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

09/17/2024

The Arkansas Department of Energy and Environment - Division of Environmental Quality (“DEQ”) and City of Lockesburg, Arkansas entered in an August 30th Consent Administrative Order (“CAO”) addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) Permit. See LIS No. 24-135.

The CAO provides that Lockesburg operates a minor municipal wastewater treatment facility (“Facility”) in Sevier County, Arkansas.

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

DEQ is stated to have conducted an inspection of the Facility on September 21, 2023. The inspection is stated to have identified pooling in the aquatic rock filter in violation of Part III, Section B, Condition 1 of the NPDES Permit.

DEQ is stated to have notified Lockesburg of the inspection results and requested a written response, but such response is stated to have not been provided.

The CAO provides that DEQ conducted a review of certified Discharge Monitoring Reports (DMRs”) on July 23rd.

Such review is stated to have identified the following violations:

- Eight (8) violations of Fecal Coliform Bacteria;
- Six (6) violations of Total Suspended Solids; and
- Two (2) violations of Carbonaceous Biochemical Oxygen Demand.

The review of the DMRS is stated to have also indicated that Lockesburg failed to submit Non-Compliance Reports (“NCRs”) for effluent violations reported during the December 2021 monitoring period.

The review of the DMRs is also stated to have indicated a failure to submit DMRs by the due date for the following 15 monitoring period:

- 2021: April, May, June, July, September, November, December;
- 2022: March, April, May;
- 2023: May, October, November, December; and
- 2024: January.

The CAO requires that Lockesburg immediately comply with all permitted effluent limits, unless a Corrective Action Plan (“CAP”) is submitted as provided in the paragraph below and approved by DEQ. If so, Lockesburg is required to comply with all permitted effluent limits no later than January 31, 2026.

In the event Lockesburg is able to comply immediately with all permitted effluent limits, within 30 calendar days of the effective date of the CAO, the City is required to submit to DEQ, for review and approval, a comprehensive CAP developed by an Arkansas Professional Engineer. The CAP shall include at a minimum the methods and best available technologies that will be used to correct the violations and prevent future violations and a reasonable milestone schedule must be included. Upon review and approval by DEQ, it will become enforceable through the CAO.

Quarterly progress reports are required.

The CAO also requires that Lockesburg submit all DMRs and within 30 calendar days of the effective date of the CAO submit an adequate response to the September 21, 2023 inspection.

A civil penalty of \$4,600.00 is assessed of which \$4,000.00 is conditionally suspended contingent upon Lockesburg complying with the terms of the CAO.

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