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

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and City of Lake Village, Arkansas (“Lake Village”) 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. 22-050.

The CAO provides that Lake Village operates a minor municipal wastewater treatment plant (“Facility”) in Chicot County, Arkansas.

The Facility is stated to discharge treated water to Little Lake Bayou which eventually flows to the Arkansas River. Such discharge is regulated pursuant to an NPDES permit.

Lake Village is stated to have submitted a Corrective Action Plan (“CAP”) on November 20, 2019, addressing effluent violations. The CAP discussed the corrective actions required for the Facility to come into compliance with the effluent limits of the NPDES permit. It included milestone schedules for submission of a land application permit. A final compliance date of November 25, 2020, was included.

The CAP was subsequently approved by DEQ.

Lake Village submitted an application for a State No-Discharge Permit for land application of municipal biosolids to DEQ on January 14, 2020. The No-Discharge Permit was issued to Lake Village on July 25, 2021.

DEQ performed a review of the certified Discharge Monitoring Reports (“DMRs”) submitted by Lake Village on September 2, 2021. The review is stated to have indicated the following alleged violations:

1. Twenty-five (25) violations of Ammonia Nitrogen;
2. Twelve (12) violations of Total Suspended Solids; and
3. Four (4) violations of Fecal Coliform Bacteria.

The DMR review is also stated to have reported a flow higher than the design flow of the treatment plant for 29 of the 36 monitoring periods of the review period.

DEQ sent Lake Village a letter on September 2, 2021, requesting a CAP to address the violations of the permitted discharge limitations. The CAP was required to have a milestone schedule, final date of compliance, and be certified by an Arkansas Professional Engineer. A CAP was submitted on September 24, 2021, with a final compliance date of October 1, 2022.

On October 8, 2021, DEQ sent Lake Village a letter approving the CAP with the following comments:

1. Contact DEQ within ten (10) days of receipt of this letter to schedule a meeting to discuss the CAP and the corrective actions; and
2. Notify DEQ at least ten (10) days before the date of the bypass in accordance with Part III, Section B, Condition 4 of the Permit.

A follow-up review of DMRs submitted from August 1, 2021, through September 30, 2021, identified the following alleged violations:

1. Three (3) violations of Total Suspended Solids;
2. Two (2) violations of Ammonia Nitrogen; and
3. Two (2) violations of Fecal Coliform Bacteria.

The CAO requires that Lake Village implement the approved CAP in accordance with the milestone scheduled submitted to DEQ on September 24, 2021. These CAP components are enforceable as terms of the CAO.

Within 90 calendar days of the effective date of the CAO Lake Village is required to submit to DEQ for review and approval a comprehensive Sanitary Sewer Flow Monitoring and Infiltration and Inflow (“I/I”) Study developed by an Arkansas Professional Engineer. Required elements of the Study are described in the CAO. Quarterly reports are also required.

A civil penalty of \$1,600 is assessed which is conditionally suspended if Lake Village fully complies with the CAO.

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