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# UIC/Wastewater Enforcement: Arkansas Department of Energy and Environment and City of Bethel Heights Enter into Consent Administrative Order

11/13/2019

The Arkansas Division of Environmental Quality (“DEQ”) and the City of Bethel Heights, Arkansas (“Bethel Heights”) entered into an October 16th Consent Administrative Order (“CAO”) addressing alleged violations of a No-Discharge Permit issued pursuant to the authority of Arkansas Pollution Control and Ecology Commission Regulation No. 17 (Arkansas Underground Injection Control Code). See LIS No. 19-070.

Bethel Heights is stated to operate a decentralized wastewater treatment system (“System”) pursuant to a No-Discharge Permit (4725-WR-5).

The No-Discharge Permit addresses treatment systems that include drip irrigation dispersal fields.

DEQ issued an August 16th Notice of Violation (“NOV”) alleging violations of the No-Discharge Permit. Bethel Heights filed a response to the NOV. Subsequently a number of individuals who describe themselves as property owners adjoining the Bethel Heights wastewater facility petitioned to intervene, which was granted.

Issues addressed by the CAO include:

- Alleged inspection violations (February 4th DEQ reconnaissance inspection)
- Alleged reported violations
- Sampling investigation
- Alleged failure to report permit violations
- Submission of Corrective Action Plan
- Notice of Violation

The Order and Agreement section of the CAO addresses/requires:

- Ceasing use of chemicals for wastewater treatment that are not authorized by the Permit
- Undertake measures necessary to prevent pooling, ponding, or surfacing in the System
- Monthly Monitoring Reports
- Weekly Reports
- Monthly on-site Engineering Inspections

- Submission of a Facility Plan
- Interim measures for operation
- Final closure

The CAO assesses a civil penalty of \$101,200. However, \$81,200 is conditionally suspended if Bethel Heights fully complies with the CAO.

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