NEWMAN, COMLEY & RUTH P.C.

ATTORNEYS AND COUNSELORS AT LAW
601 MONROE STREET, SUITE 301
P.O. BOX 537
JEFFERSON CITY, MISSOURI 65102-0537
TELEPHONE: (573) 634-2266
FACSIMILE: (573) 636-3306
www.ncrpc.com

ROBERT K. ANGSTEAD
ROBERT J. BRUNDAGE
MARK W. COMLEY
LANETTE R. GOOCH

CATHLEEN A. MARTIN
STEPHEN G. NEWMAN
JOHN A. RUTH
ALICIA EMBLEY TURNER

October 15, 2007

Ms. Patricia Miller
Senior Assistant Regional Counsel
EPA, Region VII
901 North 5th Street
Kansas City, KS 66101

Re: Tracking System and Data Management System

Dear Pat:

During the negotiations of the Order for Compliance on Consent, the City of Bolivar made several submittals in an attempt to satisfy various requirements that were set forth in the initial draft order. For example, November 10, 2006, I submitted to Berla Johnson a copy of the City's water and wastewater rate ordinances. In addition, on October 17, 2006 I submitted to Berla Johnson a copy of the City's *Inflow and Infiltration Study* prepared by Scott Consulting Engineers. Furthermore, I submitted to you via email on June 6, 2007, a draft document prepared by the City of Bolivar which included a tracking system, data management system, a long term plan and a SSO event recording form. On July 19, 2007, you replied to me via email reporting that EPA did not "have enough information at present to pre-approve any of the items that will be required under the order."

Under the EPA Order for Compliance on Consent, the City must submit to EPA by November 3, 2007 its Tracking System and submit to EPA by December 18th its Data Management System. Since the City has already submitted a draft Tracking System and draft Data Management System to EPA, the City would appreciate receiving input and comments from EPA describing how these previously submitted documents can be improved before they are re-submitted to EPA.

Please let me know at your earliest convenience on whether and to what extent EPA will be able to provide comment and assistance before the tracking and data management systems are required to be submitted to EPA.

Sincerely,

NEWMAN, COMLEY & RUTH, P.C.

By: Robert J. Brundage

Robert J. Brundage

RJB:mag

cc: Mr. Ron Mersch, City of Bolivar (via email)
Mr. Rick Schuler, City of Bolivar (via email)
Ms. Berla Johnson, EPA
Mr. Kevin Mohammadi, MDNR
Ms. Cindy Davies, MDNR SWRO