Underground Injection Control Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Rogers Dog Daycare/Boarding Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") and the Hounds' Hideaway Rogers, LLC ("Hounds") entered into an April 9th Consent Administrative Order ("CAO") addressing an alleged violation of Arkansas Pollution Control and Ecology Commission ("APC&EC") Rule 17, Arkansas Underground Injection Control ("UIC") Code Permit. See LIS No. 25-029.

The CAO provides that Hounds operates a septic tank and subsurface fluid distribution system for wastewater from a dog daycare, boarding, and grooming facility in Rogers, Arkansas.

The facility is stated to be regulated pursuant to APC&EC Rule 17 – Arkansas UIC Code.

It was issued a No-Discharge Permit in 2019. The Permit is stated to have expired on September 30, 2024, and that Hounds intends to operate the facility beyond the expiration date.

Hounds is stated to have not submitted a complete permit renewal application. Therefore, the failure to submit a complete permit renewal application by April 3, 2024, is stated to have constituted a violation of Part II, Condition 21 of the Permit.

The CAO also provides that Hounds has failed to pay a certain invoice and accrued late fees. The total amount due is stated to be $220.00. This alleged failure to pay the amount due is a violation of Part II, Condition 9 of the Permit.

The CAO requires that on or before the effective date of the CAO Hound submit an administratively complete permit renewal application. Further, Hounds is required to comply with the existing Permit until the either the effective date of the permit renewal or the effective date of the permit termination.

Within 60 days of the effective date of the CAO, Hounds is required to conduct and submit the results of a feasibility study for the connection of the facility's collection system to the City of Rogers' collection system. The feasibility study is required to include certain information specified in Paragraph 3 of the CAO.

The issues to be addressed include:

- Technical Analysis.
- Economic Analysis.
- Environmental Analysis.
- Legal Analysis.

Hounds is also required to remit on or before the effective date of the CAO $220.00 for the annual and past due fees. The CAO assesses a civil penalty of $1,000.00, which could have been reduced by one-half 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.