



ARKANSAS
Department of Environmental Quality

July 12, 2012

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 April 1, 2012 through June 30, 2012. If you have any questions, please contact Karen Bassett at (501) 682-0959.

Sincerely,

A handwritten signature in blue ink that reads "Teresa Marks". The signature is fluid and cursive, with the first name "Teresa" and last name "Marks" clearly distinguishable.

Teresa Marks
Director

Enclosure

ADEQ Report to Legislative Council on Fayetteville Shale

Related Activities pursuant to Section 44 of Act 957

April 1 – June 30, 2012

A. Total Complaints Received - 18

Complaints received by county		Complaints received by program
Cleburne – 2		Air – 4
Faulkner - 1		Water - 14
Sebastian - 2		
Van Buren - 6		
Independence - 7		

B. Total Inspections Performed – 261

Inspections performed by county		Inspections performed by program
Cleburne – 44		Air – 44 (routine inspections and stack test observations)
Conway – 30		Mining Non-coal - 1
Crawford – 4		Solid Waste – 4
Faulkner – 23		Water – 212
Franklin - 4		
Independence - 4		
Jackson – 2		
Johnson – 1		
Lawrence – 1		
Logan - 12		
Miller – 1		
Pope - 15		
Prairie - 1		
Pulaski – 1		
Saline - 1		
Sebastian – 34		
Van Buren – 65		
White – 39		
Yell – 1		

C. Fayetteville Shale activity related inspections estimated for next quarter

Air – 50 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 inspection on each site

Water - 160

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

Air – 25

Hazardous Waste - 14

Mining – 1

Regulated Storage Tanks - 15

Solid Waste - 7

Water – 22

E. Violation types noted in inspections reports

Air

- Awaiting results on 9 stack tests, one failed, all others passed.
- Violation of permit conditions- 2 out of compliance, 1 operating a source outside the manufacturing specifications, 1 visible emission going over property boundaries
- Dust – 2
- Odors - 1

Water

- Placing waste – 2
- Permitting Issues – 9
- Stormwater Erosion Issues – 1
- Insufficient freeboard – 2

Solid Waste – no violations

F. Administrative Actions taken during reporting quarter

Water – 1 Consent Administrative Orders addressing pond or pit liner, sedimentation controls measures, failure to prevent pollution to waters of the state and improper application of drilling fluids.
Total assessed penalties - \$2,175.00

Total Penalties Collected - \$2,175.00

G. Judicial Actions taken during reporting quarter

None

