Arkansas Water and Air Pollution Control Act Enforcement: Arkansas Department of Energy & Environment - Division of Environment Quality and Saltwater Transfer Pipeline Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality ("DEQ") and White Rock Oil & Gas Company, LLC ("White Rock") entered into a January 2nd Consent Administrative Order ("CAO") addressing an alleged violation of the Arkansas Water and Air Pollution Control Act ("Act"). See LIS No. 24-002.

The CAO provides that White Rock operates the Magnolia Field produced saltwater transfer pipeline ("Facility").

The Arkansas Division of Emergency Management and National Response Center are stated to have notified DEQ on February 23rd that White Rock reported a release of approximately 500 barrels of production saltwater.

DEQ performed a site assessment on March 1st in response to the release on February 23rd. The state agency is stated to have made the following observations:

Approximately 200 barrels of production saltwater was released from a water transfer line. Some of the production saltwater entered an unnamed tributary of Little Cornie Bayou. Respondent is not authorized to discharge production saltwater from the facility to waters of the stale. This unpermitted discharge of production saltwater to waters of the state is a violation of Ark. Code Ann. § 8-4- 21 ?(b)(I)(E) and therefore is a violation of Ark. Code Ann.§ 8-4-217(a)(3).

DEQ requested on April 6th a response from White Rock of the alleged violations to which the company responded providing a description of:

- Response actions
- Remediation actions
- Current monitoring activities at the spill site

DEQ is stated to have notified White Rock on May 26th that the response was inadequate. The state agency requested that White Rock submit the sample data and photographic documentation demonstrating the cleanup of the site. The documentation was requested to be submitted by June 9th.

White Rock submitted sample data and photographic documentation demonstrating the cleanup of the site on June 8th.

The CAO requires that White Rock continue to implement the June 8th remediation, sampling, and monitoring activities at the spill site. Further, it is required to follow:

ADEQ Guidelines for Reporting, Responding to and Remediating Crude Oil, Saltwater and Brine Spills, Revised September, 1994.

Quarterly progress reports are also required.

A civil penalty of $7,200 is assessed which could have been reduced to one-half if the CAO was executed and returned to DEQ within 20 calendar days of its receipt.

A copy of the CAO can be downloaded here.