



# ARKANSAS

## ENERGY & ENVIRONMENT

September 30, 2022

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

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

**RE: NPDES Permit No. AR0034126, AFIN 30-00040  
Sanitary Sewer Overflows: Manholes #154 & #155 at Laurel and Davis  
Request for Corrective Action Plan**

Dear Mayor Weldon:

The Division of Environmental Quality, Office of Water Quality (OWQ) has conducted a file review of City of Malvern NPDES Permit AR0034126 for the period of February 26, 2018 through July 1, 2022. The review reveals the City of Malvern has reported twenty (20) Sanitary Sewer Overflows (SSOs) totaling over 5,452,000 gallons at manholes #154 and #155, which are located near the intersection of Laurel and Davis in Malvern. The untreated sewage from these SSOs discharged into Town Creek, a water of the state. Each SSO is an unpermitted discharge, and each SSO is a separate violation of the federal Clean Water Act, 33 U.S.C. § 1311(a) *et seq.*; Arkansas Water and Air Pollution Control Act, Ark. Code Ann. § 8-4-101 *et seq.*; Arkansas Pollution Control and Ecology Commission Rule 6; and NPDES Permit AR0034126.

Raw sewage contains high levels of Fecal Coliform Bacteria and *E. coli*, both of which are harmful to human health and the environment, in addition to other pollutants of environmental concern. Because of the ongoing SSOs and the close proximity to a residential neighborhood and waters of the state, DEQ requests the following immediate action:

- **By the close of business on October 28, 2022**, the City of Malvern shall submit a Corrective Action Plan (CAP), developed and stamped by a Professional Engineer licensed in the state of Arkansas that addresses the SSOs. The CAP shall:
  - Detail the work that is being done or will be done to identify and correct the cause of the ongoing SSOs and include a milestone schedule and expected date of completion;
  - Include an evaluation of each SSO in the attached list to identify the cause of the recurring SSOs; and
  - Identify collection line segments and manholes requiring remediation, repair, or replacement and develop a priority schedule for those collection line segments and manholes.

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

Sincerely,



Richard C. Healey  
Enforcement Branch Manager  
Office of Water Quality, DEQ  
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