



**DIVISION OF  
ENVIRONMENTAL QUALITY**

Sarah Huckabee Sanders  
GOVERNOR  
Shane E. Khoury  
SECRETARY

March 4, 2024

EMAIL: [mayor@malvernar.gov](mailto:mayor@malvernar.gov)

Honorable Brenda Weldon, Mayor  
City of Malvern  
3672 Grigsby Ford Rd.  
Malvern, AR 72104

**RE: NPDES Permit No AR0034126, AFIN 30-00040  
Executed Consent Administrative Order LIS 24-045**

Dear Mayor Weldon,

Enclosed is a fully executed copy of Consent Administrative Order (CAO) LIS 24-045. This CAO is subject to public review and comment in accordance with Ark. Code Ann. § 8-4-103(d). Public notice of this CAO will be published on or about March 10, 2024, and the CAO will become effective thirty (30) days following the publication date of the public notice, April 9, 2024.

Payment of the civil penalty of \$10,400.00, as agreed to in the Order and Agreement Section of CAO LIS 24-045 was received by DEQ on February 20, 2024.

To assist you with meeting the deliverable requirements of this CAO, DEQ has created a personalized compliance checklist for you enumerating each deliverable due to DEQ and the due date for each enumerated deliverable. Your personalized compliance checklist is enclosed with this letter.

Please refer to CAO LIS 24-045 in any written correspondence to DEQ. Should you have any questions, please feel free to contact me directly at (501) 682-0758, or by email 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'.

Kristen Graham  
Compliance Analyst, OWQ, DEQ

Cc: Carl Wheatley, [cwheatley@malvernar.gov](mailto:cwheatley@malvernar.gov)  
John Davis, [davis@malvernar.gov](mailto:davis@malvernar.gov)  
Chad Hastings, [chastings@cristenengineers.com](mailto:chastings@cristenengineers.com)  
Les Price, [lprice@cristenengineers.com](mailto:lprice@cristenengineers.com)

Enclosures      Executed CAO LIS 24-045  
                         Compliance Checklist

Permittee:	City of Malvern	CAO LIS #	<b>24-045</b>
Permit Number:	AR0034126	AFIN:	30-00040
CAO Execution Date:	March 1, 2024		
Public Notice Date:	March 10, 2024		
Effective Date:	April 9, 2024		
Compliance Analyst:	Kristen Graham		

In accordance with the Consent Administrative Order (CAO) executed by the City of Malvern and the Division of Environmental Quality (DEQ) on the above-referenced date, the following action items, itemized below, must be completed by the due dates set forth below in order to comply with the CAO.

No.	Action Items	Due Date	Date Completed
1.	Submit milestone schedule	<b>April 9, 2024</b>	
2.	Pay civil penalty	<b>May 9, 2024</b>	February 20, 2024
3.	Submit monthly progress reports	<b>Monthly by the 15<sup>th</sup> (first due May 15, 2024)</b>	
4.	Submit System Evaluation, Capital Improvement Plan, & Capacity Assurance Plan	<b>October 9, 2024</b>	
5.	Submit SSO progress report	<b>October 9, 2024</b>	
6.	Certify final compliance	<b>Upon completion of all corrective actions</b>	

DEQ conditionally suspended \$18,400.00 of the civil penalty with dismissal of that amount contingent upon City of Malvern's compliance with the terms of the CAO. If the City of Malvern fails to comply with the CAO, the full amount of the civil penalty will become due and payable immediately to DEQ upon demand.

Further, failure to comply with the CAO may result in the assessment of stipulated penalties as set forth in the Order and Agreement section of the CAO.

Please contact the above-named Compliance Analyst if you have any questions.