

Stormwater Enforcement: Arkansas Department of Environmental Quality and Jacksonville, Arkansas Recycling Center Enter into Consent Administrative Order



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10/07/2019

The Arkansas Department of Environmental Quality (“ADEQ”) and City of Jacksonville, Arkansas (“City”) entered into a September 3rd Consent Administrative Order (“CAO”) addressing alleged violations of a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) stormwater permit. See LIS No. 19-078.

The CAO provides that the City operates the Jacksonville Recycling Center (“Facility”).

The Facility is stated to be regulated pursuant to an NPDES permit. Referenced is a stormwater permit issued by ADEQ for Dischargers of Stormwater Associated with Industrial Activity (i.e., an NPDES Industrial Stormwater General Permit ARR000000 [“Permit”]).

ADEQ is stated to have issued Permit coverage to the City for discharge of stormwater into waters of the state pursuant to the previously referenced Permit with a coverage date of July 19, 2013, and an expiration date of June 30, 2014. The City is stated to have been notified that the Permit would expire on June 30, 2014, and that in order to continue the regulated activity a complete Recertification Notice of Intent (“RNOI”) must be submitted no later than June 30, 2014. Further, the City is stated to have been notified that the Permit had expired on June 30, 2014, and that in order to continue the regulated activity the City must immediately submit a complete “RNOI” to ADEQ.

The RNOI was stated to have not been received by ADEQ by June 30, 2014, therefore constituting a violation of Part 2, Condition 2.2 of the Permit.

ADEQ is stated to have conducted a reconnaissance inspection of the Facility on November 7, 2018. The inspection is stated to have indicated that the City had operated the Facility beyond the June 30, 2014 expiration date of the Permit.

The City is stated to have responded to correspondence received from ADEQ but such response was deemed inadequate.

ADEQ received a RNOI, Stormwater Pollution Prevention Plan, and RNOI fee from the City on January 17, 2019. On February 26, 2019, ADEQ is stated to have issued Industrial Stormwater General Permit

coverage to the City for discharge of stormwater into waters of the state pursuant to the previously referenced Permit with a coverage date of February 26, 2019 and an expiration date of June 30, 2019.

A civil penalty of \$2,600 is assessed.

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