



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

## Air Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Pope County Aluminum Foil Rolling Mill Enter into Consent Administrative Order

08/03/2020

The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and JW Aluminum Company (“JW”) entered into a July 16th Consent Administrative Order (“CAO”) addressing alleged violations of an air permit. See LIS No. 20-159.

The CAO provides that JW owns and operates an aluminum foil rolling mill (“Mill”) in Pope County, Arkansas.

The Mill is operated pursuant to an air permit.

DEQ personnel are stated to have conducted an inspection of the Mill on August 5, 2019. The inspection is stated to have covered the reporting period of March 2017 through June 2019.

The inspection is stated to have determined that JW failed to conduct daily opacity observations at SN-20A (Cold Mill) and SN-22A (Finished Foil Mill) from November 27, 2018, through March 31, 2019. Such alleged failures violate Specific Condition 4 of an air permit.

The inspection is also stated to have determined that JW failed to install a device to continuously monitor and record fan amps from SN-20A and SN-22A from November 27, 2018, through May 29, 2019. These alleged failures violate Specific Condition 8 and General Provision 7 of an air permit.

The CAO states it was discovered during the inspection that the Mill failed to monitor and record the pressure drop across the control devices for the previously referenced emission sources on a daily basis from November 27, 2018, through June 30, 2019. Such alleged failures violate Specific Condition 9 and general Provision 7 of an air permit.

Records reviewed are stated to have indicated that SN-143 (Casting Emergency Diesel Generator) exceeded the prescribed hours of operation from October 2017 through September 2018. Such alleged operation violates Specific Condition 29 of an air permit.

JW is stated to have submitted to DEQ in a September 25, 2019, letter the following information:

- The Mill has developed a controlled procedure and process to ensure opacity records are recorded daily.
- The Mill has added automated tags that continuously read and record the fan amps.
- The Mill has developed a control procedure and process to ensure that pressure drop records are recorded daily.
- The Mill had an electrical programming issue with the generator and that during the troubleshooting, a technician misprogrammed the controller for the generator.

JW submitted a letter to DEQ on February 11th addressing the non-compliance issues identified during the August 5, 2019, inspection. Specific Condition 9 of air permits R6 and R7 are stated to require the Mill to monitor and record the pressure drop across control devices for the previously referenced emission sources on a daily basis. JW stated that the facility could not comply with Specific Condition 9 of the referenced permits because there are not pressure drop monitoring points for the cyclonic mist eliminator installed on SN-20A. The performance at this emission point is instead stated to be measured by the removal of visible opacity from the exhaust stack.

JW stated that a permit modification would be submitted to make certain revisions identified in the CAO.

The CAO requires that JW submit a Permit Modification Application to DEQ to address the issues referenced in Paragraph 16(a)-(d) of the CAO.

A civil penalty of \$18,960 is assessed, of which \$12,234 will be made payable to DEQ and \$6,636 shall be used to fund a supplemental project to be approved by the DEQ Director.

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