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No-Discharge Permit Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and National Park Service Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and National Park Service (“NPS”) entered into a January 2nd Consent Administrative Order (“CAO”) addressing an alleged violation of a No-Discharge Permit. See LIS No. 24-006.

The CAO provides that NPS operates the Tyler Bend Wastewater Facility (“Facility”) in Searcy County, Arkansas.

The Facility is described as including a storage and land application operation.

DEQ issued a No-Discharge Permit (“Permit”) to NPS on September 6, 2018. The Permit is stated to have become effective on October 1, 2018, and expire on September 30, 2023.

Part III, Condition 23 of the Permit requires NPS to 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. NPS is stated to intend to operate the Facility beyond the expiration date.

DEQ received a Permit renewal application from NPS on April 5, 2023. The agency notified NPS that its application was incomplete on April 19, 2023.

The application was stated to be missing the following information:

- Submitted nutrient management plan (NMP) did not contain a completed signature page.
- NMP must be signed by the Nutrient Management Planner and the permittee.

NPS submitted additional information and the application was deemed administratively complete on April 26, 2023. However, because the complete Permit renewal application was not received by April 3, 2023, the CAO provides this is a violation of Part III, Condition 23 of the Permit.

The CAO also provides that DEQ issued invoices on January 12, 2023, for annual fees for the Permit in the amount of \$500. NPS is stated to have failed to make the payment by February 26, 2023, and a \$50 late charge accrued. Payment was subsequently submitted on October 19, 2023.

NPS is required to comply with the existing Permit until either the effective date of the Permit renewal or the effective date of the Permit termination.

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