

City of Marion

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FRANK A. FOGLEMAN

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J. MICHAEL STEPHENSON

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February 26, 2013

Mr. Alan Anderson
Enforcement Analyst
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118

RE: CAO LIS NO. 12-035


Dear Mr. Anderson:

As per our conversation this past Thursday, February 21, 2013, I am writing to update you on Marion's progress in regard to our Consent Administrative Order with your agency. We have hired Bond Consulting Engineers of Marion and we have decided to pipe our treated waste water to the Mississippi River. Securing bond counsel is underway and permit applications have been submitted to the Corps of Engineers and to ADEQ. This past, Friday, February 22, 2013, our loan application to the Arkansas Natural Resources Commission (ARNC) was submitted.

The ARNC has two loan funds, the state's general obligation funds and funds from the EPA. It is my understanding that the review and approval/disapproval process takes an estimated six months for the state's general obligation funds and twelve to eighteen months for the EPA's funds. We have tentatively applied for the state's funds. With this information in mind, I am using this letter to advise that Marion's September 1, 2013, milestone schedule for having financing in place may not be met. Although I do not anticipate any difficulty with the review of our application, I do wish to alert you to the possibility of normal paperwork delays and the possibility of dealing with the unexpected. However, at this time, I do not know of anything that would cause Marion to miss the anticipated August 1, 2015, completion date of our project.

If you have any questions, please feel free to get in touch with me.

Sincerely,


Frank A. Fogleman

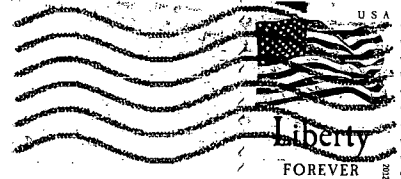
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