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Air Enforcement: U.S. Environmental Protection Agency and Illinois Ethanol Production Facility Enter into Consent Agreement

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The United States Environmental Protection Agency ("EPA") and Big River Resources Galva, LLC ("Big River") entered into a November 9th Consent Agreement and Final Order ("CAFO") addressing alleged air violations.

Big River owns and operates an ethanol production facility in Galva, Illinois.

The facility was previously issued an Illinois Construction Permit ("Permit") by the Illinois Environmental Protection Agency.

The ethanol production facility is described as having two thermal oxidizers ("TO"). These TOs are denominated TO #1 and TO #2. Both of the TOs vent to a combined stack. The facility also has one fermentation scrubber.

An EPA inspection at the ethanol production facility occurred on July 1, 2011. The agency subsequently issued a Clean Air Act Section 114 Information Request to Big River on October 18, 2013 to which the company responded.

The Permit is stated to include a condition denominated 2.5.5-1(c)(2) which requires the operation of:

...the thermal oxidizer at the minimum hourly combustion chamber operating temperature of 1,450 degree Fahrenheit, excluding periods of shutdown, power outages, and continuous emission monitoring maintenance and calibration.

The CAFO states that information provided by Big River indicates there were periods that the hourly operating temperature of the TOs did not meet minimum hourly combustion chamber operating temperature of 1,450 degree Fahrenheit, excluding periods of shutdown, power outages, and continuous emission monitoring maintenance and calibration. The alleged failure by Big River to maintain the hourly minimum combustion temperature operating requirement of 1,450 degree Fahrenheit, contained in the Permit, from September 1, 2011 to June 30, 2015 is an alleged violation of Section 110 of the Clean Air Act and the Illinois State Implementation Plan.

The CAFO assesses a civil penalty of \$23,915.

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