ARKANSAS DEPARTMENT OF ENERGY AND ENVIRONMENT,
DIVISION OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

AFIN: 47-00233 Case #: CAO-25-0073

NUCOR CORPORATION
7301 E COUNTY RD 142
BLYTHEVILLE, AR 72315

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, 8 CAR pt. 41, and 8 CAR pt. 42.

The issues herein having been settled by agreement of Nucor 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 scrap steel mill located at 7301 East County Road 142, Blytheville, Mississippi County, Arkansas (Site).
2. The Air Permit referenced in this CAO is 1139-AOP-R31 (the Permit). The Permit is a Title V Air Permit. The Permit was issued on June 20, 2024.

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3. Arkansas Code Annotated § 8-4-217(a)(3) provides, "[i]t shall be unlawful for any person to[. . .] [v]iolate 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. Arkansas Code Annotated § 8-4-103(c)(1)(A)–(B) provides,

> "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. Each day of a continuing violation may be deemed a separate violation for purposes of penalty assessment."

5. Respondent's facility is subject to the provisions of 40 C.F.R. Part 63, Subpart CCC—National Emission Standards for Hazardous Air Pollutants (NESHAP) for Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration Plants (Subpart CCC).

6. On April 24, 2025, Respondent conducted Hydrochloric Acid (HCl) emissions testing at the Pickle Line #2 (SN-200) located at Respondent's Site.

7. On June 19, 2025, DEQ received correspondence from Respondent stating that the April 24, 2025 HCl emissions test was going to result in an exceedance once reviewed by DEQ. Respondent stated that this HCl exceedance was caused by incorrectly installed vanes in the drop separators located downstream of the fume scrubber.

8. On the same day, June 19, 2025, Respondent submitted an Upset Condition Reporting Form (the Form) to DEQ. The Form stated that the facility had an upset condition at SN-200 from April 24, 2025 through May 19, 2025. The Form stated that Respondent exceeded the HCl emission rate limits at SN-200 due to incorrectly installed separator vanes. The vanes have since been reinstalled in the correct orientation.

9. On June 20, 2025, Respondent submitted a stack test report regarding the HCl testing

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conducted at SN-200 on April 24, 2025.

10. In correspondence dated June 26, 2025, DEQ informed Respondent that the stack test report indicated that SN-200 was out of compliance with the Permit at the time of testing.

11. On July 29, 2025, Respondent submitted a compliance test protocol form to DEQ, notifying DEQ that re-testing of SN-200 would occur on August 8, 2025, for HCl.

12. On July 10, 2025, DEQ sent Respondent a Notice of Non-Compliance (NNC) stating that formal enforcement was proceeding regarding the violations in the list below.

13. On September 5, 2025, Respondent submitted a stack test report for HCl testing conducted at SN-200 on August 8, 2025. In correspondence dated September 11, 2025, DEQ informed Respondent that the stack test report indicated that SN-200 was in compliance with the Permit at the time of the re-testing.

14. On February 3, 2026, DEQ received Respondent's written response regarding the actions taken to correct the non-compliance items. Respondent stated that upon further investigation, it was determined that Pickle Line 2 scrubber media had failed and was subsequently replaced. To ensure ongoing compliance and to prevent future reoccurrences, Respondent stated that it implemented annual inspections of the scrubber media and triennial replacement of the scrubber media, or sooner if inspections indicate degradation.

15. List of Violations:

    (a) 8 CAR § 40-701: Exceedance of a non-criteria pollutant emission limit. (8 CAR § 40-701)

    Specific Condition 193 of the Permit states that Respondent shall not exceed the emission rate limit of 0.5 lb/hr of HCl at SN-200.

    A review of the test results and the upset condition report indicated that Respondent

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exceeded the permitted emission rate limit for HCl at SN-200 during the emissions testing. The permitted emission rate limit for HCl at SN-200 is 0.5 pounds per hour (lb/hr). The average emission rate recorded for HCl at SN-200 during the emissions test was 1.7 lb/hr. It was determined that SN-200 was out of compliance with the permitted HCl emission rate limit at the time of testing.

(b) 8 CAR § 41-204 and 40 C.F.R. § 63: Failure to comply with a delegated NESHAP requirement. (8 CAR § 41-204 and 40 C.F.R. § 63)

Pursuant to 40 C.F.R. § 63.1158(a)(1), no owner or operator of a new or reconstructed affected continuous pickling line at a steel pickling facility shall cause or allow to be discharged into the atmosphere from the affected pickling line[. . .] [a]ny gases that contain HCl in a concentration in excess of 6 parts per million by volume (ppmv).

Specific Condition 209 of the Permit and Subpart CCC states that Respondent shall not cause or allow to be discharged into the atmosphere from the affected pickle line (SN-200): Any gases that contain HCl in a concentration in excess of 6 parts per million by volume (ppmv); or HCl at a mass emission rate that corresponds to a collection efficiency of less than 99 percent.

A review of the upset condition report indicated that Respondent exceeded the permitted emission rate limit for HCl at SN-200. The permitted emission rate limit for HCl at SN-200 is 6 ppmv. The average emission rate for HCl recorded at SN-200 during the testing was 37.5 ppmv. It was determined that Respondent exceeded the permitted HCl emission rate and the Subpart CCC emission rate limit for HCl at SN-200.

Order and Agreement

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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 FOUR THOUSAND DOLLARS ($4,000.00), of which ten percent (10%) 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. 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:

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(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.

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.

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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.

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It is so ordered.

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Digitally signed by:
SEEK Prod - Internal
Date: 2026.10.24 10:06:49 -05:00
Reason: Copy Of Record
Location: State of Arkansas

Consent Administrative Order - Approval Form

version 1.8

(Submission #: HQS-BM5R-NEK30, version 1)

Details

Submission ID HQS-BM5R-NEK30

Form Input

Consent Administrative Order

Case Number
CAO-25-0073

Consent Administrative Order Attachment
ENF - CAO.pdf - 10/16/2026 11:24 AM
Comment
NONE PROVIDED

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Agreements and Signature(s)

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 John Heden on 10/16/2026 at 1:30 PM
p0AlNaZEt2v1DJaJaavkN8a7wPa16Pw83+1PFNYxefeW1jayNHUXOGR8UL6E2Al5gkf57b7uQ+Ftvd7c6LIS+g==

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 10/24/2026 at 10:05 AM
otbgHUkJnDKlUpd1HBGXx4Xa3UPrpgP1D7CCUWlmcE/lbU2aKL545ylmBpS/EAXKzJcdMBeIMH2lc/WRNf4z0g==

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