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UIC Enforcement/Voluntary Environmental Audit: Arkansas Department of Energy and Environment - Division of Environmental Quality and Power Generation Facility Operator Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and Entergy Arkansas, LLC (“Entergy”) entered into an August 25th Consent Administrative Order (“CAO”) to address potential violations of the Arkansas Underground Injection Control (“UIC”) Code that had been discovered during a voluntary environmental audit. See LIS No. 21-083.

The CAO provides that Entergy operates Power Generation facilities in Arkansas which include:

- Lake Catherine Plant – Hot Spring County
- Carpenter Dam – Garland County
- Harvey Couch – Lafayette County
- Rimmel Dam – Hot Spring County
- Union Power Station – Union County
- White Bluff Plant – Jefferson County

Entergy is stated to conduct voluntary Safety, Health, Environmental, and Management System Audits (“Audits”) of its facilities to identify and correct potential items of noncompliance before any impact occurs from the potential noncompliance. Such Audits are stated to be conducted across its Power Generation facilities on a regular basis, however:

. . . the specific timing of an individual facility audit is unknown to the facility to be inspected until approximately two (2) weeks before the audit panel arrives on site.

An Audit of the Lake Catherine Steam Electric Station is stated to have identified a potential noncompliance related to:

. . . the septic system at the Lake Catherine facility. Specifically, the septic system at the Lake Catherine facility is not permitted by DEQ as required by APC&EC Rule 17. The septic system at the Lake Catherine facility predates the requirements of the UIC program.

Entergy is stated to have therefore undertaken an internal review of its other facilities to determine the potential presence of septic systems at those facilities. Several facilities are stated to have been eliminated from further evaluation. However, the potential presence of septic systems were stated to be identified at:

- Carpenter Dam
- Harvey Couch
- Rammel Dam
- Union Power Station
- White Bluff Plant

Entergy is stated to have hired a third-party engineering firm to complete a full review of the previously referenced facilities to determine the applicability of Arkansas Pollution Control and Ecology Commission Rule 17 to any septic systems that may be present at the facilities. Further, Entergy is stated to have provided DEQ on November 6, 2020, with the initial notice of potential noncompliance and has updated the agency since on the progress of the third-party investigation. Neither Entergy nor DEQ are stated to have been able to locate basic inventory information for the facilities in regards to where septic systems may be located.

A Compliance Plan was submitted to DEQ on February 16th referencing further work associated with the onsite investigations. The CAO documents the results of the onsite investigations conducted pursuant to the February 16th Compliance Plan.

The CAO provides that Entergy obtain the applied-for No Discharge Permits for the Lake Catherine Plant and the Union Plant and comply with the terms of those permits. In the interim, Entergy is required to comply with the requirements of the DEQ UIC program and Arkansas Pollution Control and Ecology Commission Rule 17, along with any septic system requirement of the Arkansas Department of Health for each septic system it operates.

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