



FISHER ARNOLD
ENGINEERING INTEGRATION

April 27, 2020

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

**RE: WEST MEMPHIS UTILITIES
NPDES PERMIT NUMBER AR0022039, AFIN 18-00879
CAO LIS 20-134 DELIVERABLES RESPONSE**

Dear Ms. Harbin:

I am in receipt of your Division's CAO LIS 20-134 Deliverables Response provided in your letter to Mayor McClendon, dated April 27, 2020. I first want to thank you for your swift review of the three documents sent to you last week (Revised CAP, WWTF Treatment and Hydraulic Expansion Study and justification for selected design storm event). However, in your letter, you reference several items that will require state construction permits as well as a modification to the existing NPDES individual permit for the proposed WWTF upgrade. While we certainly agree that these permits are necessary, we do question the May 27, 2020 due dates for each. In as much as we still must perform the necessary detailed design of the upgraded facility, and that effort is expected to take 6 to 8 months to complete, it would seem more reasonable to plan for a date to submit final plans and specification to the state for permit review closer to the end of this year or very early 2021. Similarly, we would prefer to hold off making application for the Stormwater Construction general Permit until the final plans are developed, prior to the letting of the WWTF upgrade project. And finally, while I do feel as though we can submit the permit modification application by May 27, 2020, is the City subject to fines as outlined in the CAO if this date is not met?

I certainly do not want to give the impression that the City is in anyway backtracking their efforts to meet the requirements of this CAO, but the dates outlined in your letter do seem premature. Would it be

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beneficial to you and your staff if we scheduled a conference call to discuss these matters in greater detail so that we are all in agreement moving forward? Please let me know and I will be happy to schedule a meeting.

Sincerely,

FISHER & ARNOLD, INC.

A handwritten signature in blue ink, appearing to read "Tim Verner".

Tim Verner, P.E.
Senior Vice President

TV/tv

Cc: Todd Pedersen, General Manager, WMU