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

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and the City of Beedeville, Arkansas (“Beedeville”) entered into a February 16th Consent Administrative Order (“CAO”) addressing an alleged violation of a Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) permit. See LIS No. 23-016.

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

The Facility is stated to discharge treated wastewater to the Cache River which eventually flows to the White River. Such discharge is regulated pursuant to an NPDES permit.

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

Beedeville submitted a permit renewal application to DEQ on September 9, 2022. DEQ subsequently notified Beedeville that its permit renewal application was incomplete and was missing various information.

Beedeville submitted additional information to DEQ for the permit renewal application. However, DEQ again notified Beedeville that certain items in the permit renewal application must be addressed.

The NPDES permit renewal application was not received by September 1, 2022. As a result, the CAO provides that there was a failure to submit the complete permit renewal application by September 1, 2022, violating Part III, Section D, Condition 10 of the permit.

Beedeville submitted additional information to DEQ for the permit renewal application on October 31, 2022. It was deemed administratively complete by DEQ.

The CAO requires that Beedeville comply with the existing NPDES permit until either the effective date of the permit renewal or the effective date of the permit termination. Further, within 30 calendar days of the effective date of the CAO, Beedeville is required to submit to DEQ effluent test results for winter

effluent temperature. In addition, within six months of the effective date of the CAO, Beedeville must submit to DEQ effluent tests for summer effluent temperature.

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](#).