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Stormwater Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and North Little Rock Municipal Airport Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and North Little Rock Municipal Airport (“NLR”) entered into a March 20th Consent Administrative Order (“CAO”) addressing an alleged violation of a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permit. See LIS No. 20-143.

NLR is stated to operate an airport (“Facility”) located in Pulaski County, Arkansas.

The Facility is stated to be regulated pursuant to an NPDES permit. The NPDES permit is described as an Industrial Stormwater General Permit (“Stormwater Permit”).

Part 2, Condition 2.2 of the Stormwater Permit is stated to require NLR to submit a complete Recertification Notice of Intent (“RNOI”) no later than June 30, 2019, in order to maintain permit coverage for the regulated activity. The CAO provides that NLR was notified that the Stormwater Permit would expire on June 30, 2019, and that in order to continue the regulated activity, a complete RNOI must be submitted no later than June 30, 2019.

The RNOI was stated to have not been received by DEQ by July 1, 2019. This is stated to constitute a violation of Part 2, Condition 2.2 of the Stormwater Permit. DEQ is stated to have determined through contact with NLR that the Facility was still operating. As a result, this is alleged to be a violation of 40 C.F.R. § 122.26.

NLR is further stated to have submitted an incomplete Notice of Intent and Stormwater Pollution Prevention Plan. However, on January 10, 2020, NLR is stated to have submitted a complete Notice of Intent and Stormwater Pollution Prevention Plan.

NLR is required to comply with NPDES Industrial Stormwater General Permit ARR000000 with the effective date of July 1, 2019, until DEQ issues a Notice of Coverage to NLR. Further, a civil penalty of \$1,000 is assessed, which could have been reduced to \$500 if the document was signed and returned to the agency within 20 calendar days of its receipt.

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