

August 16, 2019

Honorable Cynthia Black  
Mayor, City of Bethel Heights  
530 Sunrise Drive  
Bethel Heights, AR 72764

**CERTIFIED MAIL # 7017 2620 0001 0620 7953**

IN RE: Notice of Violation, LIS No. 19-070; AFIN # 04-00630

Dear Honorable Black:

Enclosed is a Notice of Violation issued to City of Bethel Heights on August 16, 2019, by the Director of the Arkansas Department of Environmental Quality.

Also enclosed is a copy of Regulation 8, Administrative Procedures. Regulation 8 establishes the right of a party to receive an administrative hearing on the alleged violations.

**If you want to appeal the Notice of Violation, you must file a written Request for Hearing that must be received by the Arkansas Pollution Control and Ecology Commission, 101 East Capitol, Suite 205, Little Rock, AR 72201, or by facsimile to 501-682-7891, or by sending a PDF version of the filing by electronic mail to goffpatti@adeq.state.ar.us within twenty (20) calendar days of your receipt of this letter.**

**Filing a request for hearing only with ADEQ is not sufficient to preserve your right to appeal.**

The penalties and corrective actions called for in the Notice of Violation are at this stage only proposed penalties and actions. This Notice of Violation is subject to public review and comment in accordance with Ark. Code Ann. § 8-4-103(d). The public notice date will be on or about August 25, 2019. ADEQ retains the right and discretion to rescind this Notice of Violation based on public comments received within the thirty-day comment period. Resolution of the Notice of Violation will be by means of a Consent Administrative Order if you decide to pay the proposed penalty to settle the matter.

The Department is willing to discuss settlement of any or all matters described in the Notice of Violation. If you or your legal counsel desire to discuss settlement of this matter, please feel free to contact me at (501) 682-0884.

Sincerely,



Basil V. Hicks  
Attorney Specialist

Enclosures

cc: Pat Goff, Commission Secretary  
Sam Ledbetter - ([sam@mcmathlaw.com](mailto:sam@mcmathlaw.com))  
Robert Rhoads - ([rrhoads@hallestill.com](mailto:rrhoads@hallestill.com))