



CITY OF WEST MEMPHIS
OFFICE OF MAYOR MARCO MCCLENDON

December 11, 2019

Ms. Danielle E. Harbin
Office of Water Quality
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

**RE: PROPOSED CONSENT ADMINISTRATIVE ORDER
WEST MEMPHIS UTILITIES
NPDES PERMIT NUMBER AR0022039, AFIN 18-00879**

Dear Ms. Harbin:

On behalf of the City of West Memphis and the West Memphis Utilities Commission, please accept this letter as acknowledgement of our receipt of your proposed Consent Administrative Order (CAO) dated November 15, 2019. I want to assure you and the Department that the City takes very seriously our obligations and responsibility to operate our sewage collection and treatment system in a manner consistent with the requirements of the Arkansas Water and Air Pollution Control Act. As I hope you are aware, my staff and our consultants have been working diligently towards meeting these requirements through engineering studies and assessments as well as construction of improvements to our existing collection system and wastewater treatment facility. In fact, West Memphis has spent or committed over \$4,020,350.00 for the express purpose of eliminating SSOs in our collection system and bypasses at our wastewater treatment facility .

As outlined in your November 15, 2019 letter and CAO, ADEQ has ordered West Memphis to pay a civil penalty totaling \$8,000.00 to settle those various violations referenced therein and to provide a Resolution voted and approved by our City Council accepting the CAO. The City is prepared to provide this Resolution but would respectfully request that ADEQ consider a reduction in this proposed penalty

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so that the difference is directed to the abatement of SSOs within our collection system and bypasses at our wastewater treatment facility. In light of additional modeling efforts of our collection system and planning efforts on future wastewater treatment facility modifications, we would request that this penalty total not more than \$2,000.00.

I would also ask that ADEQ extend the deadline of November 30, 2019 for the completion of the WWTF Recommended Hydraulic Improvement Report to January 31, 2020. While a hydraulic model of both our collection system as well as our WWTF have now been completed and recommendations presented to the City during a public meeting on October 10, 2019, the additional collection system modeling mentioned previously will result in potential changes to our recommended modifications to the wastewater treatment facility. Additionally, due to the anticipated modifications to our collection system and wastewater treatment facility, we will tender to ADEQ a Revised Corrective Action Plan by January 31, 2020 that will reflect the proposed timeline of those newly recommended modifications. And finally, we propose a final compliance with this Order by December 31, 2023 rather than the December 31, 2022 date referenced in your originally proposed CAO.

In summary, the City of West Memphis stays committed to ADEQ in the goal of eliminating SSOs within our collection system and bypasses at our wastewater treatment facility. Thank you in advance for your department's continued patience and assistance to West Memphis as we continue our efforts in this work. If I can be of any assistance to you in your immediate efforts towards this CAO, please do not hesitate to contact me.

Sincerely,

CITY OF WEST MEMPHIS

A handwritten signature in black ink that reads "Marco McClendon". The signature is written in a cursive, flowing style.

Honorable Marco McClendon
Mayor