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



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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") and City of Rison, Arkansas entered into a February 4th Consent Administrative Order ("CAO") addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") Permit. See LIS No. 25-009.

The CAO provides that Rison operates a municipal wastewater treatment facility in Cleveland County, Arkansas.

The facility is stated to discharge treated wastewater to an unnamed tributary, which eventually flows to the Arkansas River. Such discharge is regulated pursuant to an NPDES Permit.

DEQ is stated to have conducted a review of certified Discharge Monitoring Reports ("DMRs") submitted by Rison on October 24, 2023. DEQ is stated to have sent Rison a letter requesting a Corrective Action Plan ("CAP") to address the violations of permitted effluent discharge limitations. Rison submitted a CAP to DEQ on November 30, 2023, with a final compliance date of June 1, 2025.

DEQ is stated to have conducted a review of certified DMRs submitted by Rison on January 9, 2024. The review is stated to have identified the following violations:

1. Twenty-four (24) violations of Ammonia Nitrogen;
2. Nine (9) violations of Fecal Coliform Bacteria;
3. Eight (8) violations of Total Suspended Solids;
4. Three (3) violations of pH; and
5. One (1) violation of Dissolved Oxygen.

The review of the DMRs is also stated to have indicated that Rison failed to submit Non-Compliance Reports ("NCRs") for effluent violations reported during a ten-month monitoring period. Further, the

review is stated to have indicated that Rison failed to submit DMRs by the due date for various monitoring periods.

DEQ notified Rison on January 9, 2024, that the CAP was adequate. Further, DEQ submitted a State Construction Permit to Rison on May 8, 2024, authorizing the City to perform the necessary corrective actions.

The CAO requires that Rison comply with the terms, milestone schedule, and final compliance date contained in the approved CAP. The milestone schedule and final compliance date shall be folly enforceable as terms of this CAO. Quarterly progress reports are also required.

Rison is also required to:

- Submit all DMRs as required by the Permit.
- Submit NCRs as required by the Permit.

A civil penalty of $6,350.00 is assessed, of which $5,350.00 is conditionally suspended upon Rison's complying with the terms of the CAO.

A copy of the CAO can be downloaded here.