

## Wastewater Enforcement: Arkansas Department of Environmental Quality and Garland County, Arkansas Improvement District Enter into Consent Administrative Order



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The Arkansas Department of Environmental Quality (“ADEQ”) and the Mountain Top Suburban Improvement District No. 66 (“District”) entered into a February 22nd Consent Administrative Order (“CAO”) addressing alleged violations of a National Pollution Discharge Elimination System (“NPDES”) Permit. See LIS No. 18-018.

The CAO states that the District operates a wastewater treatment facility (“Facility”) in Hot Springs, Arkansas.

The Facility is stated to discharge treated wastewater to an unnamed tributary of Mill Creek and eventually to the Ouachita River. Such discharge is regulated pursuant to an NPDES Permit.

Part III, Section D, Condition 10 of the NPDES Permit is stated to require the District to submit a complete permit renewal application at least 180 days prior to the expiration date of the Permit if the activity regulated by the Permit is to continue after the expiration date. The District is stated to intend to operate the Facility beyond the expiration date of the current Permit.

ADEQ is stated to have notified the District that the Permit would expire on December 31, 2017, and in order to continue the regulated activity, a complete renewal application must be submitted no later than July 4, 2017.

The CAO states that a complete permit renewal application was not received by July 4, 2017. This failure to submit the permit renewal application by the referenced date is alleged to be a violation of Part III, Section D, Condition 10 of the Permit. A complete permit renewal application was provided by the District to ADEQ on September 7, 2017.

The District is required to comply with the existing NPDES Permit until the effective date of the renewal permit.

A civil penalty of \$1,000 is assessed, which could be reduced to \$500 if payment was provided to ADEQ within 30 days of the effective date of the CAO.

[A copy of the CAO can be downloaded here.](#)