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Water Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Pulaski County Waste Transportation Services Operator Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") and TAS Environmental Services, L.P. ("TAS") entered into a November 18th Consent Administrative Order ("CAO") addressing an alleged violation of Ark. Code Ann. § 8-4-217(a)(2).

The CAO provides that TAS operates waste transportation services located in Pulaski County, Arkansas.

DEQ is stated to have received a complaint that TAS dumped approximately 3,000 gallons of leachate into a dry drainage ditch on the side of an unnamed dirt road off Gravel Pit Road. The complaint is stated to have been received on June 29th.

The CAO further provides:

The leachate was observed to have traveled 180 feet from the point of discharge moving north in the dry drainage ditch, thence to the northeast into the surrounding woods, thence traveled 162 feet entering a dry creek bed, thence traveled 35 feet east in the dry creek bed. The act of releasing leachate into an unnamed tributary is a violation of Ark. Code Ann. § 8-4-217(a)(2) and therefore is a violation of Ark. Code Ann. § 8-4-217(a)(3).

TAS is stated to have used a vacuum truck on June 29th to remove the standing liquid from the dry drainage ditch and placed a boon to secure the site. It is also stated to have collected samples of the liquid for analysis and took photos of the affected areas.

Further, TAS is stated to have on June 30th:

... excavated all impacted areas. Four (4) soil samples were collected from various areas that were excavated and retained for analysis. Toxicity Characteristic Leaching Procedure (TCLP) analysis of the soil and liquid samples established that the materials discharged were non-hazardous; the liquid sample was

not analyzed for typical wastewater parameters such as pH, dissolved oxygen, biochemical oxygen demand, or total suspended solids. DEQ personnel were on site during the aforementioned activities.

The CAO further describes complete excavation being completed and a determination that restoration of the site was complete.

Material Transport and Release Response training is stated to have been received by TAS's executives on July 12th. Further, other TAS employees are stated to be scheduled to received training by August 1st.

The Company was informed on July 26th that the site had been properly cleaned up.

A civil penalty of \$6,400 is assessed which could have been reduced to \$3,200 if the document was returned to DEQ within 20 calendar days of its receipt.

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