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Wastewater Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Harrison Meat Processing Facility Enter into Consent Administrative Order

11/12/2021

The Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") and Tilton's Processing, LLC ("Tilton's") entered into a November 4th Consent Administrative Order addressing alleged violations of Arkansas Pollution Control and Ecology Commission Rule 17.401(a). See LIS No. 21-114.

The CAO provides that Tilton's operates an industrial and commercial septic system ("Facility") as part of its meat processing operation in Harrison, Arkansas.

DEQ is stated to have received an anonymous complaint on October 8, 2019, that Tilton's did not have a permit to discharge its wastewater from the meat processing Facility. The agency is stated to have conducted a routine compliance evaluation inspection of the Facility on October 10, 2019. Such inspection is stated to have indicated that Tilton's was operating the Facility without a permit in violation of Arkansas Pollution Control and Ecology Commission Rule 17.401(a).

Tilton's submitted a State No-Discharge Permit application to DEQ on November 5, 2019. DEQ is stated to have notified Tilton's that the information submitted to DEQ sufficiently addressed the alleged violation documented in the October 23, 2019, inspection report.

On June 30, 2020, DEQ is stated to have notified Tilton's via letter that the State No-Discharge Permit application submitted on November 5, 2019, was incomplete. The agency requested the following information:

- a. A Waste Management Plan (WMP) stamped and signed by a Professional Engineer (P.E.) licensed in the state of Arkansas;
- b. A Disclosure Statement;
- c. Proof of ownership or control of the land; and
- d. A copy of a letter notifying the Arkansas Department of Health (ADH) Division of Engineering of the following:

- i. a permit application has been submitted to DEQ,
- ii. A complete set of maps indicating the facility location and waste treatment plans; and
- iii. A description of the facility.

The Arkansas Department of Health Division of Engineering subsequently submitted a letter of acknowledgement of the project on December 4, 2020.

Tilton's submitted a revised State No-Discharge Permit application on May 5, 2021. Such application was subsequently deemed by DEQ to be administratively complete.

Tilton's submitted a proof of application of the public notice on May 12th.

The CAO requires that Tilton's comply with Arkansas Pollution Control and Ecology Commission Rule 17 and 40 C.F.R. Parts 144 and 146. Further, until the effective date of Permit 5353-W, Tilton's is required to:

- Not discharge any waste from this operation to the waters of the state or onto the land in any manner that may result in runoff to the waters of the state or ponding on the surface of the land.
- Not bypass the waste management system.
- Not exceed the maximum volume of waste of 303 gallons per day.
- Maintain current and complete records of all activities related to the removal of solid materials, oil, grease, wastewater, etc., from the operation to include:
 - Date of the activity;
 - Volume or weight of material removed;
 - Type of material removed;
 - Interim or final destination of the material discarded;
 - Complete identification of the carrier(s) transporting the material; and
 - Name and address of the receiving entity or firm if the waste is to be recycled or reused.

A civil penalty of \$1,000 is assessed which is conditionally suspended if the company fully complies with the CAO.

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