

Wastewater Enforcement: Arkansas Department of Environmental Quality and Lonoke County, Arkansas Improvement District Enter into Consent Administrative Order



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The Arkansas Department of Environmental Quality (“ADEQ”) and Lonoke County Property Owners’ Multipurpose Improvement District No. 12 Mount Lake II Phase III Wastewater Treatment Plant (“District”) entered into a February 12th Consent Administrative Order (“CAO”). See LIS No. 18-014.

The CAO states that the District operates a wastewater treatment facility (“Facility”) in Scott, Arkansas.

The Facility is stated to discharge treated wastewater to Plum Bayou, which eventually flows into Segment 3C of the Arkansas River Basin.

The Facility is regulated pursuant to a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permit. An NPDES permit was issued to the Facility on May 29, 2013. It became effective on June 1, 2013, and will expire on May 31, 2018.

The CAO provides that Part III, Section D, Condition 10 of the NPDES permit requires that the District submit a complete permit renewal application at least 180 days prior to the expiration date of the permit if the activity regulated by the permit is to continue after the expiration date. The District is stated to intend to operate the Facility beyond the expiration date of the current NPDES permit, May 31, 2018.

The District is stated to have been notified on June 2, 2017, and September 1, 2017, that the NPDES permit would expire on May 31, 2018, and that in order to continue the regulated activity, a complete renewal application would have to be submitted no later than December 2, 2017. The CAO alleges that the complete NPDES permit renewal application was not received by December 2, 2017, which violated the previously referenced section of the permit.

The CAO requires that immediately upon execution of the document that the District submit to ADEQ a request seeking permission to submit the renewal at a later date but no later than the effective date of the CAO. The District is also required to comply with the existing NPDES permit until the effective date of the NPDES permit renewal.

A civil penalty of \$1,000 is assessed which could be reduced by one half if the CAO was signed and returned to the agency within 20 days of receipt of the CAO.

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

