



July 6, 2017

CERTIFIED MAIL 9489 0090 0027 6011 9506 13

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

**RE: NPDES Permit Number AR0021971; AFIN: 18-00110; CAO LIS # 12-035-001
CAP Update Request**

Dear Mayor Fogleman,

A review of the certified Discharge Monitoring Reports (DMRs) submitted by the City of Marion from May 1, 2016 through May 31, 2017 has revealed the following violations of Part III, Section A of Permit AR0021971:

DMR End Date	Discharge #	Parameter Description	Reported Value	Limit Value	% Violation
05/31/16	002-A	BOD, 5-day, 20 deg. C (MO AVG, lb/d)	503	400	26%
05/31/16	002-A	BOD, 5-day, 20 deg. C (MO AVG, mg/L)	42	30	40%
05/31/16	002-A	BOD, 5-day, 20 deg. C (7 DA AVG, mg/L)	48	45	7%
06/30/16	002-A	BOD, 5-day, 20 deg. C (MO AVG, mg/L)	32	30	7%
05/31/17	002-A	BOD, 5-day, 20 deg. C (MO AVG, lb/d)	421	400	5%
05/31/17	002-A	BOD, 5-day, 20 deg. C (MO AVG, mg/L)	36	30	20%
05/31/17	002-A	BOD, 5-day, 20 deg. C (7 DA AVG, mg/L)	58	45	29%

As a result of this review, ADEQ requests that the City of Marion submit the following documentation to the ADEQ Water Division Enforcement Branch:

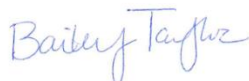
- A Corrective Action Plan Update. The CAP update shall include the following information:
 - Evaluation of the current permitted treatment system for compliance within the requirements of your permit.
 - The actions taken and to be taken to correct and prevent the recurrence of the effluent violations.
 - A milestone schedule for compliance with the permit effluent limits.

- Monthly Progress Reports. These reports shall describe the progress made and the remaining items to be completed. Submission of Monthly Reports shall be due on the 15th of the following month. Please begin submitting the monthly reports to the ADEQ Water Division Enforcement Branch within sixty (60) calendar days of receipt of this letter. The reports may also be emailed to taylor@adeq.state.ar.us.
- A final report, stamped by a Professional Engineer registered in the state of Arkansas, certifying compliance with the permit effluent limits upon completion of actions taken to correct and prevent the recurrence of the effluent violations.

Within thirty (30) calendar days of receipt of this letter, please submit the CAP update to the ADEQ Water Division Enforcement Branch. The document may also be emailed to me at taylor@adeq.state.ar.us.

Thank you for your attention to this matter. Should you have any questions, feel free to contact me at 501-682-0639 or at taylor@adeq.state.ar.us.

Sincerely,

A handwritten signature in blue ink that reads "Bailey Taylor".

Bailey Taylor
Enforcement Analyst
Water Division, Enforcement Branch

cc: Jerome Alford, P.E., Bond Consulting Engineers, Inc. (bondengineering@hotmail.com)
Jim Shempert, City of Marion (jshempert.waterdept@yahoo.com)