

THE BARTON LAW FIRM

A PROFESSIONAL ASSOCIATION

(FORMERLY KNOWN AS WILLIAMSON, BALL & BIRD)

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January 14, 2016

VIA CERTIFIED MAIL

Gina Porter
Enforcement Analyst
Water Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118

RE: NPDES Permit No. AR0021831,
AFIN 00037
Monticello-West Plant
PROPOSED CONSENT ADMINISTRATIVE ORDER
NPDES Permit No. AR0021831,
AFIN 22-00379
Monticello-East Plant
PROPOSED CONSENT ADMINISTRATIVE ORDER

Dear Ms. Porter:

The City of Monticello is in receipt of two separate items of correspondence from you, each regarding one of the two referenced matters.

The City of Monticello is not in agreement with either of the consent orders.

Mayor Zack Tucker took office on January 1, 2015. This matter was on his desk awaiting action when he took office.

Mayor Tucker responded to Michael Young regarding a Letter Regarding Wastewater Plant Inspection by correspondence dated May 27, 2015. This was a timely response.

Once the letter had been prepared and signed by Mayor Tucker, he emailed that letter to the City Engineer, Mr. Mizan Rahman, with

Gina Porter
RE: Proposed Consent Administrative Orders
January 14, 2016 - Page 2

ETC. Engineers & Architects, Inc. in Little Rock. Mr. Rahman serves as the city's engineer. Mayor Tucker emailed the correspondence to Mr. Rahman for two purposes. One, for his review of the correspondence and, two, for his delivery of the correspondence to the appropriate parties.

The city heard nothing further from this matter, and was under the impression that the correspondence not only had been delivered, but that the matter had been resolved.

Upon receipt of the certified mail packages referred to above, Mayor Tucker has done his best to contact Mr. Rahman. Mr. Rahman is apparently in Bangladesh and will not return for several weeks. In the correspondence that Mayor Tucker has had with Mr. Rahman and his firm, it is the city's understanding that the correspondence dated May 27, 2015 was timely delivered to ADEQ.

Given Mr. Rahman's absence, the city wishes to have an extension of time until February 29, 2016 to reply further in this matter.

Thank you for your patience.

If you have any questions or need anything further, or if our request for the extension in order for the city's engineer to return is somehow not acceptable, please contact me immediately.

Very truly yours,



Whit Barton
City Attorney

WB/kn

xc: Mayor Tucker

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