



# ARKANSAS

## ENERGY & ENVIRONMENT

March 15, 2023

Honorable Brenda Weldon  
Mayor, City of Malvern  
305 Locust Street  
Malvern, AR 72104

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

**RE: NPDES Permit No. AR0034126, AFIN 30-00040  
Response to Bacteria Sampling and a Communications Plan for  
Sanitary Sewer Overflows into Town & Chatman Creeks**

Dear Mayor Weldon:

On March 3, 2023, the Division of Environmental Quality, Office of Water Quality (DEQ) received and reviewed the City of Malvern's Bacteria Sampling and Communications Plan for the Sanitary Sewer Overflows (SSOs) in Town & Chatman Creeks (Plan). DEQ provided a response to the City's questions in an email dated March 6, 2023. The Plan satisfies the requirements with the addition of the responses below:

1. Is immediate sampling required outside of regular business hours (i.e. weekends)?

**Response: Yes. If a SSO occurs on a Saturday or Sunday or outside of regular business hours, City of Malvern shall sample the overflow.**

2. When submitting copies of the analytical results to DEQ within three calendar days of sampling, does this include weekends? Since testing agencies are only open during regular business hours, this deadline may not always be attainable.

**Response: Three calendar days should be sufficient to provide results from bacteria testing. Because bacteria testing will be completed the calendar day immediately following sample collection, the results should be available to report on a weekday within three days of sample collection.**

Sample Collection and Analysis	Analysis Complete/ Report Results	Results Submitted to DEQ
Monday	Tuesday	Tuesday, Wednesday, or Thursday
Tuesday	Wednesday	Wednesday, Thursday, or Friday
Wednesday	Thursday	Thursday, Friday, or Saturday
Thursday	Friday	Friday, Saturday, or Sunday
Friday	Saturday	Saturday, Sunday, or Monday
Saturday	Sunday	Sunday, Monday, or Tuesday
Sunday	Monday	Monday, Tuesday, or Wednesday

*If submitting results for samples collected on a Thursday pose a difficulty, City of Malvern may notify DEQ of the Thursday sample collection and request to provide those results to DEQ on the immediately following Monday.*

Please continue to implement the procedures outlined in the Plan. If the Plan should change, please notify DEQ of the changes immediately. All modifications to the Plan must be approved by DEQ.

Should you have any questions concerning this matter, please do not hesitate to contact me at 501-682-0640 or at [Richard.Healey@adeq.state.ar.us](mailto:Richard.Healey@adeq.state.ar.us).

Sincerely,

Richard C. Healey  
 Enforcement Branch Manager  
 Office of Water Quality, DEQ  
 5301 Northshore Drive, North Little Rock, AR 72118

Cc: Carl Wheatley, Superintendent, City of Malvern, [cwheatley@malvernar.gov](mailto:cwheatley@malvernar.gov)  
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