

Solid Waste Enforcement: Arkansas Department of Environmental Quality and Independence County, Arkansas School District Enter into Consent Administrative Order



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The Arkansas Department of Environmental Quality (“ADEQ”) and Southside School District (“District”) entered into a June 6th Consent Administrative Order (“CAO”) addressing alleged violations of Arkansas Pollution Control and Ecology Commission Regulation 22 (“Solid Waste Management Regulations”). See LIS No. 19-053.

The District is described as being located in Independence County, Arkansas, and composed of four campuses (“Site”) accommodating approximately 1,800 students.

ADEQ is stated to have conducted an April 15, 2015, investigation at the Site in response to a complaint alleging illegal solid waste disposal activities. The Agency is stated to have observed the presence of multiple piles of construction and demolition (“C&D”) waste including metal, lumber, wires, plastic, roofing material, and carpet. The CAO provides that ADEQ provided the District a letter citing alleged violations and requesting that they cease. The District is stated to have responded with a plan to correct the alleged significant violations. ADEQ subsequently determined that the District had addressed the alleged significant violations.

An ADEQ inspection is stated to have conducted an investigation in response to a complaint on August 29, 2018, pertaining to alleged illegal solid waste disposal activities at the Site. The complaint alleged that the District was dumping, burying, and burning bulky waste, household waste and C&D waste at the Site.

ADEQ is stated to observed certain alleged violations during the inspection which include:

- Failure to obtain a valid permit from ADEQ to operate a solid waste disposal site
- Failure to dispose of solid waste at a site or facility with a permit from ADEQ
- Failure to properly dispose of solid waste pursuant to the rules and regulations and/or in a manner as to not create a public nuisance or public health hazard

The CAO provides that ADEQ contacted the District indicating an alleged violation and requested a Correction Action Plan to address the alleged violations. The District is stated to have submitted documentation to ADEQ detailing the activities to correct the alleged violations.

The CAO requires that the District immediately cease all unpermitted solid waste disposal activities at the Site. Such activities are stated to include, but not be limited to, collecting, transporting, dumping, burning, and burying of solid waste at the Site.

A civil penalty of \$1,000 is assessed.

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