Little Rock Rogers Jonesboro Austin **MitchellWilliamsLaw.com** 

Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C.



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

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

## 10/28/2021

The Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") and DeSoto Gathering Company, LLC ("DeSoto"), entered into an October 5th Consent Administrative Order ("CAO") addressing alleged violations of an air permit. See LIS No. 21-110.

The CAO provides that DeSoto owns and operates a natural gas compression station ("Station") in Conway County, Arkansas.

An air permit is referenced as being applicable to the Station. Such permit is stated to be a General Air Permit for Minor Source Natural Gas Compressor Stations ("Permit").

DEQ personnel are stated to have conducted a compliance inspection of the Station on December 15, 2020. The inspection period is stated to have covered the reporting period of December 2019 through November 2020.

40 C.F.R. § 63 Subpart ZZZZ is stated to require that the Station change the oil and filter on each engine every 500 hours of operation or annually, whichever comes first; inspect air cleaner on each engine every 1000 hours of operation or annually, whichever comes first, and replace as necessary; and inspect all hoses and belts on each engine every 500 hours of operation or annually, whichever comes first or annually, whichever comes first, and replace as necessary.

The inspection is alleged to have determined that the Station failed to conduct the required maintenance on two specified engines during 2019 and 2020. The Station is stated to have been unable to demonstrate that maintenance had been conducted on the two engines during this time period, violating Specific Condition 17.

DeSoto responded to a DEQ Notification regarding the alleged violations and stated that one engine was in operation. It has been added to the preventive maintenance internal tracking system and is scheduled for preventive maintenance in 2021. It also indicated that the other engine had not been in use and was being used for spare parts. The CAO states that the DeSoto could not demonstrate the engine had been out of operation for the inspection period.

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

A civil penalty of \$4,800 is assessed which could have been reduced to one-half if the document was signed and returned to DEQ by October 28th.

A copy of the CAO can be downloaded <u>here</u>.