



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

11201 Renner Boulevard  
Lenexa, Kansas 66219

**NOV 08 2012**

**CERTIFIED MAIL**

**RETURN RECEIPT REQUESTED**

Article No.: 7006 2760 0000 8651 9467

Honorable Larry Bockelman  
City of Wisner  
105 Tenth Street  
Wisner, Nebraska 68791

RE: City of Wisner, Nebraska  
Termination of Administrative Order for Compliance  
Docket No.: CWA-07-2008-0021  
NPDES Permit No.: NE0023957

Dear Mayor Bockelman:

On December 4, 2007, the Environmental Protection Agency issued an Administrative Compliance Order to the City of Wisner, Nebraska. The Order required the City to take all necessary measures, to the extent feasible, to ensure that the wastewater flows to the City's Wastewater Treatment Facility do not exceed the design capacity and to eliminate bypasses from that WWTF to the Elkhorn River. On July 16, 2012, the EPA issued a Request for Information to the City concerning information that additional work on the collection system had been completed and that repairs to the main trunk line had recently been approved by the City Council. Both the Order and the Request for Information were issued under the authority of Section 309(a) of the Clean Water Act, 33 U.S.C. § 1319(a).

The EPA has reviewed the information submitted by the City in response to the required compliance activities of the AOC and the Request for Information and has determined that the requirements of the AOC have been met. This letter serves as a notification to the City of Wisner, Nebraska, that the EPA is terminating the AOC. The EPA's decision to terminate the AOC is conditioned upon the accuracy of the City's representations to the EPA in response to the requirements of the AOC and the Request for Information.

Termination of this AOC in no way relieves the City of the obligation to comply with its National Pollutant Discharge Elimination System permit and all applicable statutes and regulations. The City of Wisner should continue the planned maintenance and upgrades to its collection system that were outlined in the City's Request for Information response. The effect of this termination is limited to the requirements imposed under the AOC. The EPA reserves all of its authorities, both legal and equitable, under the CWA and any other statutory, regulatory, or common law authorities of the United States.



If you have any questions relating to this termination letter or the above referenced enforcement action, please contact Kimberly Willis of my staff, at (913) 551-7069.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen A. Flournoy". The signature is fluid and cursive, with a large initial "K" and "F".

Karen A. Flournoy  
Director  
Water, Wetlands and Pesticides Division

Cc: Pat Rice, NDEQ  
Regional Hearing Clerk, EPA Region 7