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Wastewater Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Hot Springs Retreat Center Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and Arkansas District Council of the Assemblies of God (“District Council”) 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. 22-113.

The District Council is stated to operate a domestic wastewater treatment plant (“Facility”) denominated the Mountain Valley Retreat Center in Hot Springs, Arkansas.

The Facility is stated to discharge treated wastewater to an unnamed tributary of the South Fork Saline River which eventually flows into the Ouachita River. Such discharge is regulated pursuant to an NPDES permit.

Part III, Section D, Condition 10 of the NPDES permit requires that the District Council submit a complete permit renewal application at least 180 days prior to the expiration of the NPDES permit if the activity regulated is to continue after the expiration date. The District Council is stated to intend to operate the Facility beyond the expiration date of the current permit, August 21, 2022.

DEQ is stated to have received an NPDES permit renewal application from the District Council on March 4th. DEQ notified the District Council on March 8th that the application was incomplete. The incomplete application submitted on March 4th was missing certain information described in the CAO.

Because the NPDES permit renewal application was not received by March 4th, this is stated to have constituted a failure to submit the renewal application in violation of Part III, Section D, Condition 10 of the NPDES permit.

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

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