

## Lawrence, Myrl

**From:** Lawrence, Myrl  
**Sent:** Wednesday, August 12, 2020 11:56 AM  
**To:** 'bvcityhall@berryville.com'  
**Cc:** 'wanderer1us@yahoo.com'  
**Subject:** AR0021792 Berryville Permit Violation Warning



**ARKANSAS**  
 ENERGY & ENVIRONMENT

August 12, 2020

Honorable Tim McKinney  
 Mayor, City of Berryville  
 P.O. Box 227  
 Berryville, AR 72616

Email: [bvcityhall@berryville.com](mailto:bvcityhall@berryville.com)

RE: Berryville WWTF, NPDES Permit Number: AR0021792, AFIN: 08-00034  
 Whole Effluent Testing (WET) Violations

Dear Mayor McKinney:

A review of the NPDES file for the above referenced facility for the period of August 1, 2018 through July 31, 2020 reveals the following compliance issues:

There have been six (6) reported WET violations of Part I, Section A. of the Permit during this review period:

DMR End Date	Disch-Desig	Parameter Desc	Reported DMR Value	Limit Value	Vio %	Vio Code	DMR Value Recd Date	Days Late	NODI Desc	DMR Value Type Code	Parameter Code
09/30/2018	TX1-Q	Whole effluent toxicity (DLYAVMIN, %)	75	100	25%	Numeric Vio	8/9/18			C 1	22414-S-0
09/30/2018	TX1-Q	Whole effluent toxicity (7 DA MIN, %)	75	100	25%	Numeric Vio	8/9/18	428		C 2	22414-S-0
12/31/2018	TX1-Q	Whole effluent toxicity (DLYAVMIN, %)	82	100	18%	Numeric Vio	1/1/17			C 1	22414-S-0
12/31/2018	TX1-Q	Whole effluent toxicity (7 DA MIN, %)	82	100	18%	Numeric Vio	1/1/17			C 2	22414-S-0

12/31/2018	TX1-S	Whole effluent toxicity (DLYAVMIN, %)	82	100	18%	Numeric Vio	1/17/19			C 1	22414-1-0
12/31/2018	TX1-S	Whole effluent toxicity (7 DA MIN, %)	82	100	18%	Numeric Vio	1/17/19			C 2	22414-1-0

A Toxicity Reduction Evaluation Action Plan (TRE) is currently being conducted in coordination with the DEQ’s Office of Water Quality. The TRE is considered sufficient to address the aforementioned violations at this point.

While no additional enforcement action is currently being considered, DEQ reserves the right to reconsider these violations should further violations occur. As a reminder, any violation of your NPDES Permit is subject to enforcement action by this Department, pursuant to the Arkansas Water and Air Pollution Control Act. The regulations and your NPDES Permit require that you continue to take all reasonable measures necessary to eliminate or prevent the occurrence of violations.

Your attention to this matter is most appreciated. Should you have questions or desire assistance please contact me directly.

Kindest Regards,



**Myrl V Lawrence Jr** | Enforcement Analyst  
**Division of Environmental Quality | Office of Water Quality**  
**Enforcement Branch**  
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CC: Billy Harp, Public Works Director, City of Berryville, [wanderer1us@yahoo.com](mailto:wanderer1us@yahoo.com)

**ARKANSAS DEPARTMENT OF ENERGY AND ENVIRONMENT**