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Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Miller County Tire Manufacturing Facility Enter into Consent Administrative Order

09/13/2022

The Arkansas Department of Energy & Environment - Division of Environmental Quality ("DEQ") and Cooper Tire & Rubber Company ("Cooper") entered into an August 23rd Consent Administrative Order ("CAO") addressing alleged violations of an air permit. See LIS No. 22-090.

The CAO provides that Cooper owns and operates a tire manufacturing facility ("Facility") in Miller County, Arkansas.

The Facility is stated to hold an air permit.

Cooper is stated to have conducted compliance testing of SN-133 (RTO) on January 12, 2021. Plantwide Condition 3 of the air permit is stated to require that the compliance test results be due no later than March 13, 2021. Further, Cooper is stated to have conducted compliance testing of the SN-133 (RTO) on March 24, 2021. Plantwide Condition 3 of Permit R18 is stated to have required that compliance test results be due no later than May 23, 2021.

DEQ is state to have received two reports containing the compliance test results previously referenced on July 30, 2021. The results are stated to have been submitted after their due dates in violation of the air permit.

DEQ personnel are stated to have conducted a compliance inspection of the Facility on September 8, 2021, for the time period of March 1, 2019, through July 31, 2021. The inspection is stated to have indicated that Cooper operated a gas operated portable industrial vacuum without a permit, violating Arkansas Pollution Control & Ecology Commission Rule 18.301.

DEQ personnel are stated to have informed Cooper that the previously referenced compliance testing results for the test conducted in 2021 did not contain the throughput rate of silica ingredient in pounds per hour and did not contain bed temperature data.

The report for testing data conducted in March 2021 is stated to have not contained throughput data. Further, bed temperatures are stated to have not been reconciled to give an average temperature. The

CAO provides that such test results were inconclusive, and compliance could not be determined, violating the air permit.

Cooper is stated to have addressed in January 3rd correspondence the alleged noncompliance issues. It indicated in regard to Specific Condition 12 and Specific Condition 15 of Permit R18 that, while the report for the test completed in March did not contain production values, it included bed temperature values that would have been representative of conditions during the January testing event. Further, Cooper included production data as a supplement to the second test report. Nevertheless, the CAO provides that a review of the supplemental production data revealed that Cooper failed to report the throughout rate of silica ingredient in pounds per hour.

As to Plantwide Condition 3 of Permit R18, Cooper stated that the initial testing of the source was completed on January 12, 2021; however, the line was not able to reach its design/permitted throughput during this test.

Cooper further indicated that it was unclear as to why the gas operated portable industrial vacuum was no longer listed as an insignificant source in its permit. The unit had been included in previous application materials and was listed as an insignificant source up until a previously referenced permit.

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

The CAO requires that within 90 calendar days of its effective date Cooper submit a permit application to DEQ to include the gas operated portable industrial vacuum referenced in Paragraph 14 of the Findings of Fact of the CAO. Further, within 90 calendar days of the effective date of the CAO, Cooper is required to conduct testing of SN-133 (RTO) for the purposes of demonstrating compliance with Specific Condition 12 and Specific Condition 15 of Permit R19.

The test results are required to include the throughout rate silica ingredient in pounds per hour. The bed temperature during testing is required to be reconciled to report an average temperature. Compliance test results are required to be provided to DEQ within 60 calendar days after completing the testing.

A civil penalty of \$7,600 is assessed.

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