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Storm Water Enforcement: Arkansas Department of Environmental Quality and El Dorado, Arkansas Petroleum Products Distribution Terminal Operator Enter into Consent Administrative Order

12/19/2017

The Arkansas Department of Environmental Quality ("ADEQ") and RelaDyne HOC ("RH") entered into a December 4th Consent Administrative Order ("CAO") addressing alleged violations of the Clean Water Act National Pollution Discharge Elimination System ("NPDES") regulations addressing storm water. See LIS No. 17-111.

The CAO provides that RH operates a petroleum products distribution terminal ("Facility") in El Dorado, Arkansas.

The Facility is stated to be classified as Standard Industrial Classifications (SIC) code 5171 (Petroleum Bulk Stations and Terminals) and North American Industry Classification System (NAICS) code 424710 (Petroleum Bulk Stations and Terminals).

The Facility is stated to discharge storm water associated with industrial activity to an unnamed drainage ditch that eventually moves to Bogay Creek. It is regulated pursuant to the relevant NPDES permit requirements.

RH is stated to have submitted an incomplete Notice of Intent ("NOI") and Storm Water Pollution Protection Plan ("SWPPP") for an Industrial Storm Water General Permit on January 26, 2017. ADEQ is stated to have requested missing information on various dates, which RH allegedly failed to provide.

The NOI was subsequently deemed inactive on June 29, 2017. ADEQ is stated to have returned the NOI to RH on June 29, 2017.

ADEQ is stated to have conducted an inspection of the Facility on June 29, 2017, addressing issues related to industrial storm water. A determination was made that the Facility was operating without coverage under the NPDES IGP ARR 000000 as required by 40 C.F.R. 122.26(c)(1).

The CAO requires that RH immediately cease all unpermitted activities. It further requires that RH submit to ADEQ a complete application for an IGP ARR000000, to include an NOI, SWPPP, and \$200.00 permit fee.

The CAO assesses a civil penalty of \$2,000.

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