Wastewater Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Saline County Wastewater Treatment Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment – Division of Environmental Quality ("DEQ") and Pinewood Wastewater, LLC ("Pinewood") entered into an April 9th Consent Administrative Order ("CAO") addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") Permit. See LIS No. 25-028.

The CAO provides that Pinewood operates a wastewater treatment facility ("Facility") in Saline County, Arkansas.

The Facility is stated to discharge treated wastewater to an unnamed tributary of Panther Creek which eventually flows into the Arkansas River. Such discharge is regulated pursuant to an NPDES Permit.

DEQ is stated to have performed a permit renewal compliance review of items submitted to the agency from September 30, 2020, through August 31, 2023. A meeting is stated to have been held on October 9, 2023, in which DEQ requested that Pinewood submit a Corrective Action Plan ("CAP"). Such CAP was submitted to DEQ on November 15, 2023.

DEQ is stated to have conducted a review of certified Discharge Monitoring Reports ("DMR's") on February 1, 2024. The review is stated to have indicated the following violations of effluent discharge limits:

1. Twelve (12) violations of Carbonaceous Biochemical Oxygen Demand (CBODs);
2. Three (3) violations of Fecal Coliform Bacteria (FCB); and
3. Three (3) violations of Total Suspended Solids (TSS).

The review of the DMR's is also stated to have indicated that Pinewood failed to conduct an analysis for the following monitoring periods:

1. March 2022: TSS, Ammonia Nitrogen, FCB, and CBODs and
2. May 2023: TSS.

In addition, Pinewood is stated to have failed to submit DMR's by the due date for the following three monitoring periods:

1. 2021: August;
2. 2022: August; and
3. 2023: April.

DEQ notified Pinewood on February 13, 2024, that the previously submitted CAP was adequate. Further, Pinewood submitted a progress report indicating most of the equipment replacement corrective actions had been completed on March 13, 2024.

DEQ is stated to have conducted a review of certified DMR's on January 13 submitted in accordance with the NPDES Permit. The review is stated to have identified three violations of the permitted effluent discharge limits for FCB. Further Pinewood is stated to have failed to submit DMR's by the due date for the following nine monitoring periods:

1. 2023: December; and
2. 2024: March, April, June, July, August, September, October, and November.

The CAO requires that Pinewood comply with the terms, milestone schedule, and final compliance date contained in the approved CAP. Further, quarterly progress reports are required.

A civil penalty of $7,200.00 is assessed, which could have been reduced by one-half 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.