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Solid Waste Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and City of Camden Enter into Consent Administrative Order

09/11/2024

The Arkansas Department of Energy and Environment – Division of Environmental Quality and the City of Camden, Arkansas entered into an August 30th Consent Administrative Order (“CAO”) addressing alleged violations of Arkansas Pollution Control and Ecology Commission (“Commission”) Rules 11 and 22. See LIS No. 24-132.

The CAO provides that Camden operates a Class 4 Landfill (“Facility”) in Washington County, Arkansas.

DEQ is stated to have issued Permit 0255-S4 to Camden on November 28, 1994. The Permit was for the construction and operation of a Class 4 disposal facility.

An updated Disposal Fee Plan (“DFP”) was provided by Camden to DEQ in 2019, which the agency subsequently approved.

DEQ is stated to have initiated an audit of Camden’s solid waste receipt records in accordance with Commission Rule 11.214 on January 26, 2023. Further, DEQ is stated to have requested that Camden submit an updated DFP and sample waste ticket.

An updated DFP and an audit of Camden’s solid waste receipt records was undertaken.

The CAO provides that the following violations of the Commission Rules No. 11 and 22 were documented:

- Landfill ticket system did not document the general location of disposal.
- Landfill ticket system did not document the geographic source of the waste.
- Facility reported waste in cubic yards for the second quarter of 2022 but is not approved for reporting waste by volume.
- Several of the landfill tickets were stamped with times outside of the Facility hours of operation.
- Facility’s scale has not been calibrated since 2019.
- DEQ conducted a comparison of the waste tickets provided by Camden in the quarterly reports submitted and they are stated to have indicated that the City underreported solid waste tonnage for the first, second, third, and fourth quarters of 2018 and 2019 and overreported the tonnage for the

first, second, third, and fourth quarters of 2020, 2021, and 2022. This is alleged to constitute a failure to establish an accurate method for determining the amount of solid waste received.

The CAO requires that within 60 calendar days of its effective date that Camden revise the waste ticketing procedure to include the geography source of the waste and general location of disposal. Further, within 60 calendar days of the effective date, Camden is required to submit written certifications of repair and calibration of the Facility's scale or an accurate description of an alternative weighing system to be approved by DEQ.

A civil penalty of \$6,759.00 is assessed, of which \$5,900.00 should be conditionally suspended if Camden fully complies with the CAO within six months of its effective date.

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