

ADEQ

ARKANSAS
Department of Environmental Quality

June 23, 2010

Steve Parke, Director of Utilities
City of Fort Smith
3900 Kelley Highway
Fort Smith, AR 72904

RE: NPDES Permit No.: AR0021750 / AR0033278; AFIN: 66-00226
Response to Inspection

Dear Mr. Parke:

The Department has received your response to the December 21, 2009 inspection of the above referenced facility by our District Field Inspector, Jeff Tyler. Your letter appears to adequately address the discrepancies identified during the visit. The Department assumes the corrective actions taken will be maintained to ensure consistent compliance with the requirements of the permit. Acceptance of this response by the Department does not preclude any future enforcement action deemed necessary at this site or any other site.

The Department will keep the inspection and response on file. If future violations occur that require enforcement action, the Department will consider the inspection and response as required by the Pollution Control and Ecology Commission Regulation No. 7, Civil Penalties. This regulation requires the Department to consider the past history of your site and how expeditiously the violations were addressed in determining any civil penalty that may be necessary for any future violations.

If we need further information concerning this matter, we will contact you. Thank you for your attention to this matter. Should you have any questions, feel free to contact me at 501-682-0649 or you may e-mail me at sawyer@adeq.state.ar.us.

Sincerely,



Sam Sawyer
Enforcement Coordinator
Water Division Enforcement Branch