



September 20, 2017

The Honorable Larry Bryant  
Mayor, City of Forrest City  
303 North Rosser  
Forrest City, AR 72336

Email <[larrysbryant@gmail.com](mailto:larrysbryant@gmail.com)>

RE: **NPDES Permit Number AR0020087, AFIN 62-00070**  
**NEGOTIATED CONSENT ADMINISTRATIVE ORDER**

Dear Mayor Bryant:

Attached is a proposed Consent Administrative Order (CAO) for violations of the Arkansas Water and Air Pollution Control Act, Ark. Code Ann. § 8-4-201 *et seq.*, at a site located at 320 Davidson Drive, Hot Springs, Arkansas. The Arkansas Department of Environmental Quality (ADEQ) has determined that this CAO is necessary to ensure compliance with the Act.

The enclosed CAO enumerates the violation in the "Findings of Fact" section, and outlines the steps required to achieve compliance in the "Order and Agreement" section of the CAO. Additionally, a civil penalty in the amount of \$5,460.00 is proposed by ADEQ to settle the violations outlined in this CAO. If you choose to accept the terms of the CAO, please sign, date, and **return the original, embossed copy** to the address below **within 30 days**. Subsequently, the Director of ADEQ will sign the CAO and you will be provided a copy, including information on the public notice process and the effective date of the CAO.

In addition, you may have the option of directing a portion of your penalty toward a Supplemental Environmental Project (SEP) to advance environmental interests. Generally a SEP will not reduce the recommended administrative civil penalty by more than thirty-five percent (35%); however, the ADEQ Director has the final authority to establish the level of mitigation of a penalty. If you are interested in a SEP as part of your negotiated settlement, please refer to ADEQ's SEP Policy and Proposal Guidelines at <http://www.state.ar.us/legal/sep.htm> for additional information.

Failure to contact the ADEQ Water Division Enforcement Branch in response to this CAO within **twenty (20) calendar days** of receipt of this letter will constitute rejection of the settlement offer and unilateral enforcement action may proceed through a Notice of Violation (NOV). Should you wish to discuss this matter further, or schedule a meeting, you may contact me at 501-682-0664 or via e-mail at [pemberton@adeq.state.ar.us](mailto:pemberton@adeq.state.ar.us).

Sincerely,

A handwritten signature in black ink that reads "Layne Pemberton".

Layne Pemberton  
Enforcement Analyst  
Office of Water Quality, NPDES Enforcement Section

CC: Calvin Murdock <[whcm2@aol.com](mailto:whcm2@aol.com)>