

LEO MILLER  
A LAW CORPORATION

129 Julia Street  
West Monroe, LA 71291  
Email: [leoamillerjr@hotmail.com](mailto:leoamillerjr@hotmail.com)

318-323-3122  
318-366-5422  
Fax 330-9010

May 14, 2010

Loretta Reiber, P.E.  
Permits Branch, Water Division  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, AR 72118  
 Via email [reiber@adeq.state.ar.us](mailto:reiber@adeq.state.ar.us)  
 Via U.S. Mail

Re: Draft Renewal NPDES Discharge Permit No. AR0001210 AFIN 02-00013

Dear Ms. Reiber,

I attended the public hearing at Crossett Middle School on Monday, May 10, 2010. I was in need of certain documents and documentation that was a part of said meeting, or which was referred to in that meeting. It was my understanding that this documentation would be provided within three business days of its request. Should it be necessary, please consider this a Freedom of Information Act request to the extent that that may be required.

The information that I am requesting is the following:

1. Copies of all slides that were a part of the Power Point presentation during the question and answer period.
2. Copy of the aerial photograph which was displayed showing the physical location of treatment facilities and the point of discharge of the Georgia-Pacific effluent into the Ouachita River.
3. Copies of all proof of transmission of the proposed draft discharge permit from ADEQ to all governmental agencies as to which same was transmitted, or to which transmission was asserted in the public meeting.
4. Copies of all raw data which form the basis of all toxicity/concentrations of chemical that were shown which are set forth in the draft NPDES discharge permit.
5. Copies of any and all documents which form the basis of the conclusion "backsliding rules and regulations do not apply as to this permit".
6. Any and all information as to each and every monitoring station that would be within five miles of the point of discharge in the Ouachita River, including any maps available which would show the precise locations of the monitoring station. Specifically, in my conversations with ADEQ personnel on Monday, it was my understanding that there was

- but one monitoring station, and this station was located to the north of the point of discharge of the G-P effluent.
7. The same information is requested as to any and all monitoring facilities located at any point downstream from the point of discharge, whether that facility is in the State of Arkansas, or in the State of Louisiana.
  8. Copies of any and all maps showing public access to the area surrounding the point of discharge.
  9. Copies of any and all maps showing elevations of the area surrounding the point of discharge, to include any maps that would show that area which is subject to inundation, or flooding, up to an elevation level of 86 feet MSL.
  10. Specifically, it is my understanding that the two geographical features which are pertinent are Coffee Creek and Mossy Lake. As I appreciate it, there is a dam or spillway structure located on Mossy Lake. I specifically seek the elevation of that dam or spillway structure so as to determine whether Mossy Lake itself is subject to inundation; my information is that Coffee Creek is subject to inundation at times of high water, but wish to confirm my understanding of that fact.
  11. Any and all documentation that pertains to any and every discharge effect on the Ouachita River at all times when the level of the river is at pool stage, or approximately 57 feet MSL and lower. In this regard, the pool stage level at Columbia, Louisiana is 52.5 feet MSL and it is estimated that the effective pool stage just below the Felsenthal L & D is approximately 57 feet MSL. The information that is sought is any and all data when the level of the Ouachita River to the south of Felsenthal L & D is at its effective pool stage. My information is that there is a minor elevation gradient. My estimation, then, is that effective pool stage will be no more than 57 feet MSL or lower. This is conclusionary on my part, and if my conclusions are in error, the data that I seek is any data utilized in analyzing the draft permit at such time when the Ouachita River was at an effective pool stage at the point of discharge.
  12. Any and all data dealing with the effects of discharge on the Ouachita River based upon the length of time that the Ouachita River has remained at effective pool stage. This inquiry seeks any and all data taken into account by ADEQ of the effects of the discharge on the Ouachita River when the level of the river remains at its effective pool stage for increasing lengths of time, that is, 30 days, 60 days, 90 days, in each case, at pool stage. If no such data exists, so state.

Please prepare for me an estimated cost amount for each category of information sought, as well as a total cost, and I will promptly remit same. Thank you very much in advance for your cooperation and assistance.

Sincerely,

/s/Leo A. Miller, Jr.

Leo A. Miller, Jr.