National Pollution Discharge Elimination System Sampling/Inclement Weather: Arkansas Department of Energy and Environment - Division of Environmental Quality Statement

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The Arkansas Department of Energy and Environment ("Division of Environmental Quality") recently issued a statement on its website addressing Clean Water Act National Pollution Discharge Elimination System ("NPDES") sampling during inclement weather.

DEQ states that:

. . . If a permittee is unable to provide one or more of the weekly samples or obtain a daily flow due to frozen sampling equipment, then the permittee needs to change its frequency of analysis on its DMR (Editor's note, i.e., Discharge Monitoring Report) to reflect how often samples were taken and attach a report in NetDMR detailing why samples were unable to be collected.

Permittees are also requested to not use the No Data Indicator (NODI) code unless unable to collect samples for the month.

A link to the DEQ Enforcement Analysts is provided here.

Clean Water Act NPDES permittees are of course required to perform routine monitoring of their wastewater discharges. Monitoring frequency and analytical testing requirements are detailed in the facility-specific permit. Sample collection and laboratory testing are required to be performed in accordance with NPDES permit specifications and Clean Water Act requirements. Laboratory test methods are required to be performed utilizing the guidelines established in 40 C.F.R. Part 136.