Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Texarkana 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 RK Hall, LLC ("RK") entered into an October 20th Consent Administrative Order ("CAO") addressing an alleged violation of an air permit. See LIS No. 23-081.

The CAO provides that RK owns and operates a hot mix asphalt facility ("Facility") in Texarkana, Arkansas.

The Facility is stated to operate pursuant to an air permit.

DEQ personnel are stated to have conducted a routine compliance inspection of the Facility on December 12, 2022. The inspection is stated to have indicated that the Facility failed to perform the every five-year test of the asphalt plant exhaust stack.

RK is stated to have performed initial testing for the asphalt plant exhaust stack in 2016. As a result, it is stated that the next test was due within five years (i.e., before the end of 2021). Such alleged failure is stated to violate Specific Condition 22 of the permit.

RK submitted a test protocol for testing to be conducted pursuant to correspondence on April 24th. The test was conducted on May 3rd. RK submitted a stack test report on July 31st.

DEQ informed RK that it had evaluated the stack test report submitted on July 31st for testing conducted on May 3rd. The agency determined that the Facility was in compliance with the permit at the time of testing.

A civil penalty of $2,640 is assessed which could have been reduced to $1,320 if the CAO was signed and returned to DEQ within 30 calendar days of its receipt.

A copy of the CAO can be downloaded here.