

# ADEQ

ARKANSAS  
Department of Environmental Quality

September 8, 2016

Honorable Frank Fogleman  
City of Marion  
P.O. Box 717  
Marion, AR 72364

RE: NPDES Permit No. AR0021971, AFIN 18-00110  
Effluent Violations

Dear Mayor Fogleman:

A file review of the above referenced permit revealed your facility has experienced nine (9) effluent violations from January 1, 2016 through May 31, 2016. All nine (9) violations were for BOD5. Attached is a list of effluent violations that have occurred for your review.

The Department has not received a Non-Compliance Report (NCR) for the effluent violations above. Your Permit requires a NCR be submitted for any violation of permit parameters. For an NCR to be considered adequate, it must contain all of the following:

- (1) a description of the violations,
- (2) the reason for the violations,
- (3) the duration of the violations,
- (4) the corrective action being taken to eliminate the violations,
- (5) the compliance date or expected compliance date,
- (6) an original signature of the cognizant official.

Please submit an adequate NCR addressing the attached list of effluent violations. Also, please submit a report/plan detailing the corrective actions that you are taking or will take to achieve compliance with the terms of the above mentioned permit. The report/plan shall be received no later than **September 30, 2016**.

Failure to remain in compliance with the effluent limitations set forth in your permit violates Part I, Section A of your permit and may result in enforcement action that will include the assessment of a civil penalty.

Thank you for your attention to this matter. Should you have any questions, feel free to contact me at 501-682-0636 or you may e-mail me at [porterg@adeq.state.ar.us](mailto:porterg@adeq.state.ar.us).

Sincerely,



Gina Porter  
Enforcement Analyst  
Water Division Enforcement Branch

9/8/2016

**DMR Effluent Violations 01/01/2016 -  
09/08/2016**

**AR0021971 - MARION, CITY OF / Major POTW  
- Effective: 07/01/2012**

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DMR End Date	Discharge Number	Parameter Description	Reported DMR Value	Permit Limit	Vio %
03/31/2016	002-A	BOD, 5-day, 20 deg. C (MO AVG, lb/d)	639	400	60%
03/31/2016	002-A	BOD, 5-day, 20 deg. C (7 DA AVG, mg/L)	47	45	4%
04/30/2016	002-A	BOD, 5-day, 20 deg. C (MO AVG, lb/d)	473	400	18%
04/30/2016	002-A	BOD, 5-day, 20 deg. C (MO AVG, mg/L)	39	30	30%
04/30/2016	002-A	BOD, 5-day, 20 deg. C (7 DA AVG, mg/L)	61	45	36%
05/31/2016	002-A	BOD, 5-day, 20 deg. C (MO AVG, lb/d)	503	400	26%
05/31/2016	002-A	BOD, 5-day, 20 deg. C (MO AVG, mg/L)	42	30	40%
05/31/2016	002-A	BOD, 5-day, 20 deg. C (7 DA AVG, mg/L)	48	45	7%
06/30/2016	002-A	BOD, 5-day, 20 deg. C (MO AVG, mg/L)	32	30	7%