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Storage Tank Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Pulaski County Underground Storage Tank Owner Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and Alloway Ahmed (“Ahmed”) entered into a May 24th Consent Administrative Order (“CAO”) to address alleged violations of the Arkansas Underground Storage Tank (“UST”) regulations. See LIS No. 24-098.

The CAO provides that Ahmed owns a UST in Pulaski County, Arkansas.

The UST is stated to be designated by DEQ as Tank No. 7. It is described as being installed in 2014 and holding 14,000 gallons. It is divided into two compartments.

DEQ is stated to have conducted an inspection of Tank No. 7 and identified the following alleged violations:

- Failure to conduct groundwater and vapor monitoring every 30 days.
- Failure to conduct an annual line tightness test or monthly monitoring for the pipes connected to Tank No. 7.
- Failure to provide corrosion protection for the submersible turbine pumps installed on Tank No. 7.
- Failure to inspect the cathodic protection system every three years.
- Failure to designate a Class A and Class B operator.

DEQ is stated to have conducted follow-up inspections on May 26, 2022, and January 10, 2023. However, no additional violations were stated to have been identified.

The CAO also alleges a failure to pay required annual registration fees for Tank No. 7 for various years.

The CAO requires that Ahmed immediately begin the process of putting Tank No. 7 into temporary closure. Further, within 60 days of the effective date of the CAO it is required that documentation be submitted indicating that the cathodic protection system has been tested for proper operation. In addition, within 60 calendar days of the effective date of the CAO, a Class A and Class B operator for Tank No. 7 will be designated.

Annual and late fees associated with the invoices referenced in the CAO must be paid within 30 calendar days of the effective date of the CAO and total the amount of \$720.

A civil penalty of \$6,350 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](#).