



**DIVISION OF
ENVIRONMENTAL QUALITY**

Sarah Huckabee Sanders
GOVERNOR

Shane E. Khoury
SECRETARY

January 4, 2024

Email: Dumasarmayor@gmail.com

Honorable Price Boney, Mayor
City of Dumas
155 E. Waterman
Dumas, AR 71639

**RE: NPDES Permit No. AR0033987, AFIN 21-00045
PROPOSED CONSENT ADMINISTRATIVE ORDER**

Dear Mayor Boney:

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 204 Ford Loop Road in Dumas, 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 \$1750.00 is proposed by DEQ to settle the violations outlined in this CAO. If you choose to accept the terms of the CAO, please sign, date, and **return the originally signed copy** to 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 on behalf of City of Dumas 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.

In addition, you may have the option of directing a portion of your penalty toward a Supplemental Environmental Project (SEP) to advance environmental interests. Generally a SEP will not reduce the recommended administrative civil penalty by more than thirty-five percent (35%); however, the DEQ Director has the final authority to establish the level of mitigation of a penalty. If you are interested in a SEP as part of your negotiated settlement, please refer to DEQ’s SEP Policy and Proposal Guidelines at <http://www.state.ar.us/legal/sep.htm> for additional information.

Failure to contact the DEQ, Office of Water Quality, Enforcement Branch in response to this CAO **within (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, you may contact me at (501) 682-0736, or you may e-mail thomas.harrington@adeq.state.ar.us.

Sincerely,

A handwritten signature in blue ink that reads "Thomas Harrington". The signature is written in a cursive style with a blue ink color.

Thomas Harrington
Enforcement Analyst
Office of Water Quality,
5301 Northshore Drive, North Little Rock, AR 72118

CC: Norma Eldridge Esaw, City Clerk, dumasarcityclerk@gmail.com
Patrick Fitzgerald, Water Manager, pfitz2003@yahoo.com
Danny Hernandez, dhernandez@mce.us.com
Jason Temple, jtemple@mce.us.com