

CHICKASHA MUNICIPAL AUTHORITY

AGENDA
LOCATION OF MEETING
CITY HALL COUNCIL CHAMBERS
117 NORTH FOURTH STREET
CHICKASHA, OKLAHOMA 73018

TIME OF MEETING
6:30 PM

DATE OF MEETING
JANUARY 4, 2021

- 1. Call to Order / Roll Call.**
- 2. Consent Docket:**
 - a. Acceptance of the Minutes of the December 7, 2020 regular meeting.
 - b. Acceptance of the Claims List.
 - c. Acceptance of the Financials for November, 2020.
- 3. Discussion/Approval of Items Removed from Consent Docket:**
- 4. Consideration and Discussion Items:**
 - a. Discussion, consideration and possible action on Oklahoma Department of Environmental Quality Consent Order 20-047.
- 5. Motion for Adjournment.**



City of
CHICKASHA

Meeting Type: CMA Agenda 1-4-2021

Meeting Date: 1/4/2021

Department: City Clerk

Agenda Item No. 2.a.

AGENDA ITEM: Acceptance of the Minutes of the December 7, 2020 regular meeting.

I. BACKGROUND/DESCRIPTION:

II. RECOMMENDED ACTION:

Accept Minutes of the December 7, 2020 regular meeting.

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director: Susan M. McDaniel, City Clerk	Fund	Account	Amount
	(To)		
	FUND	ACCOUNT	AMOUNT
Meeting Date: January 4, 2021	(From)		

V. ATTACHMENTS:

1. CMA 12-7-2020

December 7, 2020

The **REGULAR** meeting of the **CHICKASHA MUNICIPAL AUTHORITY** was held in the Council Chambers in City Hall on the 7th day of December 2020, as specified by advance public notice with a properly prepared agenda stating the subject matter or matters to be discussed at said meeting. Chairman Mosley called the meeting to order at 7:14 p.m.

ITEM 1. **Call to Order / Roll Call**

CHAIRMAN AND TRUSTEES

PRESENT: Chris Mosley, Chairman
Kimberly Loggins, Vice-Chairman
Jim Hopkins
Oscar Nelson
Brian Gerdes
Clark VanDyck
Zachary Grayson

ABSENT: R. P. Ashanti-Alexander
David Sikes

STAFF

PRESENT: John Noblitt, City Manager
Amanda Mullins, City Attorney
Leasa Furr, Asst. City Manager
Susan M. McDaniel, City Clerk
Kathryn Rowell, Police Chief
Shae Mortimer, Marketing & Civic Engagement Manager

ITEM 2. **Consent Docket: ITEM 2a – ITEM 2b**

ITEM 2a. **Acceptance of the minutes of the November 16, 2020 regular meeting.**

ITEM 2b. **Acceptance of Claims List.**

7:14 P.M.

*Motion by Trustee Hopkins, second by Trustee Loggins to approve Consent Docket: ITEM 2a – ITEM 2b.

Roll call vote:

Ayes:” Hopkins, Nelson, Loggins, VanDyck, Gerdes, Grayson and Mosley.

“Nays:” None

“Abstain:” None

Motion carried. 7-0

ITEM 3. **Discussion / Approval of Items Removed from Consent Docket:**

No action taken on Item 3.

ITEM 4. **Discussion and Consideration Items:**

ITEM 4a. **Discussion, consideration and possible action on reduction of price and extension of closing date for Apache Cove Lot #5 due to easement issues.**

*Motion by Council Member Nelson and second by Council Member Hopkins to accept the offer of \$42,000.00 and extend the closing to December 22, 2020 due to easement issues.

Roll call vote:

Ayes:” Hopkins, Nelson, Loggins, VanDyck, Gerdes, Grayson and Mosley.

“Nays:” None

“Abstain:” None

Motion carried. 7-0

ITEM 4b. **Discussion, consideration and possible action to authorize staff to solicit bids for the rehabilitation of Douglas Street.**

*Motion by Council Member Loggins and second by Council Member Hopkins to authorize Staff to solicit bids for the rehabilitation of Douglas Street.

Roll call vote:

Ayes:” Hopkins, Nelson, Loggins, VanDyck, Gerdes, Grayson and Mosley.

“Nays:” None

“Abstain:” None

Motion carried. 7-0

ITEM 4c. **Discussion, consideration and possible action to authorize staff to solicit bids for concrete street repairs on Utah Street between 8th Street and 9th Street.**

7:14 P.M.

*Motion by Council Member Loggins and second by Council Member Hopkins to authorize Staff to solicit bids for to repair Utah Street between 8th and 9th Street.

Roll call vote:

Ayes:" Hopkins, Nelson, Loggins, VanDyck, Gerdes, Grayson and Mosley.

"Nays:" None

"Abstain:" None

Motion carried. 7-0

ITEM 5. Motion to Adjourn.

*Motion by Trustee Nelson, second by Trustee Loggins to adjourn.

_Meeting adjourned.

TIME: 7:26 P.M.

Chris Mosley, Chairman

ATTEST:

Susan M. McDaniel, City Clerk

(SEAL)

Approved this 4th day of January 2021.



City of
CHICKASHA

Meeting Type: CMA Agenda 1-4-2021

Meeting Date: 1/4/2021

Department: Finance

Agenda Item No. 2.b.

AGENDA ITEM: Acceptance of the Claims List.

I. BACKGROUND/DESCRIPTION:

II. RECOMMENDED ACTION:

Accept Claims List.

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director: Leasa Furr, Asst. City Manager	Fund	Account	Amount
	(To)		
	FUND	ACCOUNT	AMOUNT
Meeting Date: January 4, 2021	(From)		

V. ATTACHMENTS:



City of
CHICKASHA

Meeting Type: CMA Agenda 1-4-2021

Meeting Date: 1/4/2021

Department: Finance

Agenda Item No. 2.c.

AGENDA ITEM: Acceptance of the Financials for November, 2020.

I. BACKGROUND/DESCRIPTION:

II. RECOMMENDED ACTION:

Accept Financials for November, 2020.

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director: Leasa Furr, Asst. City Manager	Fund	Account	Amount
	(To)		
	FUND	ACCOUNT	AMOUNT
Meeting Date: January 4, 2021	(From)		

V. ATTACHMENTS:



City of
CHICKASHA

Meeting Type: CMA Agenda 1-4-2021

Meeting Date: 1/4/2021

Department: Administration

Agenda Item No. 4.a.

AGENDA ITEM: Discussion, consideration and possible action on Oklahoma Department of Environmental Quality Consent Order 20-047.

I. BACKGROUND/DESCRIPTION:

- On December 4, 2020, Municipal Authority received consent order 20-047.
- Consent order is a reissue and update of previous order that city responded to on March 16, 2020, requesting a meeting with ODEQ.
- City Manager was notified prior to the reissue that the request had been misplaced by ODEQ and that the reissue would be the fastest way to get to a meeting with ODEQ.
- City met via teleconference with representatives from ODEQ, USW, and legal, on December 17, 2020.
- CMA has requested that details in order be corrected, because we dispute what was reported.
- DEQ has requested additional information from CMA for review and possible corrections to document.
- Staff has already submitted extension request on this order as recommended by ODEQ.

II. RECOMMENDED ACTION:

Staff is recommending CMA not consent to this consent order.

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director: John Noblitt, City Manager	Fund	Account	Amount
	(To)		
	FUND	ACCOUNT	AMOUNT
Meeting Date: January 4, 2021	(From)		

V. ATTACHMENTS:

1. ODEQ - Consent Order 20-047



SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

KEVIN STITT
Governor

December 4, 2020

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Chris Mosely, Chairman
c/o David Buchanan, Director of Public Works
Chickasha Municipal Authority
117 North Fourth Street
Chickasha, Oklahoma 73018

Re: Consent Order 20-047
Chickasha Municipal Authority Wastewater Treatment Facility
Complaint Nos. 162383, 166538
Facility No. S-10823
OPDES Permit No. OK0026018
Problem(s): Unpermitted Discharge(s)

Dear Mr. Mosely:

The enclosed Consent Order 20-047 requires the Chickasha Municipal Authority (Authority) to perform certain tasks to eliminate OPDES permit violations from its wastewater collection system. The Consent Order establishes tasks and a schedule to bring the wastewater treatment facility (WWTF) into compliance with Oklahoma statutes and regulations. The Consent Order also requires the Authority to pay an administrative penalty as outlined in Paragraph 17 of this Consent Order.

Please sign and mail the original to me at: Department of Environmental Quality, Water Quality Division, P.O. Box 1677, Oklahoma City, OK 73101-1677. **A file-stamped copy of the signed original will be returned to you.** If this Consent Order is not signed and returned to DEQ within thirty (30) days of receipt, we will pursue other enforcement actions to ensure compliance.

If you have any questions concerning this Consent Order, please contact Toby Harden, E.I., District Representative, Municipal Wastewater Enforcement Section, Water Quality Division, DEQ, at (405) 702-8109 or write to Mr. Harden at the letterhead address.

Sincerely,

for Karen Stubb

Shellie R. Chard, Director
Water Quality Division
Oklahoma Department of Environmental Quality

Enclosure: As stated



**OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION**

**IN THE MATTER OF:
CHICKASHA MUNICIPAL AUTHORITY,**

RESPONDENT,

CASE NO. 20-047

COMPLAINT NOS. 162383, 166538

FACILITY NO. S-10823

PERMIT NO. OK0026018

PROBLEM(S): Unpermitted Discharge(s)

CONSENT ORDER

The parties to this case, the Oklahoma Department of Environmental Quality ("DEQ") and Chickasha Municipal Authority ("Respondent") agree to this Consent Order in order to resolve certain environmental compliance issues.

This Consent Order supersedes and closes Notice of Violation ("NOV") No. S-10823-20-1 issued to Respondent on January 21, 2020.

FINDINGS OF FACT

1. Respondent owns and operates a publicly-owned treatment works ("POTW") that serves the residents of the City of Chickasha in Grady County, Oklahoma. The POTW consists of collection lines, appurtenances, and an activated sludge with extended aeration wastewater treatment facility ("WWTF") located in the NW ¼, NW ¼, SW ¼, Section 35, Township 7 North, Range 7 West of the Indian Meridian, Grady County, Oklahoma. The WWTF discharges treated effluent to the Washita River pursuant to OPDES Permit No. OK0026018 ("Permit"), that DEQ issued to Respondent, and which became effective January 1, 2016.

2. From February 2017 through September 2020, Respondent reported to DEQ the following unpermitted discharges from its collection and treatment system, also commonly referred to as bypasses or sanitary sewer overflows ("SSOs"):

Bypass Date	Duration (Hrs)	Location	Amount (Gals)	Cause
3/14/2017	0.50	1511 S. 15th	75	Roots
3/28/2017	0.50	2299 W. Utah Ave *	10	
4/6/2017	0.60	1500 Woods Ln.	30	Unknown
4/26/2017	0.70	2600 BLK. W. Iowa Ave.	200	Grease
5/21/2017	0.50	2299 W. Utah Ave *	200	Rags in pump
5/22/2017	6.00	23rd & Grand Lift Station *	15,000	Pump failure
5/23/2017	0.80	Apartments N. of 23rd and Grand Lift Station	2,400	Rags cause pump failure
6/19/2017	44.50	3428 S. 25th	60	Tree Roots
6/26/2017	0.10	23rd & Grand Lift Station *	100	Grease
7/4/2017	0.50	23rd & Grand Lift Station *	300	Grease in Wet Wells
7/16/2017	0.10	23rd & Grand Lift Station *	45	Pump Hose Come Loose
8/10/2017	0.80	23rd & Grand Lift Station *	3,000	Rain
9/11/2017	0.10	Highland Lift Station *	60	Pump Failure
9/17/2017	0.30	Highland Lift Station *	15	Hose came off pump
10/1/2017	0.30	Highland Lift Station *	150	Pump ragged up
2/15/2018	0.10	29th & Grand *	20	Power failure
8/14/2018	1.00	Highland Dr.	70	Line break
12/2/2018	0.70	2204 W. Grand Ave.	100	Clogged line
5/18/2019	0.60	23rd & Grand Lift Station *	3,000	Power loss from storm
11/12/2019	1.10	117 Maple Ln.		Pipe clogged
11/17/2019	1.50	23rd & Grand Lift Station *	2,400	L.S. Down
11/18/2019	1.50	**	50	Clogged line
1/18/2020	0.20	29th & Grand *	10	Pump control corroded aires

* – indicates a chronic location

** – indicates missing or incomplete information

3. On November 19, 2019, DEQ received Citizen Complaint No. 162383 that alleged Respondent was allowing an unpermitted discharge of sewage to occur from a manhole which was flowing onto surrounding properties. On November 19, 2019, Ryan Coker, Environmental Specialist for DEQ, investigated the complaint and confirmed that an unpermitted discharge had occurred from a manhole located at the College Station Apartment complex in the vicinity of 2220 West Utah Avenue, Chickasha, Oklahoma, 73018. Mr. Coker met with Robert Moore, Chickasha Line Maintenance, at the complaint site. He stated the bypass was due to a blockage in the main between the lift station and the apartments. Mr. Coker noted the manhole was no longer bypassing at the time of inspection and that the impacted areas had been properly disinfected with lime.

4. On December 2, 2019, Citizen Complaint No. 162383 was referred to the Water Quality Division (“WQD”), DEQ, for further review and enforcement. A review of DEQ records

indicates that Respondent properly reported the unpermitted discharge. DEQ records also identify the location referenced in the complaint as a chronic bypass location.

5. On January 21, 2020, DEQ issued NOV No. S-10823-20-1 to Respondent for the violations reported in the complaint and confirmed during the inspections. Respondent received the NOV on January 27, 2020. On February 11, 2020, DEQ received a written response to the NOV. The response did not adequately address the violations, thus necessitating this Order.

6. On September 23, 2020, DEQ received Citizen Complaint No. 166538, which alleged that an unpermitted discharge was occurring from a clean-out of the College Station Apartments. On September 23, 2020, Mr. Coker investigated the site of the complaint and was unable to confirm an unpermitted discharge at the area. Mr. Coker also noted that personnel for Respondent had cleaned the collection system in the area and removed a grease blockage earlier that day. On October 12, 2020, Citizen Complaint No. 166538 was referred to WQD, DEQ, for further review and enforcement.

7. On December 2, 2020, Toby Harden, E.I., District Representative for DEQ, spoke to John Noblitt, City Manager for Respondent, by telephone to notify Respondent that DEQ would be offering this Consent Order to establish a schedule to eliminate unpermitted discharges from the collection system at the complaint location. Mr. Noblitt was also notified of the penalty included in this Consent Order.

8. Failure by Respondent to comply with the State statutes and/or rules cited in this Consent Order may result in harm to the environment and/or health and well-being of the affected public. By discharging without a permit Respondent cannot verify that Oklahoma's Water Quality Standards are being met. Failure to comply with the above-described rules allows untreated wastewater to enter the waters of the State, or elsewhere, which could result in oxygen depletion and subsequent injury, or death of aquatic organisms. Improperly or partially treated sewage can contain pathogens, or disease causing organisms, such as bacteria, viruses and protozoa. Some of the common diseases that can be transmitted by sewage include bacterial diseases (E. coli poisoning, salmonellosis, shigellosis, typhoid, and bacterial dysentery); viral diseases (polio and hepatitis); and protozoal diseases (amoebic dysentery, cryptosporidiosis, and giardiasis).

9. Respondent and DEQ agree that it is beneficial to resolve this matter promptly and by agreement.

10. Respondent and DEQ waive the filing of a petition or other pleading, and Respondent waives the right to a hearing.

CONCLUSIONS OF LAW

11. DEQ has regulatory jurisdiction and authority in this matter, and Respondent is subject to the jurisdiction and authority of DEQ under 27A O.S. § 1-3-101(B), 27A O.S. §§ 2-6-201 through 2-6-206, and 27A O.S. §§ 2-6-401 through 2-6-403.

12. Respondent and DEQ are authorized by 75 O.S. § 309(E) and 27A O.S. § 2-3-506(B) to resolve this matter by agreement.

13. By allowing unpermitted discharges to occur, Respondent violated 27A O.S. § 2-6-105(A), which states, “[i]t shall be unlawful for any person to cause pollution of any waters of the state or to place or cause to be placed any wastes in a location where they are likely to cause pollution of any air, land or waters of the state. Any such action is hereby declared to be a public nuisance.”

14. By allowing unpermitted discharges to occur, Respondent violated 27A O.S. § 2-6-205(A), which states, “[i]t shall be unlawful for any facility, activity or entity regulated by the Department pursuant to the Oklahoma Pollutant Discharge Elimination System Act to discharge any pollutant into waters of the state or elsewhere without first obtaining a permit from the Executive Director.”

ORDER

15. Based on the above paragraphs, Respondent and DEQ agree, and it is ordered by the Executive Director as follows:

Task	Date Due
A. Submit an approvable Corrective Action Plan (“CAP”) to DEQ for elimination of unpermitted discharges from the complaint location.	March 1, 2021

16. The Oklahoma Pollutant Discharge Elimination System Act, 27A O.S. §§ 2-6-201 through 2-6-206, authorizes DEQ to seek penalties of up to ten thousand dollars (\$10,000.00) per day of violation, for each day during which a violation of the Act, Permit, associated rules or order continues. Based on the facts and circumstances of this case, DEQ assesses a total penalty of six thousand dollars (\$6,000).

- a. Respondent agrees that, within thirty (30) days of the effective date of this Consent Order, Respondent will pay three thousand seven hundred fifty dollars (\$3,750) of the assessed penalty to DEQ.

- b. DEQ agrees to defer payment of the remaining amount of the assessed penalty pending compliance with the task listed in Paragraph 15 of this Consent Order.
 - i. If Respondent fails to complete the task by the scheduled due date, the portion of the deferred penalty allocated to that task in subparagraph (iii) becomes immediately due and payable.
 - ii. If Respondent completes a task by its due date, DEQ agrees to waive the portion of the deferred penalty allocated to that task in subparagraph (iii).
 - iii. Task A - \$2,250.00

All penalty payments shall be by check or money order payable to the Oklahoma Department of Environmental Quality (or ODEQ), showing the Case Number of this Consent Order, and delivered to:

Accounts Receivable
 Financial & Human Resources Management
 Department of Environmental Quality
 P.O. Box 2036
 Oklahoma City, OK 73101-2036

17. Respondent agrees that if Respondent fails to complete any of the task(s) by the specified due dates set forth in Paragraph 15 in this Consent Order, DEQ may assess stipulated penalties as follows:

<u>TASK</u>	<u>PENALTY PER DAY</u>
A.	\$140.00

Stipulated penalties begin to accrue on the day performance is due, with the total amount of stipulated penalties not to exceed seventy-five thousand dollars (\$75,000). If DEQ notifies Respondent that Respondent is not in compliance with this Consent Order and that stipulated penalties are being assessed, Respondent may request a hearing to contest the finding of noncompliance.

18. If Respondent fails to pay any penalty, DEQ may bring a separate action for collection of the penalty in District Court. An action by DEQ for the collection of a penalty does not affect Respondent's duty to complete the tasks required by this Consent Order.

GENERAL PROVISIONS

19. DEQ has received delegation from the United States Environmental Protection Agency to implement and enforce the Federal NPDES program. A portion of the implementation and enforcement program is to issue timely enforcement actions and impose appropriate penalties.

The federal program calls for a significant increase in monetary penalties should this Consent Order be violated or future violations occur.

20. As used in this Consent Order, an “approvable” submission to DEQ is to be considered a final submission. That is, all preliminary discussions between DEQ and Respondent regarding the requirements of a submission must be concluded prior to the date the submission is due so that the submission will be approvable as submitted. If the submission is not submitted in an approvable form by its due date, the submission will be considered late and Respondent will be subject to the stipulated penalties described in this Consent Order.

21. Respondent agrees to perform the requirements of this Consent Order within the time frames specified unless performance is prevented or delayed by events which are a “force majeure.” For purposes of this Consent Order, a force majeure event is defined as any event arising from causes beyond the reasonable control of Respondent or Respondent’s contractors, subcontractors or laboratories that delays or prevents the performance of any obligation under this Consent Order. Examples are vandalism, fire, flood, labor disputes or strikes, weather conditions which prevent or seriously impair construction activities, civil disorder or unrest, and “acts of God.” Force majeure events do *not* include increased costs of performance of the tasks agreed to in this Consent Order, or changed economic circumstances. Respondent must notify DEQ in writing within fifteen (15) days after Respondent knows or should have known of a force majeure event that is expected to cause a delay in achieving compliance with any requirement of this Consent Order. Failure to submit notification within fifteen (15) days waives the right to claim a force majeure.

22. Respondent and DEQ may amend this Consent Order by mutual consent. Such amendments must be in writing and the effective date of the amendments will be the date on which they are filed by DEQ. Any amendment to this Consent Order may require the payment of an administrative penalty.

23. Upon their approval by DEQ, any final reports, plans, specifications, schedules and attachments required under this Consent Order are incorporated into it and enforceable under it. Failure to respond within a reasonable time to any errors, deficiencies or other regulatory requirements identified by DEQ is a violation of this Consent Order.

24. No informal advice, guidance, suggestions or comments by employees of DEQ regarding reports, plans, specifications, schedules, and other writings affect Respondent’s obligation to obtain written approval by DEQ, when required by this Consent Order.

25. Respondent agrees to allow agents of DEQ entry onto Respondent's property, at reasonable times and without advance notice, for the purposes of inspecting, sampling, testing, reviewing records and other authorized activities to assess compliance with Oklahoma statutes and rules and this Consent Order. If Respondent is required to sample or test, Respondent agrees to give DEQ reasonable notice of the sampling or testing date and time and allow DEQ to observe and/or split-sample.

26. Unless otherwise specified, any report, notice or other communication required under this Consent Order must be in writing and must be sent to:

For DEQ:

Toby Harden, District Representative
Municipal Wastewater Enforcement Section
Water Quality Division
Department of Environmental Quality
P.O. Box 1677
Oklahoma City, Oklahoma 73101-1677

For Respondent:

John Noblitt, City Manager
Chickasha Municipal Authority
117 North Fourth Street
Chickasha, Oklahoma 73108

27. This Consent Order is enforceable as a final order of the Executive Director of DEQ. DEQ retains jurisdiction of this matter for the purposes of interpreting, implementing and enforcing the terms and conditions of this Consent Order and for the purpose of resolving disputes.

28. Nothing in this Consent Order limits DEQ's right to take enforcement action for violations discovered or occurring after the effective date of this Consent Order.

29. Nothing in this Consent Order excuses Respondent from its obligation to comply with all applicable federal, state and local statutes, rules and ordinances. Respondent and DEQ agree that the provisions of this Consent Order are considered severable, and if a court of competent jurisdiction finds any provisions to be unenforceable because they are inconsistent with state or federal law, the remaining provisions will remain in full effect.

30. The provisions of this Consent Order apply to and bind Respondent and DEQ and their officers, officials, directors, employees, agents, successors and assigns. No change in the ownership or corporate status of Respondent will affect Respondent's responsibilities under this Consent Order.

31. Compliance with the terms and conditions of this Consent Order fully satisfies Respondent's liability to DEQ for all items of noncompliance in this Consent Order. If Respondent satisfies the requirements of this Consent Order, DEQ will not pursue any other remedy, sanction or relief that might otherwise be available to address the issues of noncompliance in this Consent Order. Nothing in this Consent Order shall be deemed to satisfy Respondent's liability, if any, for actions or remedies not within the scope of authority of DEQ.

32. This Consent Order is for the purpose of settlement. Neither the fact that Respondent and DEQ have agreed to this Consent Order, nor the Findings of Fact and Conclusions of Law in it, shall be used for any purpose in any proceeding except the enforcement by Respondent and DEQ of this Consent Order and, if applicable, a future determination by DEQ of eligibility for licensing or permitting. As to others who are not parties to this Consent Order, nothing contained in this Consent Order is an admission by Respondent of the Findings of Fact or Conclusions of Law, and this Consent Order is not an admission by Respondent of liability for conditions at or near the facility and is not a waiver of any right, cause of action or defense Respondent otherwise has.

33. Respondent and DEQ agree that the venue of any action in district court for the purposes of interpreting, implementing and enforcing this Consent Order will be Oklahoma County, Oklahoma.

34. The requirements of this Consent Order will be considered satisfied and this Consent Order terminated when Respondent receives written notice from DEQ that Respondent has demonstrated that all the terms of the Consent Order have been completed to the satisfaction of DEQ, and that any assessed penalty has been paid.

35. The individuals signing this Consent Order certify that they are authorized to sign it and to legally bind the parties they represent.

36. This Consent Order becomes effective on the date of the later of the two signatures below.

**FOR CHICKASHA MUNICIPAL
AUTHORITY:**

**CHRIS MOSELY
CHAIRMAN**

DATE

**FOR OKLAHOMA DEPARTMENT
OF ENVIRONMENTAL QUALITY:**

**SCOTT A. THOMPSON
EXECUTIVE DIRECTOR**

DATE