UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 Renner Boulevard
Lenexa, Kansas 66219

DEC 1 9 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Article No.: 7012 1640 0001 7091 7422

Steve Kenkel
City of Harlan City Hall
Harlan WWTP
910 Maple Road
Harlan, IA

Re: DMR-QA Study 33 reporting requirements

Dear Mr. Kenkel:

Letter of Warning

On or about February 15, 2013, the Environmental Protection Agency transmitted to you, under the authority of Section 308 of the Clean Water Act, an information packet for the Discharge Monitoring Report-Quality Assurance Study Number 33. Within the packet was a schedule with required reporting dates, which have now passed, for the study results. As of the date of this letter, the EPA has not received the information required. We are resending with this letter a copy of the DMR-QA 33 packet for your convenience.

The following reports were to have been submitted by the dates below:

August 26, 2013 – The National Pollutant Discharge Elimination System Permittee Data Report Form (pages 10 and 11), the Chemistry/Microbiology/WET checklists (pages 12 and 13), and, if any sample test results were found to be "Not Acceptable", the order for any required retest samples had to be placed.

Because your facility failed to submit these reports by the stated deadlines, the following reporting schedule is now required:

1) Your facility shall submit within **10 days** of receipt of this letter the completed DMR-QA 33 packet, however,

2) Should your facility not have begun the DMR-QA 33 analysis requirements, then the following must occur:

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a. Within **10 days** submit a letter showing proof of purchase of the appropriate proficiency testing samples for the in-house analysis your facility performs, along with a statement explaining the reason for failing to meet the initial dates cited above, and/or,

b. If you rely on an outside laboratory to analyze the proficiency testing samples, **immediately** notify them that they need to provide you with the results of their proficiency testing, and,

c. Immediately upon receipt of the graded proficiency testing samples obtained from your contract laboratory, or receipt of the report from the laboratory grading your in-house sample analysis, provide copies to the EPA.

All information should be submitted by U.S. mail to:

Robert Bryant
U.S. Environmental Protection Agency
Water, Wetlands and Pesticides Division
11201 Renner Boulevard
Lenexa, Kansas 66219

Should retests be required, the retests are to be performed by the laboratory that received an unacceptable result for any parameter listed on your facilities NPDES permit. Along with the graded result an investigative report which outlines the possible cause(s) of the unacceptable result and steps to prevent in the future is required to be submitted with the new results.

Although no further follow-up action is contemplated by the EPA at this time, please note that the EPA reserves its right to pursue appropriate remedies for violations including penalties for failure to comply with the reporting requirement of the DMR-QA 33 study.

If you have any questions regarding this Letter of Warning, please contact Robert Bryant, the member of my staff most familiar with the DMR-QA program, at 913-551-7354 or via email at bryant.robert@epa.gov.

Sincerely,

Karen A. Flournoy

Karen A. Flournoy
Director
Water, Wetlands and Pesticides Division

Enclosure

cc: Dennis Ostwinkle, IDNR