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Wastewater Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Arkansas Department of Parks, Heritage, and Tourism (Mississippi River State Park) Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment - Division of Environmental Quality ("DEQ") and the State Parks Division of the Arkansas Department of Parks, Heritage, and Tourism ("Parks Division") entered into a November 21st Consent Administrative Order ("CAO") addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") permit. See LIS No. 22-112.

The CAO provides that the Parks Division operates a state park ("Mississippi River State Park") with a wastewater treatment facility ("Facility") located in Marianna, Arkansas.

The Facility is stated to discharge treated wastewater to Bear Creek which eventually flows into the Mississippi River. Such discharge is regulated pursuant to an NPDES permit.

DEQ is stated to have conducted a review of certified Discharge Monitoring Reports ("DMRs") submitted by the Parks Division on May 16th. The review is stated to have indicated the following violations of the permitted effluent discharge limits:

1. Six (6) violations of Ammonia Nitrogen;
2. Four (4) violations of Total Suspended Solids;
3. Four (4) violations of Fecal Coliform Bacteria; and
4. One (1) violation of Carbonaceous Biochemical Oxygen Demand.

The review is also stated to have indicated that the Parks Division failed to conduct an analysis for Total Residual Chlorine for the monitoring period ending on 3/31/2022.

The CAO requires that within 90 calendar days of the effective date of the CAO the Parks Division submit to DEQ for review and approval a Corrective Action Plan ("CAP") developed by an Arkansas Professional Engineer. The CAP is required, at a minimum, to include the methods and best available technologies that

would be used to correct alleged violations and prevent future violations. Further, a milestone schedule is required with a date of final compliance. Upon review and approval, the Parks Division is required to comply with the terms, milestone schedule, and final compliance date contained in the approved CAP. Further, quarterly progress reports are required.

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

The CAO can be downloaded [here](#).