



ARKANSAS
Department of Environmental Quality

April 12, 2013

Sen. Mary Ann Salmon, Co-Chair
Rep. Tommy Lee Baker, Co-Chair
Arkansas Legislative Council
Room 315, State Capitol Building
Little Rock, AR 72201

Dear Legislators:

As required in Act 957 of 2011, Section 44, the Arkansas Department of Environmental Quality presents the following information:

The number of inspections, any hearings, findings, orders, fines, or other agency regulatory or enforcement actions or activities involving the Fayetteville Shale.

The enclosed information provided by each division covers the period January 1, 2013 through March 31, 2013. If you have any questions, please contact Karen Bassett at (501) 682-0959.

Sincerely,

A handwritten signature in black ink that reads "Teresa Marks". The signature is fluid and cursive.

Teresa Marks
Director

Enclosure

ADEQ Report to Legislative Council on Fayetteville Shale

Related Activities pursuant to Section 44 of Act 957

January 1 – March 31, 2013

A. Total Complaints Received - 21

Complaints received by county		Complaints received by program
Cleburne – 8		Air – 9
Conway - 3		Water - 12
Crawford - 1		
Faulkner - 2		
Logan - 2		
Sebastian - 1		
Van Buren - 2		
White - 2		

B. Total Inspections Performed – 216

Inspections performed by county		Inspections performed by program
Clay – 1		Air – 35 (routine inspections and stack test observations)
Cleburne – 30		Solid Waste - 5
Conway – 30		Water – 176
Faulkner – 15		
Franklin - 5		
Greene - 1		
Independence – 3		
Jackson – 1		
Logan – 5		
Phillips - 1		
Pope – 5		
Prairie - 1		
Pulaski - 4		
Saline – 1		
Sebastian - 19		
Union – 3		
Van Buren – 71		
White – 19		
Yell – 1		

C. Fayetteville Shale activity related inspections estimated for next quarter

Air – 35 routine inspections, not able to estimate stack test observations as these are based on facilities notifications

Mining – inspections are complaint driven

Solid Waste – 1 inspection on each site

Water – 120 inspections

D. Number of inspection staff in all programs at beginning of reporting quarter

Air – 25

Hazardous Waste - 10

Mining – 1

Regulated Storage Tanks - 15

Solid Waste - 9

Water – 23

E. Violation types noted in inspections reports

Air

- Awaiting results on 45 stack tests, one failed, all others passed.
- Violation of permit conditions - 10 either out of compliance, operating a source outside the manufacturing specifications, or visible emission going over property boundaries
- Recordkeeping violations - 8
- Dust – 6
- Odors - 8

Water

- Permitting Issues – 10
- Spills and leaks – 2
- Placing Waste - 4
- Stormwater Erosion Issues – 3
- Notification/Reporting Violations - 3
- Unpermitted discharges – 2
- Improper Closure of Pit - 1
- Recordkeeping/Paperwork Violations – 8
- Other – 2 operating without a permit; additive not approved

F. Administrative Actions taken during reporting quarter

None

G. Judicial Actions taken during reporting quarter

None