



ARKANSAS
Department of Environmental Quality

July 12, 2013

Sen. Paul Bookout, 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 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, 2013 through June 30, 2013. If you have any questions, please contact Karen Bassett at (501) 682-0959.

Sincerely,

A handwritten signature in blue ink that reads "Karen Bassett" followed by a stylized flourish.

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, 2013

A. Total Complaints Received - 25

Complaints received by county		Complaints received by program
Cleburne – 12		Air – 16
Conway - 4		Water - 9
Crawford - 1		
Faulkner - 1		
Van Buren - 3		
White - 4		

B. Total Inspections Performed – 209

Inspections performed by county		Inspections performed by program
Chicot – 1		Air – 23 (routine inspections and stack test observations)
Cleburne - 15		Mining Non-coal - 4
Conway – 36		Solid Waste - 4
Crawford – 1		Water – 178
Cross - 1		
Faulkner – 16		
Franklin - 3		
Independence - 4		
Izard - 1		
Jackson – 1		
Johnson – 8		
Lawrence – 1		
Little River - 1		
Mississippi – 1		
Pope - 4		
Prairie - 2		
Pulaski – 1		
Randolph - 1		
Saline - 1		
Sebastian – 20		
Van Buren – 50		
Washington - 1		
White – 38		
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

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

Air – 26

Hazardous Waste - 10

Mining – 1

Regulated Storage Tanks - 14

Solid Waste - 8

Water – 24

E. Violation types noted in inspections reports

Air

- Awaiting results on 19 stack tests, 43 others passed.
- Recordkeeping violations – 1 pending CAO for prior violations; 2 for documentation
- Dust – 2
- Odors - 14

Water

- Permitting Issues – 2
- Stormwater Erosion Issues – 3
- Recordkeeping/Paperwork Violations – 19

Mining

- Failure to reclaim affected area in accordance with reclamation plan after mining is complete

Solid Waste

- No violations

F. Administrative Actions taken during reporting quarter

Water – 1 Notice of Violation for unauthorized discharge of saltwater or other oilfield wastes, improper waste management (not including land application); failure to implement SWPPP/SWMP, failure to develop any or adequate SWPPP/SWMP, failure to maintain record, failure to submit DMRs

Total assessed penalties - \$19,300

Total Penalties Collected - \$0

G. Judicial Actions taken during reporting quarter

None