

ADEQ

ARKANSAS
Department of Environmental Quality

CERTIFIED: 91 7199 9991 7030 4904 0332

June 11, 2012

Honorable Frank Fogleman
City of Marion
P.O. Box 717
Marion, AR 72364

RE: NPDES Permit No. AR0021971, AFIN 18-00110, CAO, LIS 12-035, Notice of Deficiency

Dear Mayor Fogleman:

The Department has received and reviewed the Corrective Action Plan (CAP) and Milestone Schedule submitted by the City of Marion. The CAP and Milestone Schedule were required by Paragraph I of the Order and Agreement Section of CAO LIS 12-035.

The Department cannot approve the Milestone Schedule in its current form because it extends beyond a three year period for the facility to achieve compliance. Furthermore, the NPDES Permit cannot be issued unless compliance will be achieved within 3 years.

Paragraph II of the Order and Agreement Section of CAO LIS 12-035 provides that the City of Marion will be afforded 30 days to respond to any Notice of Deficiency. Therefore, the Department expects the city to select a Professional Engineer and submit a revised Milestone Schedule no later than July 11, 2012. Failure to submit a 3 year Milestone Schedule by the above referenced date will subject the city to the stipulated penalties established in Paragraph 4 of the Order and Agreement Section of CAO LIS 12-035.

Please mail the documentation described above to the Water Division / Enforcement Branch of ADEQ. Please refer to NPDES Permit No. AR0021971 and CAO LIS 12-035 in any written correspondence to ADEQ. Should you have any questions, feel free to contact me at 501-682-0635 or you may e-mail me at anderson@adeq.state.ar.us.

Sincerely,



Alan Anderson
Enforcement Analyst
Water Division Enforcement Branch