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Wastewater Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and City of Piggott Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and City of Piggott, Arkansas, (“Piggott”) entered into a January 3rd Consent Administrative Order (“CAO”) addressing alleged violations of a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permit. See LIS No. 22-005.

The CAO provides that Piggott operates a municipal wastewater treatment facility (“Facility”) in Clay County, Arkansas.

The Facility is stated to discharge treated wastewater to Big Slough Ditch and eventually to the St. Francis River. Such discharge is authorized pursuant to an NPDES permit.

The United States Environmental Protection Agency (“EPA”) is stated to have on May 15, 2020, issued a Compliance Plan to Piggott as part of the Circuit Rider Assistance Program to address alleged violations of the NPDES permitted effluent discharge limitations. Further, on July 14th DEQ is stated to have conducted a review of certified Discharge Monitoring Reports submitted by Piggott in accordance with the NPDES permit.

The review is stated to have identified the following alleged violations:

- Thirty-six (36) violations of Carbonaceous Biochemical Oxygen Demand;
- Fifty (50) violations of Total Suspended Solids;
- Three (3) violations of Dissolved Oxygen;
- Fifty-two (52) violations of Ammonia Nitrogen; and
- Twenty-five (25) violations of Fecal Coliform Bacteria.

DEQ is stated to have sent Piggott a letter on July 14th requesting that a Corrective Action Plan (“CAP”) be submitted within 30 days of receipt. The CAP was required to have a milestone schedule, a final date of compliance, and be certified by an Arkansas Professional Engineer. Further, DEQ and Piggott are stated to have met on July 29th to discuss the alleged violations of the permitted effluent discharge limitations.

Piggott submitted a CAP to DEQ on August 9th with a final compliance date of August 31, 2022. The CAP was deemed adequate by DEQ on August 30th.

The CAO requires that Piggott comply with the terms, milestone schedule, and final compliance date contained in the CAP. The milestone schedule and final compliance date are fully enforceable as terms of the CAO. Further, quarterly progress reports are required to be submitted.

A civil penalty of \$5,600 is assessed of which \$5,600 is conditionally suspended by DEQ if Piggott fully complies with the CAO.

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