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

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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("ADEQ") and the City of Garland, Arkansas ("Garland") entered into a January 9th Consent Administrative Order ("CAO") addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") Permit. See Case #: CAO-25-0047.

The CAO provides that Garland operates a publicly owned treatment works located in Miller County, Arkansas.

ADEQ is stated to have issued an NPDES Permit to the facility. The facility is stated to discharge treated wastewater to the Red River.

Garland is stated to have submitted a complete permit renewal application to ADEQ on April 17, 2025. Further, ADEQ is stated to have issued an invoice for annual fees which Garland is stated to have failed to remit payment in a timely manner for, including late charges. Further, ADEQ is stated to have issued a subsequent invoice for annual fees including late charges on September 3, 2024.

ADEQ is stated to have reviewed Garland's Discharge Monitoring Reports ("DMRs") from April 1, 2022, through March 31, 2025. Six violations for Fecal Coliform Bacteria are stated to have been identified. Further, the review is stated to have indicated that Garland failed to submit DMRs by the due date for certain monitoring periods. In addition, the review is stated to have indicated that Garland failed to submit Non-Compliance Reports ("NCRs") for the effluent violations reporting during certain monitoring periods.

The alleged violations identified further include failure to submit an administratively complete permit renewal application at least 180 days before the expiration date of the permit.

The CAO requires that Garland comply with the existing NPDES Permit until the effective date of the permit renewal or the effective date of the permit termination. Further, Garland is required to immediately comply with all permitted effluent limits. In addition, Garland is required to submit DMRs and NCRs in accordance with the Permit using a form detailed in the CAO.

Within 30 calendar days of the effective date of the CAO, Garland must pay $1,364 for the annual and past due fees and a civil penalty of $4,350 is assessed of which $3,350 is conditionally suspended if the city fully complies with the CAO.

A copy of the CAO can be found here.