



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

Wastewater Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Hot Springs Nursing/Rehabilitation Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and HSNC, Inc. d/b/a Village Springs Health and Rehabilitation (“Village Springs”) entered into an April 26th Consent Administrative Order (“CAO”) addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) permit. See LIS No. 22-052.

The CAO provides that Village Springs operates a non-municipal domestic wastewater treatment facility (“Facility”) in Hot Springs, Arkansas.

Village Springs discharges treated wastewater to the South Fork of the Saline River which eventually flows into the Ouachita River. The referenced discharge is regulated pursuant to an NPDES permit.

The NPDES permit requires Village Springs to submit a complete permit renewal application at least 180 days prior to its expiration date if the regulated activity is to continue after the expiration date. Village Springs had indicated that it intends to operate the Facility beyond the expiration date of June 30, 2022.

The CAO provides that the complete permit renewal application was not received by January 1, 2022. This is alleged to be a violation of Part III, Section D, Condition 10 of the NPDES permit.

The CAO provides that on or before the effective date of the document that Village Springs shall submit an administratively complete permit renewal application to DEQ. Further, Village Springs is required to comply with the existing NPDES permit until either the effective date of the permit renewal or the effective date of the permit termination.

A civil penalty of \$1,000 is assessed which could have been reduced by one-half if the CAO was signed and returned to DEQ within 20 calendar days of its receipt.

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