



June 3, 2019

Steve Dufresne, Director of Utilities  
City of Van Buren – Main Plant  
P.O. Box 1269  
Van Buren, AR 72956

**RE: NPDES Permit Number: AR0021482, AFIN: 17-00062  
Whole Effluent Toxicity Test Lab Error**

Dear Mr. Dufresne:

The Department has conducted a review of the Whole Effluent Toxicity (WET) tests performed by American Interplex Corporation from September 2016 to January 2019. The review revealed that acute WET tests for *Pimephales promelas* and *Daphnia pulex* conducted for Outfall 001 during November 9, 2016, May 10, 2017\*, December 6, 2017, and April 25, 2018, as required by NPDES Permit No. AR0021482 (Permit) deviated from the 48-hour test duration specified in EPA-821-R-02-012. These tests have been deemed invalid.

Please correct the TX1-S Discharge Monitoring Reports (DMRs) for December 31, 2016, June 30, 2017\*, December 31, 2017, and June 30, 2018 to reflect “NODI M – Laboratory Error” and attach this letter as your non-compliance report. These corrections should be made by June 10, 2019.

Reporting Laboratory Error on your DMR is a violation of Part I, Section A of your Permit. The Department has elected not to take formal enforcement action for these violations of your Permit.

On April 11, 2016, ADEQ granted a reduction in WET test monitoring frequency effective until the Permit expiration date of December 31, 2019. However, several invalid tests have been submitted following the effective date of the reduction in monitoring frequency.

Effective June 3, 2019, the Department is reinstating the WET test monitoring frequency of once per quarter for both species, *Pimephales promelas* and *Daphnia pulex*, in accordance with Part I, Section A of your Permit. Your next analyses for *P. promelas* and *D. pulex* shall be completed between July 1, 2019 and September 30, 2019. The Department will revise the DMRs in NetDMR to reflect quarterly WET testing.

Upon completion of four (4) consecutive quarters of valid, passing WET tests, City of Van Buren may apply for a reduction in WET test monitoring frequency.

Thank you for your attention to this matter. If you have questions or would like to discuss this matter further, please feel free to contact Bailey Taylor at 501-682-0639, or by e-mail at [bailey.taylor@adeq.state.ar.us](mailto:bailey.taylor@adeq.state.ar.us).

Sincerely,



Richard Healey  
Enforcement Branch Manager  
Office of Water Quality

\* *Pimephales promelas* met the 48-hour test duration in the May 10, 2017 test and therefore will not have to be reported as invalid on the June 30, 2017 TX1-S DMR.

cc: John Overbey, Lab Director, American Interplex ([joverbey@americaninterplex.com](mailto:joverbey@americaninterplex.com))