Wastewater Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and City of Dumas Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality ("DEQ") and City of Dumas, Arkansas, entered into a January 12th Consent Administrative Order ("CAO") addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") permit. See LIS No. 24-012.

The CAO provides that Dumas operates a municipal wastewater treatment facility ("Facility") in Desha County, Arkansas.

The Facility discharges treated wastewater to Canal No. 19 which eventually flows into the Ouachita River Basin. Such discharge is regulated pursuant to an NPDES permit.

Part III, Section D, Condition 10 of the NPDES permit requires Dumas to submit a complete permit renewal application at least 180 days prior to the expiration date of the permit if the activity regulated by the permit is to continue after the expiration date. Dumas is stated to intend to operate the Facility beyond the expiration date.

The CAO provides that a complete NPDES permit renewal application was not received by August 4, 2021, therefore, violating Part III, Section D, Condition 10 of the permit.

DEQ issued a renewal of the permit on September 19, 2023.

DEQ is stated to have sent a request for a Corrective Action Plan ("CAP") due to violations of the permitted effluent discharge limits. Dumas submitted a CAP that had a final compliance date of December 31, 2023. DEQ deemed the CAP adequate.

DEQ conducted a review of certified Discharge Monitoring Reports ("DMRs") on August 15, 2023, submitted by Dumas. The review is stated to have identified the following violations:

- Thirteen violations of total Residual Chlorine
- One violation of pH
- One violation of Fecal Coliform Bacteria

A review of the DMRs is also stated to have indicated that Dumas failed to submit DMRs by the due date for the following 22 monitoring periods:

- 2020: August, September, November, December
- 2021: January, March, June, July, August, September, November, December
- 2022: January, March, June, July, August, December, and
- 2023: January, March, May, June

The CAO requires that Dumas within 30 calendar days of its effective date submit to DEQ a statement certifying that they are on scheduled with the milestone schedule contained in the approved CAP or submit a revised milestone schedule with a final compliance date of no later than December 31, 2025. Quarterly progress reports are required.

Dumas is required to submit all DMRs in accordance with Part III, Section C, Condition 5 of the NPDES permit.

A civil penalty of $1,750 is assessed.

A copy of the CAO can be downloaded here.