



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Air Enforcement: Arkansas Department of Environmental Quality and Miller County, Arkansas Gas Well Owner/Operator Enter into Consent Administrative Order

Arkansas Environmental, Energy, and Water Law Blog

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The Arkansas Department of Environmental Quality ("ADEQ") and Ram Energy LLC ("Ram") entered into a December 13th Consent Administrative Order ("CAO") addressing an alleged air permit violation.

The CAO provides that Ram owns and operates a gas well and associated equipment ("well") located in Miller County, Arkansas.

ADEQ is stated to have issued an air permit to El Paso Production Company on May 9, 2001. This air permit was subsequently transferred to Ram.

ADEQ personnel are stated to have conducted a compliance inspection of Ram's well for the time period covering February 2015 through February 2016 on May 9, 2016. The inspection is alleged to have determined that the condensate tank labeled "5969,18-2186, Salt Water" ("SN-05") had a hole near the bottom of the tank. Further, the CAO states the tank "was said to be empty and no active leaks were observed during the inspection."

General Condition 9 of the Ram well's permit provides:

. . .the equipment, control apparatus and emission monitoring equipment shall be operated within their design limitations and maintained in good condition at all times. . .

The CAO alleges that "such act violations General Condition 9 of the Permit and therefore violates Ark. Code Ann. § 8-4-217(a)(3) as referenced by Ark. Code Ann. § 8-4-304.

The CAO alleges that ADEQ informed Ram of the previously referenced compliance issues and that the company has not submitted a response.

The CAO requires that within 60 days of the effective date of the document, Ram repair the hole in the SN-05 tank and submit proof (picture and/or work order receipt) to ADEQ that repairs were made or submit a Permit Modification Application to ADEQ to remove the tank from the permit.

The CAO assesses a civil penalty of \$300.

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