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## Stormwater Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Union County, Arkansas, Truck/Trailer Wash/Repair Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and Kehl Solutions, LLC (“KS”) entered into a February 12th Consent Administrative Order (“CAO”) addressing an alleged violation of a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permit. See LIS No. 20-117.

The CAO provides that KS operates a commercial truck and trailer wash and repair facility (“Facility”) in Union County, Arkansas.

The Facility is stated to be regulated pursuant to an NPDES permit. The permit is described as Industrial Stormwater General Permit (“Permit”) tracking number ARR001356. The Permit has a coverage date of July 1, 2014, with an expiration date of June 30, 2019.

Part 2 Condition 2.2 of the Permit is stated to require KS 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. KS is stated to have been notified on December 31, 2018, that the 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 CAO provides that the RNOI was not received by July 1, 2019. As a result, it is alleged that the RNOI was not submitted by July 1, 2019, violating Part 2 Condition 2.2 of the Permit. It is further alleged that the Facility is still operating beyond the June 30, 2019, expiration date of the Permit, constituting a violation of 40 C.F.R. § 122.26.

The CAO requires that KS submit to DEQ a complete Notice of Intent, Stormwater Pollution Prevention Plan, and the applicable permit fee. Further, it requires that the Facility comply with the NPDES Industrial Stormwater General Permit with an effective date of July 1, 2019, until a Notice of Coverage is issued to KS.

A civil penalty of \$1,000 was assessed which could have been reduced to \$500 if the document was signed and returned to DEQ within 20 calendar days of its receipt.

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