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

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and City of Almyra, Arkansas entered into a November 18th Consent Administrative Order (“CAO”) addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) Permit. See LIS No. 24-156.

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

The Facility is stated to discharge treated wastewater to an unnamed tributary of Mill Bayou which eventually flows into the Arkansas River. Such discharge is regulated pursuant to an NPDES Permit.

Part III, Section D, Condition 10 of the NPDES Permit requires Almyra to submit a complete permit renewal application at least 180 days prior to its expiration if the activity regulated by the Permit is to continue after the expiration date.

Almyra is stated to intend to operate the Facility beyond the expiration date of February 29th.

DEQ received a permit renewal application from Almyra on September 6, 2023, but it was deemed incomplete. A complete renewal application was submitted on September 21, 2023. Because the complete permit renewal application was not received by September 2, 2023, the CAO provides that this is a violation of Part III, Section D, Condition 10 of the Permit.

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

- Seven (7) violations of Total Suspended Solids; and
- Four (4) violations of Dissolved Oxygen.

The review of the DMRs is stated to also have indicated that Almyra failed to submit DMRs by the due date for the following twenty monitoring periods:

- 2020: September;

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

The CAO requires that Almyra comply with the existing NPDES Permit until either the effective date of the permit renewal or the effective date of the permit termination.

Almyra is also required to immediately comply with all permitted effluent limits unless a Corrective Action Plan ("CAP") is submitted and approved by DEQ as provided in Paragraph 3 of the CAO. In such case, Almyra is required to comply with all permitted effluent limits no later than July 31, 2026.

If unable to comply with all permitted effluent limits immediately, Almyra is required within 30 calendar days of the effective date of the CAO to submit to DEQ for review and approval a comprehensive 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 referenced violations and prevent future ones. A reasonable milestone schedule with a final date of compliance no later than July 31, 2026 is required.

Periodic progress reports are required.

A civil penalty of \$4,150.00 is assessed, of which \$3,150.00 is conditionally suspended if Almyra fully complies with the CAO.

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