Wastewater Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Sevier County Wastewater District Enter Into Consent Administrative Order

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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("ADEQ") and Gillham Regional Wastewater District ("District") entered into a May 22nd Consent Administrative Order ("CAO") addressing an alleged violation of a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") Permit. See Case #: CAO-26-0006.

The CAO provides that the District operates a publicly owned treatment works located in Sevier County, Arkansas.

The facility is stated to operate pursuant to an NPDES Permit. Such Permit authorizes the discharge of treated municipal wastewater to Bellah Creek which eventually flows to the Red River.

The following alleged violations are identified in the CAO:

- 20 effluent violations involving the following:
- pH
- Fecal Coliform Bacteria
- Total Suspended Solids
- Total Residual Chlorine (TRC)
- Ammonia Nitrogen
- Failure to achieve compliance with the final effluent limits of the Permit for TRC within three years of the effective date of the Permit.
- Failure to submit annual progress reports.
- Failure to report monitoring results on a DMR for certain specified periods.

The CAO requires that within 30 calendar days of the effective date of this CAO, the District submit a Corrective Action Plan ("CAP") to ADEQ for review and approval, which is required to be developed by a professional engineer licensed in Arkansas. The CAP is required to include at a minimum the methods and best available technologies that will be used to correct the violations listed above and prevent future violations and shall include a reasonable milestone schedule to achieve compliance with the Permit.

Further, quarterly progress reports are required and within 30 calendar days of the final compliance date in the approved CAP, a final compliance report that includes a certificate of compliance, signed and stamped by an Arkansas professional engineer and the responsible official of the District.

The District is also required to submit Discharge Monitoring Reports in accordance with the NPDES Permit.

A civil penalty of $7,900 is assessed which could have been reduced by one-half if the document was signed and returned to ADEQ within 20 calendar days of its receipt.

A copy of the CAO can be found here.