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Air Enforcement: Arkansas Department of Environmental Quality and Conway County, Arkansas Rock Crushing Facility Enter into Consent Administrative Order Addressing Alleged Violations

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The Arkansas Department of Environmental Quality ("ADEQ") and Hattieville Rock, LLC ("HR") entered into a May 6th Consent Administrative Order ("CAO") addressing alleged air violations. See LIS No. 16-038.

The CAO states that HR operates a rock crushing facility ("Facility") in Conway County, Arkansas.

The facility operates pursuant to coverage provided by the Minor Source General Air Permit for Rock Crushing Facilities ("Permit"). Permit No. 1916-AGP-000.

ADEQ personnel are stated to have conducted a compliance inspection of the facility on August 5, 2015. The inspection is alleged to have identified certain violations which included:

- Failure to comply with the permit by indicating whether or not the facility sources (crushes, screens, conveyors, and any other aggregate sizing equipment) were subject to 40 C.F.R. Part 60 Subpart 000 ("Subpart 000") and, if applicable, list the date of successful performance testing. The facility's list did not identify applicability to Subpart 000, or show dates of successful performance tests and ADEQ determined (based on manufacture dates) that each piece of equipment was manufactured after the Subpart 000 applicability date and therefore were subject to Subpart 000.
- Operation of process emission sources without functional wet dust suppression equipment
- Inability to provide certain records regarding verification of water flow to discharge spray nozzles in the wet suppression system and related records
- Failure to conduct initial performance testing

HR responded on August 31, 2015 that actions were underway to demonstrate compliance with specific conditions 16, 24, 39, 43 and general condition 7 of the Permit.

HR is required within 30 days of the effective date of the CAO to submit records to demonstrate compliance with specific conditions 16, 24, and 43. Further, within 60 days of the effective date of the CAO, HR is required to demonstrate compliance with the emission limits and testing requirements in accordance with specific condition 39 and general condition 7 and Subpart 000 by conducting and successfully passing emission testing.

HR agrees to pay a civil penalty of \$10,000 or one-half of the penalty if the CAO is signed and returned to ADEQ by May 6th.

[A copy of the CAO can be downloaded here.](#)