

BEFORE THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF  
CITY OF BENKELMAN,  
A political subdivision of the  
State of Nebraska,

Respondent.

) CASE NO. 3118  
)  
) AMENDED  
) CONSENT ORDER  
)  
)  
)

The Department of Environmental Quality (DEQ) and the Respondent, City of Benkelman, voluntarily enter into this Amended Consent Order. The previously entered Consent Order in this case shall stay in full force and effect, except paragraph 14, which is amended to the following:

"14. The Parties agree as follows:

A. By February 1, 2013, the Respondent will fix problems associated with the lift station, correct operational problems and report to the Department identifying measures taken to identify and repair the collection system to remove excessive infiltration/inflow.

B. By June 1, 2013, the Respondent shall submit a progress assessment report to the Department detailing operations of the system over the last year. The progress assessment must include:

1. An analysis of the probability that further operational measures will successfully deal with specific issues of non-compliance (Ammonia, CBOD, TSS) and



2. An outline of the further operational measures that the Respondent will enact to bring the wastewater lagoons into compliance.

C. By July 1, 2013, The Respondent shall submit to the Department for approval detailed plans and specifications for all necessary upgrades required to come into compliance with the statutes and regulations.

D. By September 1, 2013, the Respondent shall begin construction on the upgrades to the wastewater system in accordance with the approved plans and specifications.

E. By April 1, 2014, the Respondent shall place in operation a wastewater system which is in compliance with the statutes and regulations."

NEBRASKA DEPARTMENT OF  
ENVIRONMENTAL QUALITY,

By: Steven J. Moeller  
Steven J. Moeller, #16003  
Staff Attorney  
Department of Environmental  
Quality  
Suite 400, The Atrium  
1200 "N" Street  
P.O. Box 98922  
Lincoln, NE 68509-8922  
Telephone No.: (402) 471-0276

Respondent, City of Benkelmen:

By: Gary L Clark

Title: Mayor

IT IS ORDERED and agreed this 13<sup>th</sup> day of July, 2012.

By: 

Michael J. Linder

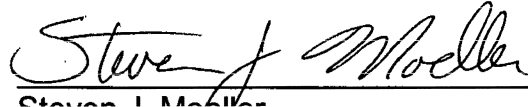
Director

Department of Environmental Quality

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Amended Consent Order was served by certified United States mail, postage prepaid, return receipt requested on the 16<sup>th</sup> day of July 2012, upon the Respondent listed below:

Gary L. Clark, Mayor  
City of Benkelman  
PO Box 347  
Benkelman, Nebraska 69021

  
Steven J. Moeller  
Attorney