

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



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The Arkansas Department of Environmental Quality (“ADEQ”) and Magazine, Arkansas, (“City”) entered into a February 25th Consent Administrative Order (“CAO”) addressing alleged violations of a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permit. See LIS No. 19-013.

The City is stated to operate a wastewater treatment plant (“Facility”) in Logan County, Arkansas.

The facility discharges treated wastewater to an unnamed tributary of Revillee Creek and eventually to the Petit Jean River. Such discharge is regulated pursuant to an NPDES permit.

Part III, Section D, Condition 10 of the City’s NPDES permit requires it to 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 City is stated to intend to operate the Facility beyond the expiration date of the current permit, March 31, 2019.

The CAO provides that on April 2, 2018, and July 3, 2018, the City was notified that the NPDES permit would expire on March 31, 2019, and that in order to continue the regulated activity, a complete renewal application must be submitted no later than October 2, 2018.

ADEQ is stated to have received the City’s application for renewal of the NPDES permit on October 26, 2018, with additional information received on October 30, 2018. The application was deemed administratively complete on October 30, 2018.

The complete NPDES permit renewal application is stated to have not been received by ADEQ by October 2, 2018. This alleged failure to submit the renewal application by the referenced date is a violation of Part III, Section D, Condition 10 of the permit.

The City is required to comply with the existing NPDES permit until the effective date of the permit renewal.

A civil penalty of \$1,000 is assessed, which could have been reduced to \$500 if the document was signed and returned to ADEQ within 20 days of receipt of the CAO.

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