



ARKANSAS
Department of Environmental Quality

July 14, 2011

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:

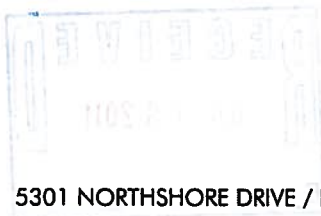
The number of inspections, any hearings, findings, orders, fines, or other agency regulatory or enforcement actions or activities involving the Fayetteville Shale.

The information provided by each division covers the period April 1, 2011 through June 30, 2011. If you have any questions, please contact Karen Bassett at (501) 682-0959.

Sincerely,

A handwritten signature in blue ink that reads "Teresa Marks".

Teresa Marks
Director



ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

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ADEQ Report to Legislative Council on Fayetteville Shale

Related Activities pursuant to Section 44 of Act 957

April 1 – June 30, 2011

A. Total Complaints Received - 23

Complaints received by county		Complaints received by program
Cleburne – 2		Air – 5
Conway – 3		Mining - 0
Faulkner - 2		Solid Waste - 0
Independence - 1		Water - 18
Van Buren – 7		
White – 8		

B. Total Inspections Performed – 392

Inspections performed by county		Inspections performed by program
		Air – 101 (32 routine inspections and 69 stack test observations)
Boone - 1		Solid Waste - 4
Cleburne – 41		Water – 287
Conway – 106		
Faulkner - 39		
Franklin - 5		
Hot Spring - 1		
Independence - 8		
Johnson - 1		
Logan - 8		
Pike - 1		
Polk - 1		
Pope - 35		
Prairie - 1		
Pulaski - 1		
Randolph - 1		
Saline - 1		
Sebastian - 1		
Union - 1		
Van Buren – 87		
White – 52		

C. Fayetteville Shale activity related inspections estimated for next quarter

Air – 40 routine inspections, not able to estimate stack test observations as these are based on facilities notifications

Mining – 0

Solid Waste – 4

Water - 150

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

Air – 22

Hazardous Waste - 13

Mining – 1

Regulated Storage Tanks - 16

Solid Waste - 9

Water - 23

E. Violation types noted in inspections reports

Air

- Awaiting results on 27 stack tests, all others passed.
- Record Keeping violations – 2
- Operating unpermitted equipment – 1

Water

- Placing waste – 6
- Permitting Issues – 7
- Stormwater Erosion Issues – 11
- Unpermitted discharges – 7
- Recordkeeping/Paperwork Violations – 1
- Trash/unauthorized fluid in pits – 2
- Improper closure of pit – 4
- Insufficient freeboard – 2
- Poor pit construction – 8
- Other – 2

F. Administrative Actions taken during reporting quarter

Air - 15 Consent Administrative Orders executed addressing violations of permit terms and conditions or recordkeeping requirements. Total assessed penalties = \$39,236.25

Water – 1 Emergency order. May 23, 2011 the Director issued an emergency order authorizing ADEQ to spend Remedial Action Trust Fund monies to secure samples from Choctaw Creek in Van Buren County due to the dumping of 21 drums found in Choctaw Creek, 19 of which were labeled as materials used in the gas drilling industry. ADEQ expended approx. \$2,800 for streams sampling analysis and federal Environmental Protection Agency took responsibility for the sampling and disposal of these drums.

Water – Closed 1 Consent Administrative Order addressing sediment

Total Penalties Collected - \$21,350

G. Judicial Actions taken during reporting quarter

None

