



A R K A N S A S  
Department of Environmental Quality

September 5, 2012

**CERTIFIED MAIL: 91 7199 9991 7030 4905 4477**

Mayor Frank Hash  
City of El Dorado-South Plant  
P.O. Box 1587  
El Dorado, AR 71731

**RE: NPDES Permit No. AR0033723  
City of El Dorado-South Plant, Proposed Consent Administrative Order (CAO)**

Dear Mayor Hash:

A file review was conducted by an ADEQ Water Division Enforcement Analyst of the above referenced facility. The violations revealed during the review are noted in the Findings of Fact section in the enclosed proposed Consent Administrative Order (CAO). These are serious violations of the Arkansas Water and Air Pollution Control Act and are subject to fines up to \$10,000 per violation.

The enclosed CAO describes the alleged violations of your facility in the Findings of Fact section of the document and outlines the steps you must take to achieve compliance in the Order and Agreement section. The proposed civil penalty in the amount of **Three Thousand Two Hundred Dollars** is our offer to settle the violations outlined in the CAO. If, after careful review and consultation you wish to accept the terms of the CAO, please sign, date and return it by **September 19, 2012**. It will then be signed by our Director and you will be provided with a final copy along with information about the effective date and the public notice process.

In addition, you may have the option of using a portion of your penalty on a Supplemental Environmental Project (SEP) to advance environmental interests. Generally a SEP will not justify more than a thirty-five percent (35%) reduction of the recommended administrative civil penalty; 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 us by the above date will constitute rejection of our settlement offer and we will proceed with unilateral enforcement through a Notice of Violation.

Thank you for your attention to this matter. If you wish to discuss this matter further please call me at (501)682-0667 or you may e-mail me at [bolenbaughm@adeq.state.ar.us](mailto:bolenbaughm@adeq.state.ar.us). I will be happy to answer your questions by phone or we can schedule a meeting at our office if you prefer.

Sincerely,

Michelle Bolenbaugh  
Enforcement Analyst  
Water Division - Enforcement Branch