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Wastewater Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Ashley County Municipal Wastewater Treatment Facility Operator Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and Town of Montrose, Arkansas, (“Montrose”) entered into an October 21st Consent Administrative Order (“CAO”) addressing an alleged violation of a Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) permit. See LIS No. 23-074.

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

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

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

DEQ received a permit renewal application from Montrose on January 4th. However, DEQ notified Montrose on January 9th that the renewal application was incomplete. The incomplete renewal application was missing:

- EPA form 2A, signed and dated by the Responsible Official

On January 17th Montrose submitted an updated permit renewal application. On January 24th Montrose was notified that the permit renewal application was determined to be administratively complete.

Because the permit renewal application was not received by January 1st the CAO alleges this is a violation of Part III, Section D, Condition 10 of the permit.

The CAO requires that Montrose 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 is conditionally suspended if Montrose fully complies with the CAO.

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