

# Wastewater Enforcement: Arkansas Department of Environmental Quality and Crittenden County, Arkansas Facility Enter into Consent Administrative Order



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The Arkansas Department of Environmental Quality (“ADEQ”) and PJ Country Store, Inc. (“PJ”) entered into a June 21st Consent Administrative Order (“CAO”) addressing an alleged violation of a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permit. See LIS No. 19-061.

The CAO provides that PJ operates a wastewater treatment facility (“Facility”) in Crittenden County, Arkansas.

The Facility is stated to discharge treated domestic and restaurant wastewater to an unnamed ditch and eventually to Segment 5A of the St. Francis River Basin. The discharge is authorized by an NPDES permit.

The NPDES permit was issued to the Facility on March 24, 2014, and expires on June 30, 2019. Part III, Section D, Condition 10 of the NPDES permit required PJ to submit a complete permit renewal application at least 180 days prior to the expiration of the permit if the activity regulated by the Permit was to continue after the expiration date. PJ is stated to intend to operate the Facility beyond the expiration date of the current permit, June 30, 2019.

PJ is stated to have to date (as referenced by the CAO) not submitted a complete renewal application to ADEQ. Such alleged failure is a violation of Part III, Section D, Condition 10 of the NPDES permit.

The CAO also provides that a review of the Discharge Monitoring Reports (“DMRs”) indicated the Facility failed to submit DMRs for the following monitoring periods:

- January 1-31, 2017
- April 1-28, 2017
- July 1-31, 2018
- September 1-30, 2018
- October 1-31, 2018
- December 1-31, 2018
- January 1-31, 2019
- February 1-28, 2019

Such alleged failure is a violation of Part 3, Section C, Condition 6 of the NPDES permit.

The CAO requires that upon execution of the CAO, PJ submit to ADEQ a request seeking permission to submit the permit renewal application at a later date but no later than the effective date of the CAO. Further, on or before the effective date of the CAO, PJ is required to submit a complete NPDES permit renewal application to ADEQ.

The Facility is required to comply with the existing NPDES permit until either the effective date of the NPDES permit renewal or the effective date of the permit termination. Within 30 calendar days of the effective date of the CAO, PJ is required to submit to ADEQ the DMRs listed in Finding of Fact 14.

A civil penalty of \$3,500 is assessed, which could have been reduced to \$1,700 if the CAO was signed and returned to ADEQ within 20 calendar days of the receipt of the CAO.

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