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Stormwater Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and McCrory Manufacturing Facility Enter Into Consent Administrative Order

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Worldwide Labeling & Packaging, LLC ("Worldwide") and the Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") entered into a January 27th Consent Administrative Order ("CAO") addressing violations of a Clean Water Act Stormwater Industrial National Pollution Discharge Elimination System ("NPDES") Permit. See LIS No. 21-009.

Worldwide is stated to operate a manufacturing facility ("Facility") in McCrory, Arkansas.

DEQ is stated to have issued Industrial Stormwater General Permit ("Permit") coverage to the Worldwide Facility for discharge of stormwater into waters of the state. The permit is stated to have an expiration date of June 30, 2019.

Part 2 Condition 2.2 of the Permit is stated to require Worldwide to submit a complete Recertification Notice of Intent ("RNOI") no later than June 30, 2019, in order to maintain permit coverage for the regulated activity.

The CAO provides that the RNOI was not received by July 1, 2019, violating Part 2 Condition 2.2 of the Permit.

The Worldwide Facility is stated to be continuing to operate. Therefore, it is stated to have operated beyond the June 30, 2019, expiration date of the Permit, violating 40 C.F.R. § 122.26.

DEQ stated it notified Worldwide that a Notice of Intent, Stormwater Pollution Prevention Plan and Permit fee had not been received.

The CAO requires that on or before the effective date of the CAO Worldwide submit a Notice of Intent, Stormwater Pollution Prevention Plan, and payment for the Permit fee. It is also required to comply with the Permit with the effective date of July 1, 2019, until DEQ issues a Notice of Coverage to Worldwide.

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

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

