Air Enforcement: Arkansas Department of Energy and Environment – Division of Environmental Quality and Pulaski County Mineral Processing Facility Enter into Consent Administrative Order

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09/14/2021

The Arkansas Department of Energy and Environment – Division of Environmental Quality ("DEQ") and Porocel Industries, LLC ("Porocel") entered into an August 30th Consent Administrative Order ("CAO") addressing alleged violations of an air permit. See LIS No. 21-084.

The CAO provides that Porocel owns and operates a mineral and product materials processing facility ("Facility") in Pulaski County, Arkansas.

The Facility is stated to have held or hold two air permits. It is stated to be an affected Facility that is subject to the requirements of 40 C.F.R. Part 60, Subpart UUU – Standards of Performance for Calciners and Dryers in Mineral Industries.

Certain emission limitations are delineated in Specific Condition 23 of the air permit. In addition, performance tests are required for certain specified Facility sources.

DEQ personnel are stated to have conducted an inspection of the Facility on March 29th covering the period August 1, 2018 through February 28, 2020. The inspection is stated to have determined that the Facility failed to conduct the required initial performance testing for particulate matter and opacity at certain sources, violating Specific Condition 23.

Trinity Consultants, Inc., is stated to have indicated on behalf of Porocel that several factors delayed the initial performance testing of the referenced sources for particulate matter. The factors are stated to have included:

. . . satisfying initial testing of SN-A-66, SN-A-67 for NOx emissions that took precedence over particulate matter testing, production delays driven by lack of customer demand, and facility process shutdowns due to COVID-19.

Porocel's stack testing protocol for initial testing of SN-A-66, SN-A-67, and SN-A-68 was received by DEQ on May 27, 20221. The testing was scheduled for June 22nd but subsequently rescheduled.

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

The CAO requires that within 15 calendar days of its effective date Porocel demonstrate compliance with initial performance testing of SN-A-66, SN-A-67, and SN-A-68 particulate matter emission limits and opacity limits of Specific Condition 23 of the air permit. Further, within 60 calendar days of the completion of the initial performance testing of the sources, Porocel is required to submit the test results of the initial performance testing to DEQ.

A civil penalty of $3,840 is assessed.

A copy of the CAO can be downloaded here.