Stormwater Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Faulkner County Construction Site Operator Enter into Consent Administrative Order



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

05/22/2026

The Arkansas Department of Energy and Environment - Division of Environmental Quality ("ADEQ") and JJR Construction, LLC ("JJR") entered into a February 19th Consent Administrative Order ("CAO") addressing alleged violations of the Clean Water Act regulations. See Case #: CAO-25-0018.

The CAO provides that JJR operates a construction site located in Faulkner County, Arkansas.

ADEQ is stated to have received a complaint regarding sediment and debris discharging from construction activity at the site on August 26, 2024. The agency performed an evaluation of the site and determined that it fell within the definition Construction Activity" as defined in 40 C.F.R. § 122.26(b)(14)(x). A Clean Water Act National Pollutant Discharge Elimination System ("NPDES") coverage is required for stormwater discharges associated with construction activity.

ADEQ received a Notice of Intent ("NOI") and Stormwater Pollution Prevention Plan ("SWPPP") from JJR on September 17, 2024. Additional information was received but to date Construction General Permit coverage has not been issued to JJR.

The CAO identifies the following alleged violations:

- Operating without a permit.
- Place or cause to be placed any sewage, industrial waste, or other wastes in a location where it is likely to cause pollution of any waters of this state.
- The CAO requires that within 15 calendar days of its effective date that JJR submit a complete NOI and SWPPP. Further, JJR is required to immediately comply with the NPDES Stormwater Construction General Permit.

Within 30 calendar days of the effective date of the CAO, JJR is required to submit to ADEQ a written response to the violations cited in the September 6, 2024 inspection and include a written summary detailing all corrective actions, demonstrating that corrective actions. Monthly reports are required for a

year or until coverage under the Construction General Permit is terminated, whichever comes first, documenting the implementation of the Best Management Practices, ongoing good housekeeping, and all relevant corrective actions.

A civil penalty of $3,400 is assessed, which could have been reduced by one-half if the CAO was signed and returned to ADEQ within 20 calendar days of its receipt.

A copy of the CAO can be found here.