UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 30 2017

CERTIFIED MAIL 7016 0600 0000 3846 8128
RETURN RECEIPT REQUESTED

City of Jackson
c/o Mr. Jerriot Smash
Interim Director
Department of Public Works
P.O. Box 17
Jackson, Mississippi 39205-0015

Re: Information Request – Section 308 of the Clean Water Act
City of Jackson, Mississippi Consent Decree
Case No.: 3:12-cv-790 TSL-JMR

Dear Mr. Smash:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency hereby requests the City of Jackson (the City) to provide additional information regarding sanitary sewer overflows (SSOs) that the City has previously reported to the EPA in its Quarterly Reports as required by the Consent Decree. Paragraph 57.(a)(i) of the Consent Decree requires the City to indicate in the Quarterly Reports what receiving water, if any, a reported SSO reached. Upon review of the City's Quarterly Reports submitted through January 31 2016, it appears that all SSOs may have reached a receiving water. In several previous discussions with City personnel, EPA staff has informally requested the City to provide additional information clarifying this issue but a response has not been received. As a result, the EPA is requesting pursuant to CWA Section 308 that the City provide information to confirm for each SSO previously reported in a Quarterly Report whether it reached a receiving water, and if so, what was the receiving water. The City is required to respond to this information request within 30 days upon receipt of this letter. The response should be directed to:

U.S. Environmental Protection Agency, Region 4
Water Protection Division
Mr. Brad Ammons
61 Forsyth Street, S.W., 9T25
Atlanta, Georgia 30303

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the NPDES Permitting and Enforcement Branch at the U.S. EPA, Region 4.

If you have questions regarding this notice and information request, please feel free to contact Mr. Brad Ammons at (404) 562-9769.

Sincerely,

Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

cc: Mr. Les Herrington, P.E.
Mississippi Department of Environmental Quality

Mayor Tony Yarber
City of Jackson

Mr. Terry Williamson
City of Jackson