Air Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Sebastian County Natural Gas Compression Station Operator Enter into Consent Administrative Order

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

03/02/2021

The Arkansas Department of Energy and Environment – Division of Environmental Quality ("DEQ") and Enable Midstream Partners, LP ("Enable") entered into a January 12th Consent Administrative Order ("CAO") addressing an alleged violation of an air permit. See LIS No. 21-004.

The CAO provides that Enable owns and operates a natural gas compression station ("Station") east of Hackett, Arkansas.

The Station is stated to include operation of a 255-horsepower Caterpillar 3408NA 4-stroke rich burn (4SRB) natural gas fired compression engine (SN-01). This activity is subject to 40 C.F.R. Part 63, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engineers (Subpart ZZZZ).

Enable requested pursuant to a May 28, 2020, letter consideration under DEQ's Environmental Self-Disclosure Incentive Policy ("Policy") for alleged failure to inspect the belts, hoses, or spark plugs and failure to change the engine oil and filter at SN-01 within the specified operational intervals outlined in Table 2d(10) of Subpart ZZZZ at the station. The violations are stated to have been discovered on May 13, 2020, during a routine review of facility records. The alleged violations relate to Specific Condition 17 of the air permit.

Enable stated the cause of noncompliance was a recordkeeping error by a third-party rental company. Further, the CAO states:

During a change of ownership for the engine rental company, maintenance was conducted by an employee of the third-party rental company that was not familiar with the facility. The employee incorrectly recorded the hour meter reading, which appeared to have caused the next maintenance event to have been scheduled incorrectly. All maintenance conducted since this occurrence has been within the required 1,440-hour timeframe.

Enable also notes that it has taken certain action to prevent any reoccurrences, which include:

1. Have environmental personnel review engine rental maintenance records more frequently; and
2. Have engine rental company update maintenance recordkeeping procedures and records database.

DEQ is stated to have concluded in July 1, 2020, correspondence that Enable did not meet all eight conditions of DEQ's self-disclosure Policy. Specifically, the CAO states that Enable had similar violations in 2017 in which an informal enforcement action was issued. As a result, DEQ concluded that Enable was not entitled to a reduction of the civil administrative penalty regarding the self-disclosed violations.

Enable neither admits nor denies the factual and legal allegations contained in the CAO.

A civil penalty of $1,200 is assessed.

A copy of the CAO can be downloaded here.