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Hazardous Waste Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and University of Arkansas Fort Smith Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("ADEQ") and the Board of Trustees of the University of Arkansas, acting for and on behalf of the University of Arkansas Fort Smith, entered into an April 22nd Consent Administrative Order ("CAO") addressing alleged violations of the Arkansas hazardous waste regulations. See LIS 26-006.

The CAO addresses a 4-year public university in the University of Arkansas system.

The facility is described as the University of Arkansas Fort Smith ("University").

The facility is described as a large quantity generator of hazardous waste.

ADEQ is stated to have conducted a compliance evaluation inspection of the facility on May 22-23, 2024, and alleges the following violations:

- Failure to determine if a solid waste is a hazardous waste for 8 waste streams.
- Accumulation of hazardous waste on-site for greater than 90 days without receiving an extension from ADEQ.
- Several containers were observed that held hazardous waste that were not properly labeled with the words "Hazardous Waste."
- Failure to inspect the Shipping and Receiving CAA or the Plant Operations Room 130 CAA where containers were stored for leaking containers and for deterioration of containers caused by corrosion and other factors at least weekly.
- Failure to have facility personnel successfully complete training required to perform job duties related to hazardous waste management.

The facility is stated to have submitted a response to ADEQ containing all action taken to rectify the asserted violations. ADEQ is stated to have notified the facility that their response failed to adequately address the asserted violations. However, on October 15, 2024, Hazardous Waste Compliance was stated to have determined that the asserted violations had been corrected.

The CAO requires that within 30 calendar days of the effective date of the CAO that the facility shall submit to ADEQ a standard Operating Procedure describing the regular internal auditing practices of the facility and its waste streams to achieve and maintain compliance with applicable Arkansas environmental rules.

The CAO assesses a civil penalty of \$9,000 which is conditionally suspended depending upon the facility complying with the terms of the CAO. However, if the facility violates any terms of the CAO, a penalty will be required to be paid.

A copy of the CAO can be found [here](#).