

**ARKANSAS DEPARTMENT OF ENERGY AND ENVIRONMENT,  
DIVISION OF ENVIRONMENTAL QUALITY**

IN THE MATTER OF:

AFIN: 07-00022

Case #: CAO-25-0038

Lockheed Martin Corporation  
15604 AR HWY 274  
EAST CAMDEN, AR 717011015

**Consent Administrative Order**

This Consent Administrative Order (CAO) is issued pursuant to the authority delegated under the federal Clean Air Act, 42 U.S.C. § 7401 et seq., and the federal regulations issued thereunder. In addition, this CAO is issued pursuant to the authority of the Arkansas Water and Air Pollution Control Act (the Act), Ark. Code Ann. § 8-4-101 et seq., 8 Code of Arkansas Rules (CAR) pt. 10, 8 CAR pt. 11, 8 CAR pt. 40, and 8 CAR pt. 41.

The issues herein having been settled by agreement of Lockheed Martin Corporation (Respondent) and the Director of the Arkansas Department of Energy and Environment, Division of Environmental Quality (DEQ), it is hereby agreed and stipulated that the following Findings of Fact and Order and Agreement be entered.

**Findings of Fact**

1. Respondent operates a [missile manufacturing facility](#) located at 15604 W. Arkansas Highway 274, East Camden, Calhoun County, Arkansas (Site).
2. [DEQ issued Air Minor Source Permit 0618-AR-22 \(AR22\) to Respondent on August 30, 2021, and superseded by Permit 0618-AR-23 \(AR23\) on July 9, 2025.](#)

3. Arkansas Code Annotated § 8-4-217(a)(3) provides:
  - (a) It shall be unlawful for any person to:  
  
...
    - (3) Violate any provisions of this chapter or of any rule or order adopted by the Arkansas Pollution Control and Ecology Commission under this chapter or of a permit issued under this chapter by the Division of Environmental Quality.
4. Pursuant to Ark. Code Ann. § 8-4-103(c)(1)(A)-(B):
  - (A) Any person that violates any provision of this chapter and rules, permits, or plans issued pursuant to this chapter may be assessed an administrative civil penalty not to exceed ten thousand dollars (\$10,000) per violation.
  - (B) Each day of a continuing violation may be deemed a separate violation for purposes of penalty assessment.
5. Pursuant to 42 U.S.C. § 7661a(a), it is unlawful to operate any source subject to 42 U.S.C. § 7411, Standards of Performance for New Stationary Sources, except in compliance with a permit issued by a permitting authority.
6. On January 30, 2025, DEQ performed a full air compliance evaluation at the Site covering the reporting period of January 1, 2021, through December 31, 2024. During the compliance evaluation, DEQ personnel discovered two (2) unpermitted, natural gas-fired, emergency generators at the Site. Following DEQ's compliance evaluation, a third unpermitted, emergency generator was identified in an emissions inventory conducted at the Site.
7. Pursuant to 40 C.F.R. § 60.4230, those generators, and therefore Respondent, are subject

to 42 U.S.C § 7411 and the performance standards set out in 40 C.F.R. Part 60.4230, *et seq.* Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (Subpart JJJJ).

8. On February 28, 2025, DEQ notified Respondent of the evaluation results. This was intended to provide Respondent with the opportunity to review the non-compliance items and submit any additional information Respondent deemed appropriate regarding the issues. A written response addressing the non-compliance items was to be submitted by March 28, 2025.
9. On March 25, 2025, DEQ received Respondent's written response regarding the actions taken to correct the non-compliance items.
10. On March 31, 2025, DEQ sent Respondent a Notice of Non-Compliance stating the violations were being referred to formal enforcement.
11. On July 9, 2025, DEQ issued Permit AR23 to Respondent, which permitted three (3) emergency generators.
12. On February 2, 2026, DEQ proposed a consent administrative order. On February 3, 2026, Respondent provided a response requesting revisions to the language of the Findings of Fact and Order and Agreement of the proposed CAO.
13. List of Violations:
  - (a) General Condition 16 of Permit AR22 and 40 C.F.R. § 60.4230, Subpart JJJJ, require that Respondent operate only the applicable pollutant emitting activities addressed in Permit AR22. Respondent operated three (3) unpermitted natural gas-fired emergency generators subject to Subpart JJJJ, which violates Subpart JJJJ, General Condition 16 of Permit AR22, Ark. Code Ann. § 8-4-310(a)(2), and 8 CAR § 41-203(1) .

## Order and Agreement

WHEREFORE, the parties stipulate and agree as follows:

1. This CAO addresses all violations referenced in the Findings of Fact.
2. In compromise and full settlement of the violations specified in the FINDINGS OF FACT, Respondent agrees to pay a civil penalty of TWELVE THOUSAND DOLLARS (\$12,000.00). Ten percent (10%) of the total penalty shall be paid as reimbursement to DEQ for administrative costs associated with this CAO. Payment is due within thirty (30) calendar days after the effective date of this CAO. Such payment can be made online using the Financials tab of your site in SEEK or mailed in by check. Paper check payments require the Compliance Action Number be referenced in the memo line of the check and be made payable to: DEQ, Fiscal Division, 5301 Northshore Drive, North Little Rock, Arkansas 72118-5317. In the event that Respondent fails to pay the civil penalty within the prescribed time, DEQ shall be entitled to attorneys' fees and costs associated with collection.
3. All requirements of this CAO are subject to approval by DEQ. In the event of any deficiency, Respondent shall, within the timeframe specified by DEQ, submit any additional information or changes requested, or take additional actions specified by DEQ to correct any such deficiencies. Failure to respond adequately to the notice of deficiency within the timeframe specified by DEQ constitutes a failure to meet the requirements established by this CAO and is subject to the civil penalties established in the following Paragraph.
4. Failure to meet any term(s) of this CAO or the applicable approved schedules provided for

herein constitutes a violation of this CAO. If Respondent fails to meet any term(s) of this CAO, Respondent shall pay, on demand, to DEQ civil penalties according to the following schedule:

- |  |                 |
|--|-----------------|
| (a) First day through the fourteenth day:    | \$100 per day   |
| (b) Fifteenth day through the thirtieth day: | \$500 per day   |
| (c) More than thirty days:                   | \$1,000 per day |

Stipulated penalties shall be paid within thirty (30) calendar days of receipt of DEQ's demand to Respondent for such penalties. These stipulated penalties may be imposed for delay in scheduled performance and shall be in addition to any other remedies or sanctions that may be available to DEQ by reason of Respondent's failure to comply with the requirements of this CAO. DEQ reserves its rights to collect other penalties and fines pursuant to its enforcement authority in lieu of the stipulated penalties set forth above.

5. If any event, including, but not limited to, an occurrence of nature, causes or may cause a delay in the achievement of compliance by Respondent with the requirements or deadlines of this CAO, Respondent shall notify DEQ in writing as soon as reasonably possible after it is apparent that a delay will result, but in no case after the due dates have passed. The notification shall describe in detail the anticipated length of the delay, the precise cause of the delay, the measures being taken and to be taken to minimize the delay, and the timetable by which those measures will be implemented.
6. DEQ may grant an extension of any provision of this CAO, provided that Respondent requests such an extension in writing and provided that the delay or anticipated delay has or will be caused by circumstances beyond the control of and without the fault of Respondent. The time for performance may be extended for a reasonable period, but in no event longer than the period of delay resulting from such circumstances. The burden of

proving that any delay is caused by circumstances beyond the control of and without the fault of Respondent and the length of the delay attributable to such circumstances shall rest with Respondent. Failure to notify DEQ promptly, as provided in the previous paragraph of the Order and Agreement, shall be grounds for a denial of an extension.

7. This CAO is subject to public review and comment in accordance with Ark. Code Ann. § 8-4-103(d) and therefore is not effective until thirty (30) calendar days after public notice of the CAO is given. DEQ retains the right and discretion to rescind this CAO based on comments received within the thirty (30) day public comment period. Notwithstanding the public notice requirements, the corrective actions necessary to achieve compliance shall be taken immediately.
8. As provided by 8 CAR pt. 11, this matter is subject to being reopened upon Pollution Control and Ecology Commission (Commission) initiative or in the event a petition to set aside this CAO is granted by the Commission.
9. Nothing contained in this CAO shall relieve Respondent of any obligations imposed by any other applicable local, state, or federal laws. Except as specifically provided herein, nothing contained in this CAO shall be deemed in any way to relieve Respondent of responsibilities contained in the permit.
10. Nothing in this CAO shall be construed as a waiver by DEQ of its enforcement authority over alleged violations not specifically addressed herein. In addition, this CAO neither exonerates Respondent from any past, present, or future conduct that is not expressly addressed herein, nor relieves Respondent of the responsibilities for obtaining any necessary permits.
11. The individual signing this CAO represents that he or she is an Officer of Respondent,

being duly authorized to execute and bind Respondent to the terms contained herein. Execution of this CAO by an individual other than an Officer of Respondent shall be accompanied by a resolution granting signature authority to that individual as duly ratified by the governing body of the entity.

12. None of the foregoing agreements, statements, findings, and actions is intended as an admission by Respondent of the allegations contained within the citations, notifications of penalty, and the CAO herein. The agreements herein are not intended to be used for purposes other than actions or proceedings arising under the Arkansas Water and Air Pollution Control Act, Code of Arkansas Rules, Federal Clean Air Act and Clean Air Act Amendments of 1990.

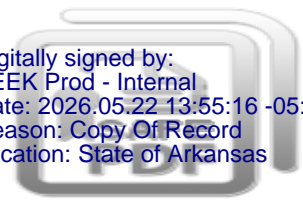
It is so ordered.

# Consent Administrative Order - Approval Form

version 1.8

(Submission #: HQN-27V5-PJRHM, version 1)

Digitally signed by:  
SEEK Prod - Internal  
Date: 2026.05.22 13:55:16 -05:00  
Reason: Copy Of Record  
Location: State of Arkansas



## Details

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Submission ID HQN-27V5-PJRHM

## Form Input

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### Consent Administrative Order

**Case Number**

CAO-25-0038

**Consent Administrative Order Attachment**

ENF - CAO.pdf - 04/24/2026 03:23 PM

**Comment**

NONE PROVIDED

# Agreements and Signature(s)

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## **SUBMISSION AGREEMENTS**

- I am the owner of the account used to perform the electronic submission and signature.
- I have the authority to submit the data on behalf of the facility I am representing.
- I agree that providing the account credentials to sign the submission document constitutes an electronic signature equivalent to my written signature.
- I have reviewed the electronic form being submitted in its entirety, and agree to the validity and accuracy of the information contained within it to the best of my knowledge.

## **Respondent Signatory Authority**

*I certify that I am authorized to execute this CAO and to legally bind Respondent to its terms and conditions.*

**Signed By** Adam Bailey on 05/04/2026 at 10:47 AM

## **Chief Administrator of Environment and DEQ Director, Arkansas Department of Energy and Environment**

*This CAO is agreed to and ordered as of the date of my signature.*

**Signed By** Bailey Taylor on 05/22/2026 at 1:54 PM