Air Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Springdale Hot Mix Asphalt Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality ("DEQ") and Emery Sapp & Sons, Inc. ("ESSI") entered into a September 2nd Consent Administrative Order ("CAO") addressing alleged violations of an air permit. See LIS No. 22-099.

The CAO provides at ESSI owns and operates a hot mix facility ("Facility") in Springdale, Arkansas.

The Facility operates pursuant to a General Air Permit for Minor Source Hot Mix Asphalt Facilities ("General Permit"). See 1912-AGP-000.

DEQ personnel are stated to have conducted an inspection of the Facility for the review period of January 1, 2020, through March 29, 2022, on March 29, 2022.

The inspection allegedly revealed:

- Failure to maintain records onsite of monthly inspections of all baghouse bags for leaks
- Failure to maintain records onsite of weekly observations of the visible emissions from the Facility
- Failure to maintain the dust recovery auger in good condition at all times

In response to DEQ correspondence, ESSI informed DEQ in correspondence dated April 29th that it has made necessary repairs to address the leak on the dust recovery auger and to contain the material that had accumulated on the ground.

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

The CAO requires that ESSI comply with Specific Conditions 13 and 14 of the General Permit and for a period of three months submit copy of its baghouse inspection records and visible emission observations to DEQ.

The CAO provides a table detailing the months for which the reports are to represent and their respective due dates.

A $7,120 penalty is assessed which could have been reduced to $3,560 if the CAO was returned to DEQ prior to 4:00 PM on September 23rd.

A copy of the CAO can be downloaded here.