Wastewater Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Cross County School District Enter into Consent Administrative Order



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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("ADEQ") and Cross County School District – Cross County High School ("District") entered into a June 15th Consent Administrative Order ("CAO") addressing alleged violation of a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") Permit. See Case #: CAO-25-0075.

The CAO provides that the District operates a non-municipal domestic wastewater treatment plant located in Cherry Valley, Arkansas.

ADEQ is stated to have issued an NPDES Permit to the District with an expiration date of November 30, 2026.

Treated sanitary and cafeteria wastewater is stated to be discharged to Cooper Creek, which eventually flows to the St. Francis River.

The CAO alleges the following violations:

- Failure to report monitoring results on a Discharge Monitoring Report (DMR) no later than the 25th day of the month following the end of the monitoring period.
- 5 effluent violations during the review period July 1, 2022 – June 30, 2025.
- Failure to achieve compliance with the final effluent limits as required by the Permit.
- Failure to have an operator with the required class license.

The CAO provides that the terms, milestone schedule, and final date of compliance in the approved Corrective Action Plan ("CAP") shall be fully enforceable as terms of the CAO. Quarterly progress reports are required and within 30 calendar days of the final compliance date in the approved CAP, a final compliance report shall be submitted that includes a certification of compliance, signed and stamped by a Professional Engineer licensed in the state of Arkansas.

The CAO requires that the District submit DMRs as required by the Permit and within 30 days of the effective date of this CAO, submit documentation that the facility has a wastewater operator with a minimum of a Class II wastewater license issued from the state of Arkansas.

A civil penalty of $8,150 is assessed, which is conditionally suspended if the District fully complies with the CAO.

A copy of the CAO can be downloaded here.