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

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The Arkansas Department of Energy and Environment - Division of Environmental Quality (“DEQ”) and the City of Haskell, Arkansas entered into a December 12th Consent Administrative Order (“CAO”) addressing an alleged violation of a Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) Permit. See LIS No. 24-169.

The CAO provides that Haskell operates a minor wastewater treatment plant (“Facility”) in Saline County, Arkansas.

The Facility discharges treated wastewater into Dodson Creek which eventually flows into the Ouachita River. Such discharge is regulated pursuant to an NPDES Permit.

Part III.D.10 of the Permit requires that Haskell submit a complete permit renewal application at least 180 days prior to the expiration of the NPDES Permit if the activity regulated is to continue after the expiration date. Haskell is stated to intend to operate the Facility beyond the Permit expiration date.

DEQ received an NPDES permit renewal application from Haskell on September 17, 2024. and on September 18th the agency notified Haskell that the application was incomplete. DEQ received additional information on September 19th from Haskell and on September 20th DEQ notified Haskell that the permit renewal application was determined to be administratively complete on September 19th. A complete permit renewal application was not received by July 4, 2024. Therefore, this is stated to be a violation of Part III.D.10 of the NPDES Permit.

The CAO requires that Haskell 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 CAO was signed and returned to DEQ within 20 calendar days of its receipt.

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