

## Kristen Graham (adpce.ad)

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**From:** Kristen Graham (adpce.ad)  
**Sent:** Monday, May 8, 2023 9:57 AM  
**To:** 'jkelly502mbd@yahoo.com'; 'tracy.brick@marionarkansas.org'  
**Subject:** FW: Effluent Violations Warning Letter  
**Attachments:** Marion Warning Letter.pdf

I apologize, I failed to include the attachment on the previous email.

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**From:** Kristen Graham (adpce.ad)  
**Sent:** Monday, May 8, 2023 9:51 AM  
**To:** 'tracy.brick@marionarkansas.org' <[tracy.brick@marionarkansas.org](mailto:tracy.brick@marionarkansas.org)>; 'jkelly502mbd@yahoo.com' <[jkelly502mbd@yahoo.com](mailto:jkelly502mbd@yahoo.com)>  
**Subject:** Effluent Violations Warning Letter

Good morning,

Please review the attached document detailing the effluent violations for the period of March 01, 2022 – March 31, 2023. Continued violations may result in further enforcement action.

Please submit the missing NCRs as listed in the letter.

Thank you,

## KRISTEN GRAHAM

Compliance Analyst | 501.682.0758  
Office of Water Quality | Enforcement Branch  
Arkansas Division of Environmental Quality



**ARKANSAS**  
ENERGY & ENVIRONMENT



# ARKANSAS

## ENERGY & ENVIRONMENT

May 8, 2023

Tracy Brick, Mayor  
City of Marion  
14 Military Road  
Marion, AR, 72364

email: [tracy.brick@marionarkansas.org](mailto:tracy.brick@marionarkansas.org)

**RE: Permit Number: AR0021971, AFIN 18-00110  
Effluent Violation Warning Letter**

Dear Mayor Brick,

A review of the Permit file for the above mentioned facility for the period of March 01, 2022 through March 31, 2023 reveals the following compliance issues:

The facility has reported **Seven (7) effluent violations** of Part I, Section A of Permit No. AR0021971:

DMR End Date	Discharge Number	Parameter Description	Reported DMR Value	Permit Limit	Vio %
04/30/2022	002-A	BOD, 5-day, 20 deg. C (MO AVG, mg/L)	71	30	137%
04/30/2022	002-A	BOD, 5-day, 20 deg. C (7 DA AVG, mg/L)	91	45	102%
05/31/2022	002-A	BOD, 5-day, 20 deg. C (MO AVG, mg/L)	34	30	13%
05/31/2022	002-A	BOD, 5-day, 20 deg. C (7 DA AVG, mg/L)	60.5	45	34%
12/31/2022	002-A	BOD, 5-day, 20 deg. C (MO AVG, mg/L)	41.9	30	40%
12/31/2022	002-A	BOD, 5-day, 20 deg. C (7 DA AVG, mg/L)	73	45	62%
01/31/2023	002-A	BOD, 5-day, 20 deg. C (MO AVG, mg/L)	32.8	30	9%

Non-compliance reports (NCRs) with corrective actions were received by the Division for the monitoring period ending January 31, 2023. DEQ does not have record of an NCR being submitted for the monitoring periods ending April 30, 2022; May 31, 2022; and December 31, 2022. Please submit a NCR for each monitoring period listed above by **May 12, 2023**.

Any violation of your Permit is subject to further enforcement action by this Division, pursuant to the Arkansas Water and Air Pollution Control Act. The regulations and your Permit require that you take all reasonable measures necessary to eliminate or prevent the occurrence of violations.

Should you have any questions concerning the above referenced compliance issues, please feel free to contact me at 501-682-0758, or you may e-mail me at [Kristen.Graham@adeq.state.ar.us](mailto:Kristen.Graham@adeq.state.ar.us).

Sincerely,

A handwritten signature in blue ink that reads "Kristen Graham". The signature is fluid and cursive, with the first name "Kristen" written in a larger, more prominent script than the last name "Graham".

Kristen Graham  
Enforcement Analyst, DEQ, OWQ  
5301 Northshore Drive, North Little Rock, AR 72118

CC: Jerry Kelley, Operator, ([jkelley502mbd@yahoo.com](mailto:jkelley502mbd@yahoo.com))