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## Wastewater Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Monticello Industrial Sawmill Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment - Division of Environmental Quality (“DEQ”) and Interfor U.S. Inc. (“Interfor”) entered into a June 10th Consent Administrative Order (“CAO”) addressing an alleged violation of a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permit. See LIS No. 21-055.

The CAO provides that Interfor operates an industrial sawmill with a wastewater treatment plant (“Facility”) in Monticello, Arkansas.

The Facility is stated to discharge treated wet deck overflow and stormwater to an unnamed tributary of Clear Creek which eventually flows into the Arkansas River. Such discharge is regulated pursuant to an NPDES permit.

DEQ is stated to have issued an NPDES permit to the Facility on November 23, 2015. Such permit is stated to have expired on November 30, 2020.

Part III, Section D, Condition 10 of the NPDES permit requires Interfor to submit a complete permit renewal application at least 180 days prior to the expiration date of the NPDES permit if the activity it regulates is to continue after the expiration date. Interfor is stated to be operating the Facility beyond the expiration date of the current permit (i.e., November 30, 2020).

Interfor is stated to have submitted a permit renewal application to DEQ on June 3, 2020. On July 20, 2020, DEQ is stated to have notified Interfor that the permit renewal application was incomplete because of a failure to submit a disclosure statement. The failure to submit a complete permit renewal application to DEQ by June 3, 2020, is stated to constitute a violation.

The CAO requires that on or before its effective date that Interfor submit an administratively complete permit renewal application. Further, Interfor is stated to be required to comply with the existing NPDES permit until either the effective date of the permit renewal or the effective date of the permit termination.

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

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