



## Arkansas Department of Health

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**Governor Mike Beebe**

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June 3, 2009

Mr. Steve Mallett, P.E., Deputy City Manager  
City of Hot Springs  
P.O. Box 700  
Hot Springs National Park, AR 71902

Re: Proposed Water System Intake & Treatment Plant on Lake Hamilton

Dear Mr. Mallett,

As you are aware, the Engineering Section staff has been in communication with yourself and the City's consultant, Jacobs Engineering, for a couple months in regards to a proposed intake and treatment plant on the lower end of Lake Hamilton.

This proposal represents a dramatic shift by the City in its search for a long term water supply source and the apparent, regrettable abandonment of previous efforts to secure an allocation from Lake Ouachita. While the water quality in Lake Hamilton can most likely be treated to meet current drinking water standards, the information submitted thus far by yourself and your consultant have been inadequate in exploring other feasible alternative, in documenting that the new Lake Hamilton intake represents the best water quality of those alternatives, and in demonstrating that the City can meet the intake buffer requirements as outlined to you by our staff.

Before the City continues to expend resources in the pursuit of the Lake Hamilton alternative, I recommend that we attempt to resolve these issues, specifically as they relate to the Rules and Regulations Pertaining to Public Water Systems. Attached is a sheet outlining those issues and concerns.

Please let me know some dates that are convenient for yourself, your staff, and your consultant and we will be happy to meet with you.

I look forward to discussing these matters with you.

Sincerely,

Robert Hart, P.E., Director  
Engineering Section  
Encl.

Cc: Larry Merriman, City of Hot Springs  
Jacobs Engineering  
Terry Paul

Enclosure to Engineering Section letter of June 3, 2009

City of Hot Springs Proposed Intake & Treatment Plant on Lower Lake Hamilton	
<u>Comment</u>	<u>Applicable Section &amp; Language of</u>
<u>Regulations</u>	

1. The proposed intake buffer zone does not meet ADH regulations as applied to similar intakes in the past.

*Section IX Surface Water Supplies B. Watershed and Reservoir Sanitation 3. Ownership of Restricted Zones c. Other Reservoir Sources In the case of large multi- purpose reservoirs developed, owned and operated by the federal government, the water system owner shall effectively control a restricted buffer zone on land around the water intake structure. The extent of this restricted buffer zone will be determined on an individual basis by the Arkansas Department of Health after a sanitary survey of the proposed intake site has been made. All possible sources of contamination are prohibited within this restricted buffer zone.*

2. The City and its consultant have failed to prepare a proper preliminary engineering report which outlines the entire scope of work including the availability and feasibility of alternatives to the proposed project.

*Section XX. Preliminary Engineering Reports Before detailed plans and specifications are prepared for the construction of new public water systems or major improvements to existing public water systems are prepared, the owner or his authorized agent shall submit to the Arkansas Department of Health a preliminary report containing data and information sufficient for the complete understanding of the proposed work.*

3. The City and its consultant have not provided a comparison of the proposed source to other feasible alternatives from an economic, environmental, and water quality standpoint, and have not demonstrated that the proposed source of water is the best of the feasible alternatives.

*Section V Water Quality  
B. Approval  
.... Production of water that poses no threat to the consumer's health depends on continuous protection. Because of human frailties associated with protection, priority should be given to selection of the purest source.*

*Section XXII Engineers' Report B.  
Surface Water Supply  
If a surface supply is proposed, the nature and extent of the watershed with special reference to its sanitary condition and anticipated maximum and minimum water yield shall be fully and explicitly discussed, together with proposed methods and regulations for the prevention of accidental or other pollution.*