



February 1, 2010

Rufus J. Torrence,
NPDES Pretreatment Engineer
ARKANSAS DEPT OF ENVIRONMENTAL QUALITY
Water Division
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

RE: AR0021750 City of Fort Smith

Dear Mr. Torrence:

On February 1st, 2009 City of Fort Smith NPDES permit number AR0021750 became effective. As you know, additional requirements were included in Section B., Permit Compliance, 2. **Pretreatment Requirements** which required the submittal of all necessary proposed modifications to the Pretreatment Program to demonstrate compliance with 40 CFR Part 403.

Integral to the modification process for Fort Smith is the adoption of a new ordinance. As you know, the City of Fort Smith had previously submitted draft version for your review. After receiving your comments, this draft ordinance was modified to incorporate your requirements and suggestions. During this process, it was decided to create a separate "Pretreatment Ordinance" which would help streamline the approval process and would allow for simplified future modifications. The previous "Sewer Use Ordinance" incorporated many more municipal issues than just the pretreatment program and it was deemed advantageous to create the separate ordinances. However, this has made the modification process more tedious for our legal staff and consequently, a final version of the ordinance is not ready.

Therefore, this letter serves as an official request to allow a six (6) month extension to be granted for submittal of all necessary and proposed modifications to the city's Pretreatment Program. This extension will allow the city's legal staff sufficient time to complete the revised ordinance, take it to our directors for approval, and then incorporate the modifications into our Pretreatment Program.

If you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul R. Easley".

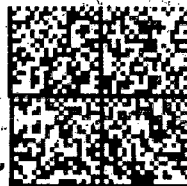
Paul R. Easley
Environmental Manager

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