

Wastewater Enforcement: Arkansas Department of Environmental Quality and City of Garland, Arkansas Enter into Consent Administrative Order



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The Arkansas Department of Environmental Quality (“ADEQ”) and City of Garland, Arkansas (“Garland”) entered into a January 10th Consent Administrative Order (“CAO”) addressing alleged violation of a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) Permit. See LIS No. 18-006.

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

The Facility is stated to discharge treated wastewater to the Red River in Segment 1B of the Red River Basin. It is regulated pursuant to an NPDES permit.

ADEQ is stated to have conducted a Reconnaissance Inspection of the Facility on June 20, 2017. The agency is stated to have reviewed the flow discharge records for:

- May 2015
- November 2015
- December 2015
- January 2016
- February 2016
- April 2016

The flow data allegedly indicate that the Facility had a discharge during the months of:

- May 2015
- November 2015
- December 2015
- January 2016
- February 2016
- April 2016

Discharge Monitoring Reports (“DMRs”) submitted by Garland for the previously referenced months are stated to have indicated “No Discharge” during their respective monitoring periods. This is alleged to be a violation of the NPDES permit.

The CAO also identifies Garland's notification to the agency regarding a new Operator for the Facility who will be responsible for submitting DMRs to the agency. Further, ADEQ is stated to have notified Garland of the inspection results and eventually received a response to the alleged violations.

The CAO requires that Garland submit to ADEQ corrected DMRs for certain designated monitoring periods. In addition, the CAO assesses a civil penalty of \$1,600 which could be reduced by one half if the document is returned to ADEQ within 20 days from receipt of the CAO.

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