Air Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Washington County Landfill Enter into Consent Administrative Order



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The Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") and ECO-VISTA, LLC ("EV") entered into an August 20th Consent Administrative Order ("CAO") addressing alleged violations of certain air regulations. See Case #: SD-26-0003.

The CAO provides that EV owns and operates a solid waste landfill located in Washington County, Arkansas.

ADEQ is stated to have issued an Air Permit to EV for operation of the facility.

ADEQ received complaints from the same person on September 9, 10, and 11, 2024 alleging offensive odor was emanating from the facility. Records indicate that the wind direction on those dates was variable.

An investigation was conducted by ADEQ personnel on September 11, 2024 in regard to the complaints. ADEQ personnel are stated to have reported detection of odors from the Facility that they believed were atypical for a landfill.

The CAO provides that according to the investigation report created by ADEQ personnel following the complaint investigation that the odor they observed during the investigation was of a nature that constituted air pollution, as defined in Ark. Code Ann. § 8-4-303. EV is stated to have been notified of the violation on September 26, 2024, and requested a written response addressing the violation.

EV's attorney is stated to have submitted a response to the September 26, 2024 letter and denied the violation. EV denied that it was the source of any odor observed by ADEQ's personnel on September 11, 2024 for multiple reasons detailed in the letter or that any detectable odors were "air pollution" under any rule or law.

EV does not admit to any findings of fact or that it has any liability responsibility to ADEQ with respect to the allegations contained in the Findings of Fact or that there has been any release of odors from its facility on September 11, 2024.

The CAO requires that within 30 calendar days of its effective date, EV shall submit a report detailing how odors were previously mitigated and which methods will continue to be used to mitigate odors.

A civil penalty of $4,800 is assessed.

A copy of the CAO can be found here.