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Wastewater Plant Reconstruction: Arkansas Department of Energy and Environment - Division of Environmental Quality and City of Wynne Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment - Division of Environmental Quality (“DEQ”) and City of Wynne, Arkansas entered into a November 21st Consent Administrative Order (“CAO”) addressing operation of a wastewater treatment facility (“Facility”) damaged by the March 31, 2023 tornado. See LIS No. 24-162.

The CAO provides that Wynne operates a major municipal wastewater treatment Facility in Cross County, Arkansas.

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

A severe weather event occurred in Arkansas that produced a tornado rated as EF3 on March 31, 2023. The tornado caused devastating damage across the state with a particular effect on the Wynne Facility. As a result, DEQ issued Emergency Order LIS 23-028.

Wynne is stated to have continued to perform clean-up activities and is rebuilding the Facility.

The CAO provides that upon its effective date Emergency Order 23-028 shall be closed.

Wynne is required to submit quarterly progress reports detailing the clean-up activities at the Facility and status of the construction of the new wastewater treatment plant. In addition, due to the ongoing conditions at the Facility, Wynne is authorized to treat its wastewater, including but not strictly limited to, in a manner prescribed by 3(a)-(i) of the CAO.

The Facility is required to continue to report No Data Indicator (NODI) Code T, NODI T = Environmental Conditions: Monitoring Not Possible, on the DMRs until the CAO is closed. Any conditions in the NPDES permit not expressly addressed in the CAO will remain in full force and effect.

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