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Stormwater Enforcement: Arkansas Department of Energy and Environment (Division of Environmental Quality) and Little River County Rock Hauling Company enter Consent Administrative Order

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and Williamson Rock Hauling LLC (“Williamson”) entered into a December 6th Consent Administrative Order (“CAO”) addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) stormwater permit. See LIS No. 19-109.

The CAO provides that Williamson operates two rock hauling sites (Sites 1 and 2) in Little River County, Arkansas.

Williamson stated to be regulated pursuant to an NPDES permit. Sites 1 and 2 are stated to have been issued Industrial Stormwater General Permit coverage.

The Industrial Stormwater General Permits contains a condition requiring that a Recertification Notice of Intent (“RNOI”) be submitted no later than June 30, 2019, in order to maintain permit coverage for the regulated activity. A complete RNOI is stated not to have been received by the required date. This alleged failure violates the Industrial Stormwater General Permit.

Williamson subsequently submitted Notices of Intent and Stormwater Pollution Prevention Plans for both sites.

Sites 1 and 2 are required to comply with the NPDES Industrial Stormwater General Permit until DEQ issues a Notice of Coverage for each site.

A civil penalty of \$2,000.00 is assessed which could have been reduced to \$1,000.00 if the CAO was returned to DEQ within 20 calendar days of receipt of the document.

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