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

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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") and City of London, Arkansas entered into a February 25th Consent Administrative Order ("CAO") addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") Permit. See LIS No. 25-014.

The CAO provides that London operates a minor municipal wastewater treatment facility in Pope County, Arkansas.

The facility is stated to discharge treated wastewater to Lake Dardanelle which eventually flows to the Arkansas River. Such discharge is regulated pursuant to an NPDES Permit.

DEQ is stated to have conducted a review of certified Discharge Monitoring Reports ("DMRs") on May 28, 2024, submitted by London. The review is stated to have indicated that London reported the following violations of effluent discharge limits for a period from April 1, 2021, to April 30, 2024:

- Eleven (11) violations of Fecal Coliform Bacteria;
- Eleven (11) violations of Total Suspended Solids;
- Six (6) violations of Dissolved Oxygen;
- Two (2) violations of Ammonia Nitrogen;
- Two (2) violations of pH; and
- Two (2) violations of Total Phosphorus.

An updated review is stated to have indicated that London reported the following violations of the permitted effluent discharge limits for the period May 1, 2024, through October 31, 2024:

- Three (3) violation of Ammonia Nitrogen;
- Three (3) violations of Dissolved Oxygen;
- Two (2) violations of Total Suspended Solids;
- Two (2) violations of Total Phosphorus; and
- One (1) violation of Fecal Coliform Bacteria.

The CAO requires that London within 30 calendar days of its effective date submit to DEQ for review and approval a comprehensive Corrective Action Plan (“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 violations listed in the Findings of Fact and prevent future violations.

Quarterly progress reports are also required.

A civil penalty of \$7,000.00 is assessed, of which \$3,500.00 is conditionally suspended if London fully complies with the CAO.

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