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# Wastewater Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Lincoln County Detention Center Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and Lincoln County Detention Center (“Center”) entered into a January 9th Consent Administrative Order (“CAO”) addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination (“NPDES”) permit. See LIS No. 24-011.

The CAO provides that the Center operates a minor industrial wastewater treatment facility (“Facility”) in Star City, Arkansas.

The Facility is stated to discharge treated wastewater to an unnamed tributary of Sanders Creek which eventually flows into the Arkansas River. The discharge is regulated to a NPDES permit.

DEQ is stated to have conducted a review a certified Discharge Monitoring Reports (“DMRs”) on July 6, 2023. The review is stated to have indicated that the Center reported the following violations of the permitted effluent discharge limits:

1. Thirteen violations of Ammonia Nitrogen; and
2. Four violations of Carbonaceous Biochemical Oxygen Demand.

The DMRs are also stated to have indicated that the Center failed to submit Non-Compliance Reports (“NCRs”) for effluent violations reported during the following three monitoring periods:

- 2022: March, April, July

The review of the DMRs is also stated to have indicated that the Center failed to submit DMRs by the due date for the following monitoring periods:

- 2020: September, October, November, December;
- 2021: January, February;
- 2022: June, July; and
- 2023: June.

The CAO requires that the Center immediately comply with all permitted effluent limits unless a Corrective Action Plan (“CAP”) is submitted as provided in Paragraph 2 of the Order and Agreement of the

CAO and approved by DEQ. Otherwise, the Center is required to comply with all permitted effluent limits no later than December 31, 2025.

If the Center is unable to comply with all permitted effluent limits immediately, it is required within 30 calendar days of the effective date of the CAO, to submit to DEQ for review and approval a comprehensive CAP developed by an Arkansas Professional Engineer. Such CAP is required to include at a minimum the methods and best available technologies that will be used to correct the listed violations and prevent future violations. A reasonable milestone schedule with a final date of compliance is required. Further, quarterly monitoring reports are mandated.

The Center is also required to provide on or before the effective date of the CAO complete NCRs detailing each effluent limit violation and the action taken to address them.

A civil penalty of \$4,250 is assessed. However, \$3,250 is conditionally suspended by DEQ if the Center fully complies with the CAO.

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