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

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and City of De Queen, Arkansas entered into a June 17th Consent Administrative Order addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) Permit. See LIS No. 24-104.

The CAO provides that De Queen operated a municipal wastewater treatment facility (“Facility”) located in Sevier County, Arkansas.

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

DEQ is stated to have conducted a review of Certified Discharge Monitoring Reports (“DMRs”) submitted by De Queen. The review is stated to have indicated the following alleged violations:

- 7 violations of total Recoverable Copper.
- 4 violations of Total Phosphorus.
- 1 violation of Nitrate + Nitrite Nitrogen.

The CAO requires that within 30 calendar days of its effective date that De Queen submit to the DEQ, for review and approval, a Comprehensive Corrective Action Plan (“CAP”) developed by an Arkansas Professional Engineer. The CAP is required to include at a minimum the methods and best available technologies that will be used to correct the violations and prevent future violations. A reasonable milestone schedule should be included which includes a date of final compliance no later than December 31, 2025.

Quarterly reports detailing progress is required.

A civil penalty of \$2,800.00 is assessed of \$1,400.00 is conditionally suspended if De Queen fully complies with the CAO.

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