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# Wastewater Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Ozark Industrial Process Wastewater Facility Enter into Consent Administrative Order

09/06/2024

The Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") and Tokai Carbon GE LLE ("Tokai") entered into an August 12th Consent Administrative Order ("CAO") addressing an alleged violation of a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") Permit. See LIS No. 24-128.

The CAO provides that Tokai operates an industrial facility which processes wastewater ("Facility") in Ozark, Arkansas.

The Facility is stated to discharge non-contact cooling water and cooling tower blowdown to Lake Dardanelle. The discharge is stated to be subject to an NPDES Permit.

Part III, Section D, Condition 10 of the NPDES Permit requires Tokai 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. Tokai is stated to intend to operate the Facility beyond the expiration date of the current NPDES Permit.

Tokai submitted a complete permit renewal application to DEQ on March 25th. However, the CAO provides that the complete NPDES permit renewal application was not received by March 4th. This is stated to constitute a failure to submit the complete permit renewal application by March 4th, in violation of Part III, Section D, Condition 10 of the NPDES Permit.

Tokai is required to 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 \$1,000.00 is assessed, which could have been reduced to \$500.00 if the document was signed and returned to DEQ within 20 calendar days of its receipt.

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

