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UIC/SSO Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and City of Salesville Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and the City of Salesville, Arkansas, (“Salesville”) entered into an April 22nd Consent Administrative Order (“CAO”) addressing alleged violations involving the Underground Injection Control (“UIC”) Code and Sanitary Sewer Overflow (“SSO”). See LIS No. 21-033.

The CAO provides that Salesville operates a decentralized wastewater treatment system with drip irrigation dispersal (“Facility”) in Baxter County, Arkansas.

DEQ is stated to have issued a state No-Discharge Permit (“Permit”) to Salesville in 2015. The Permit is stated to have become effective on September 1, 2015, and expired on August 31, 2020.

Salesville is stated to have been provided a request for a Corrective Action Plan (“CAP”) by DEQ to address permitted effluent discharge limitations and SSOs reported by the City in accordance with the Permit. The CAP is stated to have been required to contain a milestone schedule, final date of compliance and be certified by a Professional Engineer (“P.E.”) licensed in the State of Arkansas.

Salesville submitted a CAP to DEQ with a final date of compliance of June 30, 2020, on October 10, 2019. On September 4, 2020, Salesville is stated to have submitted a revised CAP with an updated milestone schedule to address the effluent violations. A final date of compliance of June 30, 2020, was included.

DEQ is stated to have conducted a review of certified Monthly Monitoring Reports (“MMRs”) on September 30, 2020. A DEQ review of the MMRs is stated to have identified the following violations:

- Twenty violations of Total Suspended Solids;
- Nine violations of Carbonaceous Biochemical Oxygen Demand; and
- One violation of Fecal Coliform Bacteria

DEQ conducted a review of SSOs on October 9, 2020. Such review is stated to have indicated that Salesville reported 16 SSOs from May 1, 2017, through September 30, 2020.

Salesville is stated to be permitted to land apply treated wastewater via a drip irrigation system. However, it is not permitted to discharge untreated wastewater from its collection system.

DEQ provided a letter approving the revised CAP on October 13, 2020.

The CAP requires that Salesville implement the approved CAP in accordance with the milestone schedule. The approved CAP, milestone schedule, and final compliance date of June 30, 2020, are deemed enforceable as terms of the CAO. Further, Salesville is required to provide quarterly progress reports.

A civil penalty of \$2,800 is assessed of which \$2,300 is conditionally suspended if Salesville fully complies with the CAO.

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