

**ARKANSAS DEPARTMENT OF ENERGY AND ENVIRONMENT,
DIVISION OF ENVIRONMENTAL QUALITY (DEQ)**

IN THE MATTER OF:

AFIN: 52-00329

Case #: CAO-25-0057

Harmony Grove School District 1
401 Ouachita 88
Camden, AR, 71701

CONSENT ADMINISTRATIVE ORDER

This Consent Administrative Order (CAO) is issued pursuant to the authority delegated under the Arkansas Water and Air Pollution Control Act, Ark. Code Ann. § 8-4-101 *et seq.*, the Federal Water Pollution Control Act, 33 U.S.C. § 1311 *et seq.*, and the rules issued thereunder by the Pollution Control and Ecology Commission (PC&EC) and codified under Title 8 of the Code of Arkansas Rules (CAR).

The issues herein having been settled by agreement of Harmony Grove School District 1 (Respondent) and the Director of the Arkansas Department of Energy and Environment, Division of Environmental Quality (DEQ), it is hereby agreed and stipulated that the following FINDINGS OF FACT and ORDER AND AGREEMENT be entered.

FINDINGS OF FACT

1. Respondent owns and operates Harmony Grove School and the associated wastewater treatment plant (Site) located at 401 Ouachita 88, Camden, Ouachita County, Arkansas.
2. Ark. Code Ann. § 8-4-217(a)(3) provides:
 - (a) It shall be unlawful for any person to:

...
 - (3) Violate any provisions of this chapter or of any rule or order adopted by the

Arkansas Pollution Control and Ecology Commission under this chapter or of a permit issued under this chapter by the Division of Environmental Quality.

3. Ark. Code Ann. § 8-4-103(c)(1)(A) provides, “Any person that violates any provision of this chapter and rules, permits, or plans issued pursuant to this chapter may be assessed an administrative civil penalty not to exceed ten thousand dollars (\$10,000) per violation.”
4. Pursuant to Ark. Code Ann. § 8-4-103(c)(1)(B), “Each day of a continuing violation may be deemed a separate violation for purposes of penalty assessment.”
5. Respondent is regulated pursuant to the National Pollutant Discharge Elimination System (NPDES) program.
6. DEQ is authorized under the Arkansas Water and Air Pollution Control Act (“Act”) to issue NPDES permits in the state of Arkansas and to initiate an enforcement action for any violation of a NPDES permit.
7. Pursuant to the Federal Clean Water Act, 33 U.S.C. 1311(a), the NPDES program prohibits the discharge of pollutants except as in compliance with a permit issued under the NPDES program in accordance with 33 U.S.C. § 1342(a).
8. Respondent discharges treated sanitary and cafeteria wastewater to an unnamed tributary, thence to Mizzell Creek, thence to Palmer Bayou, thence to the Ouachita River in Segment 2F of the Ouachita River Basin.
9. DEQ issued permit number AR0050105 (“Permit”) to Respondent on October 21, 2020, with an effective date of November 1, 2020, and an expiration date of October 31, 2025.
10. Part III.D.10 of the Permit requires Respondent to submit a complete permit renewal application at least 180 days prior to the expiration date of the Permit if the activity regulated by the Permit is to continue after the expiration date.

11. Respondent intends to operate this Site beyond the expiration date of the current permit, October 31, 2025.
12. On October 31, 2024, and February 3, 2025, DEQ notified Respondent that the Permit would expire on October 31, 2025, and that to continue the regulated activity, a complete renewal application must be submitted no later than May 4, 2025.
13. On March 24, 2025, DEQ received a permit renewal application from Respondent, and on April 3, 2025, DEQ notified Respondent that its permit renewal application was incomplete.
14. On October 7, 2025, DEQ received a permit renewal application from Respondent, and on October 7, 2025, DEQ notified Respondent that its application was complete.
15. Respondent failed to submit a complete permit renewal application by May 4, 2025.
16. On June 2, 2025, DEQ performed a review of the certified Discharge Monitoring Reports (DMRs) submitted by Respondent in accordance with the Permit.
17. The review revealed that Respondent reported the following violations of the permitted effluent discharge limitations detailed in Part I.A of the Permit from May 1, 2022, through April 30, 2025:
 - a. Five (5) violations of Ammonia Nitrogen;
 - b. Two (2) violations of Fecal Coliform Bacteria; and
 - c. One (1) violation of pH.
18. List of Violations:
 - (a) Effluent Violations (NPDES Part 1.A).
 - (b) Failure to submit a complete permit renewal application at least 180 days before the expiration date of the permit. (NPDES Part III.D.10).

Each violation of the Permit constitutes a separate violation of Ark. Code Ann. § 8-4-217(a)(3).

ORDER AND AGREEMENT

WHEREFORE, the parties stipulate and agree as follows:

1. Respondent shall comply with the existing permit until the effective date of the renewal permit or the permit termination.
2. Within thirty (30) days of the effective date of this CAO, Respondent shall submit to DEQ a certification of compliance with the effluent limits set forth in Part I.A of the Permit.
3. In compromise and full settlement of the violations specified in the FINDINGS OF FACT, Respondent agrees to pay a civil penalty of Two Thousand Six Hundred Dollars (\$2600.00), of which Two Thousand One Hundred Dollars (\$2100.00) shall be conditionally SUSPENDED by DEQ. The allowance of a conditional suspension is based upon DEQ's primary goal of regulatory compliance. If Respondent fully complies with this CAO, the suspended penalty of Two Thousand One Hundred Dollars (\$2100.00) shall be DISMISSED by DEQ. The suspension and dismissal of civil penalties is contingent upon Respondent complying with the terms of this CAO, including payment of the civil penalty. Ten percent (10%) of the total penalty shall be paid as reimbursement to DEQ for administrative costs associated with this CAO. If Respondent violates any term of this CAO, the full balance of Two Thousand Six Hundred Dollars (\$2600.00) shall become payable immediately to DEQ. Payment of Five Hundred Dollars (\$500.00) is due within thirty (30) calendar days after the effective date of this CAO. Payment can be made online using the Financials tab of your site in SEEK or mailed in by check. Paper check payments require the Compliance Action Number be referenced in the memo line of the check, made

payable to: DEQ, and mailed to DEQ, Fiscal Division, 5301 Northshore Drive, North Little Rock, Arkansas 72118-5317. In the event that Respondent fails to pay the civil penalty within the prescribed time, DEQ shall be entitled to attorneys' fees and costs associated with collection.

4. All requirements of this CAO are subject to approval by DEQ. In the event of any deficiency, Respondent shall, within the timeframe specified by DEQ, submit any additional information or changes requested, or take additional actions specified by DEQ to correct any such deficiencies. Failure to respond adequately to the notice of deficiency within the timeframe specified by DEQ constitutes a failure to meet the requirements established by this CAO and is subject to the civil penalties established in the following Paragraph.
5. Failure to meet any term(s) of this CAO or the applicable approved schedules provided for herein constitutes a violation of this CAO. If Respondent fails to meet any term(s) of this CAO, Respondent shall pay, on demand, to DEQ civil penalties according to the following schedule:

- | | |
|--|-----------------|
| (a) First day through the fourteenth day: | \$100 per day |
| (b) Fifteenth day through the thirtieth day: | \$500 per day |
| (c) More than thirty days: | \$1,000 per day |

Stipulated penalties shall be paid within thirty (30) calendar days of receipt of DEQ's demand to Respondent for such penalties. These stipulated penalties may be imposed for delay in scheduled performance and shall be in addition to any other remedies or sanctions that may be available to DEQ by reason of Respondent's failure to comply with the requirements of this CAO. DEQ reserves its rights to collect other penalties and fines pursuant to its enforcement authority in lieu of the stipulated penalties set forth above.

6. If any event, including, but not limited to, an occurrence of nature, causes or may cause a delay in the achievement of compliance by Respondent with the requirements or deadlines of this CAO, Respondent shall notify DEQ in writing as soon as reasonably possible after it is apparent that a delay will result, but in no case after the due dates have passed. The notification shall describe in detail the anticipated length of the delay, the precise cause of the delay, the measures being taken and to be taken to minimize the delay, and the timetable by which those measures will be implemented.
7. DEQ may grant an extension of any provision of this CAO, provided that Respondent requests such an extension in writing and provided that the delay or anticipated delay has or will be caused by circumstances beyond the control of and without the fault of Respondent. The time for performance may be extended for a reasonable period, but in no event longer than the period of delay resulting from such circumstances. The burden of proving that any delay is caused by circumstances beyond the control of and without the fault of Respondent and the length of the delay attributable to such circumstances shall rest with Respondent. Failure to notify DEQ promptly, as provided in the previous paragraph of the ORDER AND AGREEMENT, shall be grounds for a denial of an extension.
8. This CAO is subject to public review and comment in accordance with Ark. Code Ann. § 8-4-103(d), and therefore is not effective until thirty (30) calendar days after public notice of the CAO is given. DEQ retains the right and discretion to rescind this CAO based on comments received within the thirty (30) day public comment period. Notwithstanding the public notice requirements, the corrective actions necessary to achieve compliance shall be taken immediately.
9. As provided by 8 CAR Part 11, this matter is subject to being reopened upon Pollution

Control and Ecology Commission (Commission) initiative or in the event a petition to set aside this CAO is granted by the Commission.

10. Nothing contained in this CAO shall relieve Respondent of any obligations imposed by any other applicable local, state, or federal laws. Except as specifically provided herein, nothing contained in this CAO shall be deemed in any way to relieve Respondent of responsibilities contained in the permit.
11. Nothing in this CAO shall be construed as a waiver by DEQ of its enforcement authority over alleged violations not specifically addressed herein. In addition, this CAO neither exonerates Respondent from any past, present, or future conduct that is not expressly addressed herein, nor relieves Respondent of the responsibilities for obtaining any necessary permits.
12. This CAO has been reviewed and approved by the School Board of the Respondent in a duly convened meeting with a quorum present.
13. The School Board of the Respondent has authorized the Superintendent to sign this CAO on behalf of the Respondent.
14. The School Board of the Respondent has authorized the Superintendent to expend funds for compliance activities required by this CAO including but not limited to the payment of a civil penalty in the amount listed above.

Consent Administrative Order - Approval Form

version 1.7

(Submission #: HQH-60DN-AXW89, version 2)

Digitally signed by:
SEEK Prod - Internal
Date: 2026.01.09 11:35:04 -06:00
Reason: Copy Of Record
Location: State of Arkansas

Details

Submission ID HQH-60DN-AXW89

Form Input

Consent Administrative Order

Case Number

CAO-25-0057

Consent Administrative Order Attachment

Proposed CAO_Harmony Grove School District.pdf - 11/17/2025 12:08 PM

Comment

NONE PROVIDED

Revisions

Revision	Revision Date	Revision By
Revision 1	11/17/2025 12:02 PM	Leslie Allen-Daniel
Revision 2	12/18/2025 3:42 PM	Leslie Allen-Daniel

Agreements and Signature(s)

SUBMISSION AGREEMENTS

- I am the owner of the account used to perform the electronic submission and signature.
- I have the authority to submit the data on behalf of the facility I am representing.
- I agree that providing the account credentials to sign the submission document constitutes an electronic signature equivalent to my written signature.
- I have reviewed the electronic form being submitted in its entirety, and agree to the validity and accuracy of the information contained within it to the best of my knowledge.

Respondent Signatory Authority

I certify that I am authorized to execute this CAO and to legally bind Respondent to its terms and conditions.

Signed By Albert Snow on 12/29/2025 at 12:39 PM

Chief Administrator of Environment and DEQ Director, Arkansas Department of Energy and Environment

This CAO is agreed to and ordered as of the date of my signature.

Signed By Bailey Taylor on 01/09/2026 at 11:33 AM

Minutes
Board Meeting
March 12, 2026

The Harmony Grove School Board met for a regular board meeting on March 12, 2026 at 6:30 PM in the boardroom at the Harmony Grove Central Office.

Board President Matthew Nutt called the meeting to order at 6:30 PM. Board members were present and on time: Matthew Nutt, Tim Ray, Mason Stone, Jason Thomas, Ty Turner, and Mathew Ray. Ben Chandler was absent.

The board approved the minutes of the February 12, 2026 Board meeting. Motion to approve Tim Ray, second Ty Turner. The motion carried 6-0.

The board approved the Financial Report. Motion to approve Tim Ray and second Jason Thomas. The motion carried 6-0.

Public Comment-See attached sheet

Under New Business,

Dr. Snow asked the board to approve the resolution for the Consent of Administrative Order from the Arkansas Dept. of Energy and Environment. A motion was made by Ty Turner, second by Jason Thomas to approve this resolution. The motion passed 6-0.

There were two presentations for the board. American Concrete talked to the board about replacing our tile floors with polished concrete. American Concrete would take care of removing the old tile and the required asbestos abatement.

Ray Beardsley, from First Security, discussed means of financing this project.

A motion was made by Ty Turner, seconded by Mason Stone to approve a contract with American Concrete to remove the tile floor and replace it with polished concrete at a price of \$455,000 financed over 10 years by First Security. A motion carried 6-0.

Dr. Snow asked the board to approve the FY 2025 audit which was sent to each board member personally. There were no findings in this audit. A motion was made by Ty Turner and seconded by Tim Ray to approve this audit. The motion carried 6-0.

The personnel policy committee presented 2026-2027 Calendar, as approved by the faculty. This is option C, an alternate calendar with a start date of July 23. Dr. Snow asked the board to approve the 2026-2027 calendar. The motion to accept the 2026-2027 school year calendar made by Ty Turner and seconded by Tim Ray. The motion carried 6-0. The calendar is attached.

Dr. Snow requested that the board approve the rehire list for the 2026-2027 school year of certified, non-certified, and administrative personnel. A motion was made by Ty Turner and seconded by Jason Thomas to approve the certified/classified rehire list. The motion carried 6-0. Rehire list is attached.

Dr. Snow requested that the board approve the salary schedules for the 2026-2027 school year. These were the same as the year before with the addition of a 190-day custodial position. A motion to approve the salary schedules was made by Matthew Ray and seconded by Jason Thomas. The motion carried 6-0.

Tim Ray had proposed changes to the Level 2 Grievance Form in February. The PPC met and approve the changes. Tim Ray made a motion seconded by Mason Stone to approve this policy. The motion carried 6-0. Form is attached.

Dr. Snow presented a graphic depicting the chain of command for the Boards approval. A motion was made by Tim Ray and seconded by Jason Thomas to approve the chain of command. The motion carried 6-0.

Under Certified personnel:

Dr. Snow informed the board of the resignations of Ms. Denise Lancaster, Jennifer Reader, and Desiree Calhoun HGHS teachers, Haley Cox and Melissa Cano HGES teachers. Dr. Snow also recommended the hiring of Lois Chambless, as High School counselor on a 40-day contract. A motion was made by Matthew Ray and seconded by Ty Turner to accept resignations and hire. The motion passed 6-0.

Under Classified personnel:

Dr. Snow Dr. Snow requested that the board accept the resignations of Rebecca Ray HS counselor secretary and Crystal Ledbetter cafeteria. Dr. Snow also recommended the hiring of Hannah Covington Central Office Secretary starting July 1, 2026. Leanna Osborn-High School Counselor secretary. Sierra Curtis-Cafeteria worker, Jessica Vick-High School secretary. A motion was made Ty Turner and seconded by Tim Ray to accept these resignations and hires. The motion carried 6-0.

At 7:15 PM the board was declared in executive session to deal with personnel matters. At 8:00 the board re-entered open session. No action taken in executive session.

A motion to adjourn was made by Tim Ray with a second by Matthew Ray. A motion carried 6-0.

The meeting was adjourned at 8:00 PM



President, Board of Education



Secretary, Board of Education

The Harmony Grove School District Board of Directors resolves that the district will abide by all provisions of the Consent Administrative Order from the Arkansas Department of Energy and Environment, Division Environmental Quality that apply to the wastewater treatment facility on the Harmony Grove Campus.

Board President



Board Secretary


