



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Solid Waste Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and City of Parkin Enter into Consent Administrative Order

03/22/2021

The Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") and City of Parkin, Arkansas ("Parkin") entered into a February 25th Consent Administrative Order ("CAO") addressing an alleged violation of Arkansas Pollution Control and Ecology Commission ("Commission") Rule 22. See LIS No. 21-018.

The CAO provides that Parkin owns property ("Site") located in Cross County, Arkansas.

DEQ is stated to have conducted an investigation at the Site on August 17, 2020. The investigation is stated to have identified certain alleged violations which include:

- Respondent was operating a solid waste disposal site without permit coverage from DEQ.
- Respondent was disposing of solid waste in a manner likely to cause water or air pollution or create a public health hazard.

DEQ is stated to have contacted Parkin and referenced alleged unpermitted dumping that should cease immediately. Further, the agency is stated to have advised Parkin that waste must be taken to a permitted landfill with manifest documenting proper disposal provided to DEQ.

Parkin is stated to have provided DEQ a letter dated September 17, 2020, indicating that signage prohibiting dumping, burning and trespassing had been placed at the Site. A new gate was also stated to have been installed.

DEQ and representatives of Parkin are stated to have met at the Site on September 29, 2020, discussing security, current clean-up progress and plans for removal of waste.

The CAO requires that Parkin immediately cease receiving and disposing of solid waste at the Site. Further, within 30 calendar days of the effective date of the CAO, Parkin is required to submit a Corrective Action Plan detailing actions to be taken to correct alleged violations and prevent future unpermitted disposal at the Site.

Within six months of the effective date of the CAO, Parkin is required to submit a final report that includes but is not limited to receipts showing proper disposal at a permitted Class 1 landfill and photographs demonstrating that the Site has been fully remediated.

A civil penalty of \$7,000 is assessed which is conditionally suspended if Parkin fully complies with the CAO.

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