



ARKANSAS

ENERGY & ENVIRONMENT

December 21, 2021

Monty Ledbetter, Utilities Director
City of Hot Springs – Gulpha Creek
780 Adams Street
Hot Springs, AR 71901

email: mledbetter@cityhs.net

**RE: NPDES Permit Number AR0033880, AFIN 26-00145
PROPOSED CONSENT ADMINISTRATIVE ORDER**

Dear Mr. Ledbetter:

Attached is a proposed Consent Administrative Order (CAO) for violations of the Arkansas Water and Air Pollution Control Act, Ark. Code Ann. § 8-4-201 *et seq.*, at a site located at located at 320 Davidson Drive, Hot Springs, Arkansas. The Division of Environmental Quality (DEQ) has determined that this CAO is necessary to ensure compliance with the Act.

The enclosed CAO enumerates the violations in the “Findings of Fact” section, and outlines the steps required to achieve compliance in the “Order and Agreement” section of the CAO. Additionally, a civil penalty in the amount of **\$64,000.00** is proposed by DEQ, of which \$51,200.00 is conditionally **SUSPENDED** contingent upon compliance, to settle the violations outlined in this CAO. If you choose to accept the terms of the CAO, please sign, date, and **return the signed copy** to Danielle.harbin@adeq.state.ar.us or the address below within **twenty (20) calendar days** of receipt of this letter. A City Council Resolution that approves the CAO and authorizes the Mayor and Clerk/Treasurer to sign the CAO Amendment on behalf of the Name of Facility must also be submitted. Subsequently, the Chief Administrator of DEQ will sign the CAO and you will be provided a copy, including information on the public notice process and the effective date of the CAO.

Failure to contact the DEQ’s Office of Water Quality, Enforcement Branch in response to this CAO within **twenty (20) calendar days** of receipt of this letter will constitute rejection of the settlement offer and unilateral enforcement action may proceed through a Notice of Violation (NOV). Should you wish to discuss this matter further, or schedule a meeting, you may contact me at 501-682-0056 or you may e-mail me at danielle.harbin@adeq.state.ar.us.

Sincerely,

A handwritten signature in cursive script that reads 'Danielle Harbin'.

Danielle Harbin
Enforcement Coordinator, DEQ, OWQ
5301 Northshore Drive, North Little Rock, AR 72118

Cc: Harold Mauldin, Facility Manager, hmauldin@cityhs.net
Craig Johnson, P.E., cjohnson@cristenengineers.com