

ADEQ

ARKANSAS
Department of Environmental Quality

March 23, 2012

The Honorable David Duch, Mayor
City of Hazen
P.O. Box 564
Hazen, AR 72064

RE: NPDES Permit AR022411, AFIN 59-00029
Response to Inspections #063787

Dear Mayor Duch:

The Department has received your second response to the January 31, 2012 inspection of your facility by our District Field Inspector, Lindsay Zweifel. Your letter appears to satisfy the discrepancies identified during the visit. However, please ensure that the measures you took to prevent the unpermitted outfall from discharging are permanent (i.e. the cap cannot be removed). Any future unpermitted discharges from that particular outfall may subject the City to formal enforcement action which may include but will not be limited to the assessment of a monetary penalty. The Department expects the corrective actions taken will be maintained to ensure consistent compliance with the requirements of the permit. Acceptance of the responses 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 the 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 penalties 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 501-682-0632 or you may e-mail me at bolenbaugh@adeq.state.ar.us.

Sincerely,



Jason Bolenbaugh
Enforcement Analyst
Water Division Enforcement Branch