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## Water Enforcement/Drip Irrigation: Arkansas Department of Environmental Quality and Wastewater Facility Servicing Washington County, Arkansas Enter into Consent Administrative Order

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The Arkansas Department of Environmental Quality (“ADEQ”) and Harmon Road Properties, LLC (“Harmon”) entered into a February 21st Consent Administrative Order (“CAO”) addressing alleged violations of a No-Discharge Permit (“Permit”). See LIS No. 17-015.

Harmon is stated to operate a decentralized wastewater treatment system utilizing drip irrigation dispersal (“System”) for the Westridge Subdivision located in Washington County, Arkansas.

The System operates pursuant to a No-Discharge Permit (4860-WR-1).

The System is alleged to have failed to submit an application in a timely manner to renew the Permit. This alleged failure to renew is stated to be a violation of Part III, Condition 23 of the Permit.

ADEQ is stated to have conducted a compliance inspection of the system on October 30, 2015. The inspection allegedly identified the following violations:

1. Surfacing was observed in areas on the east side of the drip field. This condition violated Condition 2 and 9 of Part II of the Permit and therefore Ark. Code Ann. § 8-4-217(a)(3). Recurrent Violation.
2. Signs were not posted around the disposal area indicating that the area is irrigated with treated wastewater effluent. One sign was observed on the fence around the Bioclere unit. However, additional signs need to be posted around the drip field. This omission violated Part II, Condition 11 of the Permit and therefore Ark. Code Ann. § 8-4-217(a)(3). Recurrent Violation.
3. Respondent failed to report permit violations to the Enforcement Branch. This failure violated Condition 13 of Part III of the Permit and therefore Ark. Code Ann. § 8-4-217(a)(3).

ADEQ is stated to have conducted a review of certified Monthly Monitoring Reports prepared by the System. Harmon is stated to have reported the following alleged violations of permitted effluent limits:

1. Six (6) violations for Carbonaceous Biochemical Oxygen Demand;
2. Six (6) violations for Total Suspended Solids; and

3. One (1) violation for Fecal Coliform Bacteria.

The CAO closes a prior System CAO (LIS 15-011) and requires that a new Corrective Action Plan (“CAP”) be developed by a Professional Engineer for review and approval by ADEQ which shall include:

- A reasonable milestone schedule
- Date of final compliance no later than March 31, 2018,
- A CAP that details the methods and best available technologies used to correct and prevent violations identified in the CAO

Other CAO requirements include:

- Compliance with the CAP milestone schedule
- Documentation of required sign posting
- Quarterly reports regarding CAP related work

A civil penalty of \$1,600 is assessed.

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