

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



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The Arkansas Department of Energy & Environment - Division of Environmental Quality ("DEQ") and City of Gravette, Arkansas, entered into a February 21st Consent Administrative Order ("CAO") addressing an alleged violation of a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") permit. See LIS No. 24-034.

The CAO provides that Gravette operates a wastewater treatment facility ("Facility") in Benton County, Arkansas.

The Facility is stated to discharge treated wastewater to Railroad Hollow Creek which eventually moves to the Arkansas River Basin. Such discharge is regulated pursuant to an NPDES permit.

DEQ is stated to have issued an NP DES permit to Gravette on February 28, 2018. Part III, Section D, Condition 10 of the NPDES permit requires Gravette to submit a complete permit renewal application at least 180 days prior to its expiration date if the activity regulated is to continue after the expiration date. Gravette is stated to intend to operate the Facility beyond the expiration date of the current NPDES permit.

DEQ received an NPDES permit renewal application from Gravette on October 11, 2022. DEQ subsequently notified Gravette that its application was incomplete. Gravette submitted a complete permit renewal application to DEQ on November 4, 2022.

The complete NPDES permit renewal application is stated to have not been received by October 2, 2022, therefore constituting a failure to submit the complete permit renewal application by the required date, violating Part III, Section D, Condition 10 of the permit.

The CAO requires that Gravette 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 could have been reduced to one-half 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](#).