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Underground Injection Control Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Washington County Meat Processing Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") and B&R Meat Processing, LLC ("B&R") entered into a September 16th Consent Administrative Order ("CAO") addressing alleged violations of the Underground Injection Control ("UIC") Code. See LIS No. 21-101.

The CAO provides that B&R operates a slaughter house with a septic tank and subsurface fluid distribution system ("Facility").

A permit (5200-WR-1) was issued to B&R on March 28, 2009, to operate the Facility.

DEQ is stated to have received a public comment concerning odor at the Facility on August 29, 2020.

A compliance evaluation inspection is stated to have been conducted on September 4, 2020. The inspection allegedly documented the following violations:

- Active wastewater surfacing in the leach field of the septic system and evidence of the surfacing wastewater flowing off the site to a neighboring property
- Volume of wastewater entering the septic system exceeds the design capacity of 250 gallons per day
- Failure to report any surfacing wastewater, overflows from the tanks, or other discharges of wastewater to DEQ

B&R is stated to have responded to a DEQ notice regarding the inspection results. However, DEQ indicated in February 1st correspondence that B&R responses did not fully address the alleged violations documented in the inspection report.

B&R is stated to have submitted a permit modification application to DEQ to modify the current permit and authorize an expansion of the septic system and subsurface fluid distribution system. However, DEQ notified B&R the no-discharge modification was incomplete and requested additional information which

was not submitted by the referenced date. B&R's alleged failure to supply the requested information resulted in the application being placed in withdrawn status for failure to respond.

DEQ received a permit modification application from B&R on February 12th. However, DEQ notified B&R on March 16th that the application was incomplete and requested additional information. A revised permit modification application was received from B&R on March 31st. The application was subsequently on April 12th deemed administratively complete.

The CAO requires that within 10 days of its effective date B&R submit a non-compliance report for the surfacing wastewater observed by DEQ during the previous inspection. Further, within 60 days of the effective date of the CAO, B&R is required to provide photographic evidence documenting remediation and revegetation of the flow path and the unauthorized system discharges observed by DEQ during the inspection. Finally, within one year of the effective date of the CAO, B&R is required to complete construction of the expansion of the wastewater disposal and treatment system and submit the permit-required certification to DEQ.

Monthly progress reports are required to be submitted.

A civil penalty of \$1,650 is assessed, which could have been reduced by one-half 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](#).