castillo, P.E., Chief
Wastewater Enforcement Section
Water Enforcement Branch

Enclosure

cc: Ms. Michelle Clark
Mississippi Department of Environmental Quality
mrclark@mdeq.ms.gov

United States Environmental Protection Agency Region 4
Enforcement and Compliance Assurance Division
Water Enforcement Branch
61 Forsyth Street, SW
Atlanta, Georgia 30303



Compliance Evaluation Inspection Report

Bolivar County Board of Supervisors, Choctaw Sewer Association POTW
NPDES Permit: MS0054941
Project No. CV-MS0054941-092321

Highway 450,
Shaw, Mississippi 38773

Inspection Date: September 23, 2021

Inspector:
William Joyner, EPA Region 4
Dennis Sayre, EPA Region 4
Brad Ammons, EPA Region 4

Inspection Report Prepared by: William Joyner

November 8, 2021

Approval Sheet

Title: Compliance Evaluation Inspection, Bolivar County Board of Supervisors, Choctaw Sewer Association POTW, Shaw, Mississippi

Approving Official:

**JAIRO
CASTILLO**

Digitally signed by JAIRO
CASTILLO
Date: 2021.12.01
13:44:46 -05'00'

12/01/2021

Jairo Castillo, P.E., Chief
Wastewater Enforcement Section
Water Enforcement Branch

Date

Enforcement Officer:

**WILLIAM
JOYNER**

Digitally signed by WILLIAM JOYNER
Date: 2021.12.01 14:39:45 -05'00'

12/01/2021

William Joyner, Environmental Engineer
Wastewater Enforcement Section
Water Enforcement Branch

Date

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1. INTRODUCTION

A Compliance Evaluation Inspection (CEI) was performed at the Bolivar County Board of Supervisors, Choctaw Sewer Association Publicly Owned Treatment Works (POTW) in the City of Shaw, Mississippi, on September 23, 2021. The inspection was conducted under the authority of Section 308 of the Clean Water Act (CWA), as amended. This narrative report and attachments present the results of the inspection.

2. PARTICIPANTS

William Joyner	EPA Inspector	404-562-8795
Dennis Sayre	EPA Inspector	404-562-9756
Brad Ammons	EPA Inspector	404-562-9769
Larry King	Bolivar County Board of Supervisors	662-402-0159
Alfonzo Lawson	President - Choctaw Sewer Association	662-626-0034
Evelyn Henery	Resident – Bolivar County	662-719-9886

No Mississippi Department of Environmental Quality (MDEQ) inspectors were available to accompany the EPA during this inspection.

3. FACILITY DESCRIPTION

The POTW is a one cell facultative lagoon. Wastewater is collected and treated by means of a conventional lagoon followed by disinfection. The receiving water body, the Bogue Hasty, is located within the Yazoo River Basin and is classified as recreational contact Fish and Wildlife. The Bogue Hasty is a stream and does not appear on the 2008 State of Mississippi 303(d) list of waterbodies. Nutrient limits are based off the Bogue Phalia Nutrient Total Maximum Daily Load (TMDL).

Disinfection is achieved using chlorine tablets and dechlorination tablets. Disinfected effluent is discharged into a step aerator chamber prior to entering the discharge location. Effluent is discharged into the Bogue Hasty stream through a discharge pipe that has an outfall that is approximately 1000 feet from the POTW.

4. INSPECTION PROCEDURES

The overall objective of this CEI was to evaluate the condition and operational performance of the POTW and the permittee's self-monitoring program and offer compliance assistance as needed. Specific tasks included an opening conference, conducting an interview with the POTW operator, reviewing Discharge Monitoring Reports (DMRs) and other records, conducting a site visit, and a closing conference.

5. FINDINGS AND CONCLUSIONS

(Refer to Attachment 1 for cited photographs)

- The lagoon grounds were being cleared of overgrown vegetation as the inspection was being conducted. The step aerator chamber contains a chlorine tablets tank and dechlorination tablets tank. The equipment was installed in the mid-1990's and was in full operation shortly after installation (Photos 1 and 2).

- The chlorine tablet tank and dechlorination tablet tank contact chamber all appeared well maintained.
- Their service population is so small (approximately 200 people) that the Permittee claims that the lagoon never discharges. Evaporation could contribute to maintaining the pond level well below the discharge height (Photo 3).
- During the inspection, the System sump pumps were observed. 1 of 2 pumps were nonoperational (Photo 4).

6. PERMIT

EPA's Enforcement and Compliance Assistance Online (ECHO) database shows one active National Pollutant Discharge Elimination System (NPDES) permit for this facility, permit number MS0054941 (Permit). The Permit was issued on September 10, 2010, expired on August 31, 2015, and is currently Administratively Continued. The Permittee has not submitted a renewal application. EPA verified with MDEQ that permit number MS0054941 is the applicable permit for this facility.

7. RECORDS AND REPORTS

The permittee (Bolivar County and the Choctaw Sewer Association) had no records on file for review. No domestic wastewater samples have been taken since the permit was issued on September 10, 2010. A review of the ICIS database shows that {The Permittee} has failed to submit DMR data for the period covering from January 1, 2015, through the present. Condition S-1 of the NPDES permit requires the Permittee to submit Discharge Monitoring Report (DMR) data to MDEQ once per year using the State's electronic reporting system. ECHO shows the facility to be significantly out of compliance due to DMR non-receipt for data. Attachment 2 is a screen shot from ECHO showing a summary of the facility's 3-year compliance history. The EPA has no response on record for the violation/warning letters. MDEQ stated that no responses were received and NetDMR shows no DMR submittals.

Compliance Monitoring History (5 years)

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date
CWA	MS0054941	ICIS-NPDES	Inspection/Evaluation	Base Program - Evaluation	EPA	09/23/2021
CWA	MS0054941	ICIS-NPDES	Inspection/Evaluation	Base Program - Evaluation	State	08/13/2018
CWA	MS0054941	ICIS-NPDES	Inspection/Evaluation	Base Program, SSO - Evaluation	State	08/13/2018

Informal Enforcement Actions (5 Years)

CWA	ICIS-NPDES	MS0054941	Base Program - Letter of Violation/ Warning Letter	State	08/23/2021
CWA	ICIS-NPDES	MS0054941	Base Program - Letter of Violation/ Warning Letter	State	11/13/2020
CWA	ICIS-NPDES	MS0054941	Base Program - Letter of Violation/ Warning Letter	State	08/10/2018

8. FLOW MEASUREMENT

There are no flow measurements to review. No domestic wastewater samples have been taken since the permit was issued on September 10, 2010. During the inspection of the lagoon the step aerator was dry and not discharging. Evaporation in the lagoon could contribute to maintaining a water level where it doesn't discharge.

9. DISCUSSION

There are four immediate concerns noted in this report. First is the missing DMR data for the years 2015 through the present. The EPA, MDEQ, and the public have no record that the POTW is operating within the effluent limits established in the NPDES permit. The second concern is that the Permit expired on August 31, 2015 and the facility has not submitted a permit renewal application.

The third concern is that the Bolivar County Board of Directors may be held liable for any NPDES permit attached to the POTW. It should be noted that the Bolivar County Board of Directors received an EPA grant in the mid 1990's of \$500,000 to build the lagoon. No documents were presented to the EPA that indicates ownership transferral of the lagoon, indicating that Bolivar County is the owner. However, Bolivar County has assumed no responsibility for the lagoon. Also, only 15% of the users are paying their sewer bill because the Choctaw Sewer Association has no resources to address payment delinquencies. Bolivar County has the authority to pass a sewer use ordinance that imposes fines for non-payment.

The fourth concern is that Condition S-3 of the NPDES permit states, "Monitoring results obtained during the previous reporting period shall be summarized and reported on a DMR. DMR data must be submitted electronically using the MDEQ NetDMR system no later than the 28th day of the month following the completed reporting period." The permittee should immediately enter the missing data and establish a routine that will ensure that all DMR data is entered pursuant to the NPDES permit. If no flow occurred during the entire year monitoring period, a DMR certifying "no discharge" must be submitted within the required timeframe. EPA's ICIS database shows that the 2015-2020 annual DMRs were not submitted through the NetDMR system as required by the Permit.

On October 15, 2021, EPA sent an email with links to the Bolivar County Board of Supervisors and to the President of the Choctaw Sewer Association on how to set up NetDMR accounts. EPA recommends that the Responsible Official obtain a "Permittee Signature" account which is necessary for the Responsible Official (RO) to certify, sign, and submit the DMR information. If someone other than the RO is entering the data (or selecting "no discharge" on the DMR) prior to the RO certifying the data, then that person will need a "Permittee Non-signature" account. This link contains instructions on creating an account with NetDMR:

<https://netdmr.zendesk.com/hc/en-us/articles/360001797391-How-to-create-a-new-NetDMR-account>

10. ATTACHMENTS

1. Photographs
2. ECHO screenshot

END OF REPORT

Bolivar County Board of Supervisors, Choctaw Sewer Association POTW
Attachment 1 - Photographs
Project No. CV - MS0054941 - 092321



Photo 1. Step Aerator



Photo 2. Chlorine and Dechlorination Tablet Tanks



Photo 3. Lagoon. Overgrown vegetation observed.



Photo 4. System Sump Pumps

Attachment 2. 3-year compliance history for NPDES Permit #MS0054941
 Bolivar County Board of Supervisors, Choctaw Sewer Association POTW
 Project No. MS0054941 - 09232021

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13
	CWA (Source ID: MS0054941)	07/01-09/30/18	10/01-12/31/18	01/01-03/31/19	04/01-06/30/19	07/01-09/30/19	10/01-12/31/19	01/01-03/31/20	04/01-06/30/20	07/01-09/30/20	10/01-12/31/20	01/01-03/31/21	04/01-06/30/21	07/01-10/15/21
	Facility-Level Status	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Undetermined
	Quarterly Noncompliance Report History	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	
	Late or Missing Discharge Monitoring Report (DMR) Measurements													
	Counts of Missing DMR Measurements		40				40				40			

Informal Enforcement Actions (5 Years)

Statute	System	Source ID	Type of Action	Lead Agency	Date
CWA	ICIS-NPDES	MS0054941	Base Program - Letter of Violation/ Warning Letter	State	08/23/2021
CWA	ICIS-NPDES	MS0054941	Base Program - Letter of Violation/ Warning Letter	State	11/13/2020
CWA	ICIS-NPDES	MS0054941	Base Program - Letter of Violation/ Warning Letter	State	08/10/2018