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

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The Arkansas Department of Environmental Quality (“ADEQ”) and the City of Stamps, Arkansas (“Stamps”) entered into an April 26th Consent Administrative Order (“CAO”) addressing an alleged violation of a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permit. See LIS No. 19-040.

The CAO provides that Stamps operates a wastewater treatment facility (“Facility”) located in Lafayette County, Arkansas.

The Facility discharges treated wastewater into an unnamed tributary of Bodcau Creek and eventually into the Red River Basin. The discharge is undertaken pursuant to an NPDES permit.

Part III, Section D, Condition 10 of the NPDES permit requires Stamps to submit a complete permit renewal application at least 180 days prior to the expiration date of the NPDES permit if the activity regulated by the NPDES permit is to continue after the expiration date. Stamps is stated to intend to operate the Facility beyond the expiration date of the current permit, August 31, 2018. The CAO further provides that on September 1, 2017, and December 1, 2017, Stamps was notified that the NPDES permit would expire on August 31, 2018, and that in order to continue the regulated activity, a complete renewal application must have been submitted no later than March 4, 2018.

ADEQ is stated to have received an incomplete application for the NPDES permit renewal from Stamps on February 21, 2018, and notified Stamps that its application was incomplete on February 25, 2018. Stamps submitted additional information to which ADEQ determined that the application was still administratively incomplete. The application was deemed administratively incomplete on April 24, 2018.

The CAO provides that Stamps failed to submit the permit renewal application by March 4, 2018, which is a violation of Part III, Section D, Condition 10 of the permit.

A renewal permit was subsequently issued to Stamps on March 21, 2019.

A civil penalty of \$500 is assessed.

The CAO can be downloaded [here](#).