



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Wastewater Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Pulaski County Wastewater Treatment Operator Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") and WVE Property Owners Association, Inc. ("WVE") entered into a November 22nd Consent Administrative Order ("CAO") addressing an alleged violation of a Clean Water Act National Pollution Discharge Elimination System ("NPDES") permit. See LIS No. 21-124.

The CAO provides that WVE operates a sanitary wastewater treatment plant for Waterview Estates Subdivision ("Facility") in Pulaski County, Arkansas.

The Facility is stated to discharge treated wastewater to Mill Bayou which eventually flows into the Arkansas River. Such discharge is stated to be regulated pursuant to an NPDES permit.

Part III, Section D, Condition 10 of the NPDES permit requires WVE to submit a complete permit renewal application at least 180 days prior to the expiration date of the NPDES permit if the activity regulated by the NPDES permit is to continue after the expiration date. WVE is stated to intend to operate the Facility beyond the expiration date of the current NPDES permit.

DEQ is stated to have received a permit renewal application from WVE on September 2nd and 8th. WVE was notified that the application was incomplete.

The incomplete application is stated to have been missing the following information:

1. The NAICS code was not listed in DEQ Form 1, Section A.13.
2. The discharge location was not marked on the topographic map as required by DEQ form 1, Section B. 1.
3. A process flow diagram of the wastewater treatment plant was not submitted as required by DEQ form 1, Section B.2.

4. The test results for Oil & Grease, winter effluent temperature, and summer effluent temperature were not included on the EPA Form 2E.

Failure to submit the complete renewal application is stated to be a violation of Part III, Section D, Condition 10 of the NPDES permit.

The CAO requires that WVE submit an administratively complete permit renewal application on or before the effective date of the CAO. Compliance is required with the existing NPDES permit until either the effective date of the NPDES permit renewal or the effective date of the NPDES permit termination.

A civil penalty of \$1,000 is assessed which could have been reduced to \$500 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](#).