



ARKANSAS  
Department of Environmental Quality

October 14, 2014

Sen. Bill Sample, Co-Chair  
Rep. John Edwards, Co-Chair  
Arkansas Legislative Council  
Room 315, State Capitol Building  
Little Rock, AR 72201

Dear Legislators:

As required in Act 1202 of 2013, Section 43, 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 July 1, 2014 through September 30, 2014. If you have any questions, please contact me at (501) 682-0959.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Ryan Benefield", is written over a horizontal line.

J. Ryan Benefield, P.E.  
Interim Director

Enclosure

**ADEQ Report to Legislative Council on Fayetteville Shale**

**Related Activities pursuant to Section 43 of Act 1202**

**July 1 – September 30, 2014**

**A. Total Complaints Received - 12**

<b>Complaints received by county</b>		<b>Complaints received by program</b>
Cleburne – 2		Air – 1
Conway – 2		Water - 11
Faulkner – 3		
Logan – 1		
Van Buren – 2		
White - 2		

**B. Total Inspections Performed – 236**

<b>Inspections performed by county</b>		<b>Inspections performed by program</b>
Cleburne – 19		Air - 10 (routine inspections and stack test observations)
Conway – 53		Solid Waste - 4
Crawford –1		Water - 222
Faulkner – 6		
Izard – 2		
Johnson – 9		
Logan – 17		
Pope – 1		
Prairie – 1		
Pulaski – 1		
Saline – 1		
Van Buren – 58		
White – 55		
Yell – 12		

**C. Fayetteville Shale activity related inspections estimated for next quarter**

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

Mining – 0, inspections are complaint driven

Solid Waste – 4, one inspection on each site

Water – 270 inspections

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

Air - 22

Hazardous Waste - 13

Mining - 1

Regulated Storage Tanks - 14

Solid Waste - 8

Water - 20

**E. Violation types noted in inspection reports**

Air

- Awaiting results on 13 stack tests, 0 failed, all others passed.
- Dust – 1

Water

- Permitting Issues – 5
- Recordkeeping/Paperwork Violations – 1

Solid Waste –

- No violations related to Fayetteville Shale

**F. Administrative Actions taken during reporting quarter**

Air – 1 Consent Administrative Order addressing failure to maintain adequate records. Total assessed penalties - \$750.00

Water – 1 Consent Administrative Order addressing unauthorized discharge of saltwater or other oilfield wastes with sample results indicating pollution. Total assessed penalties - \$6,400.00

Solid Waste – 1 Consent Administrative Order addressing adequate provisions for backup equipment, liquid restrictions, erosion or other cover defects. Total assessed penalties - \$8,100

Total Penalties Collected - \$8,850

**G. Judicial Actions taken during reporting quarter**

None