



ARKANSAS  
Department of Environmental Quality

October 11, 2013

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

Sincerely,

A handwritten signature in black ink that reads "Karen Bassett" with a stylized flourish at the end.

Teresa Marks  
Director

Enclosure

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

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

**July 1, 2013 – September 30, 2013**

**A. Total Complaints Received - 12**

<b>Complaints received by county</b>		<b>Complaints received by program</b>
Cleburne – 1		Air – 2
Conway - 2		Water - 10
Faulkner - 1		
Jackson - 1		
Pope - 1		
Sebastian - 1		
Van Buren - 3		
White - 2		

**B. Total Inspections Performed – 294**

<b>Inspections performed by county</b>		<b>Inspections performed by program</b>
Cleburne – 42		Air – 8 ( routine inspections and stack test observations)
Conway – 20		Mining Non-coal - 7
Faulkner – 33		Solid Waste – 3
Franklin – 6		Water – 276
Independence - 12		
Jackson - 2		
Johnson – 2		
Logan – 16		
Poinsett – 1		
Pope - 4		
Prairie – 1		
Saline - 1		
Scott - 2		
Searcy – 1		
Sebastian - 26		
Stone – 1		
Van Buren – 70		
White – 47		
Yell – 7		

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

Air – 10 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 - 300

### **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 - 9

Water – 23

### **E. Violation types noted in inspections reports**

Air

- Awaiting results on 13 stack tests, all others passed.
- Odors - 2

Water

- Placing waste – 7
- Permitting Issues – 4
- Unpermitted discharges – 3
- Other - 3

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

Water – 3 Consent Administrative Orders unauthorized discharge of saltwater or other oilfield waste; failure to implement and develop SWPPP/SWMP; failure to maintain records; insufficient freeboard at holding pond, lagoon or pit; operation without a permit. 1 Default Administrative Order for failure to pay annual permit fee; insufficient freeboard at holding pond, lagoon, or pit; discharge without a valid permit; unauthorized discharge of saltwater or other oilfield wastes.

Total assessed penalties - \$51,000

Total Penalties Collected - \$0

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

None