

**ARKANSAS DEPARTMENT OF ENERGY AND ENVIRONMENT,
DIVISION OF ENVIRONMENTAL QUALITY (DEQ)**

IN THE MATTER OF:

AFIN: 06-00990

Case #: CAO-25-0005

PRICE SERVICES, INC.
728 HIGHWAY 189 BYPASS
WARREN, AR, 71671

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 Price Services, Inc. (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 owns and operates a facility that gasifies wood to produce biochar and synthetic gas located at 728 Highway 189 Bypass, Warren, Bradley County, Arkansas (Site).
2. 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.”

3. 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.”
4. DEQ issued Respondent’s initial Minor Source Air Permit 2475-A (Permit) to Respondent on February 13, 2024. At the time the Permit was issued, Respondent had been operating under Interim Authority from DEQ since September of 2023, with an extension granted by DEQ in January of 2024.
5. DEQ personnel visited the Site in January of 2024 and observed the calciner at the Site in operation. The calciner has two modes: Mode 1—Calciner + Offgas Recycle (SN-01A) and Mode 2—Calciner + Oxidizer (SN-01B).
6. In January 2025, a review of DEQ's database indicated that Respondent had not yet submitted a Compliance Stack Test Form to DEQ or submitted any emissions test results for testing conducted at SN-01A or SN-01B.
7. On January 13, 2025, DEQ sent Respondent a Notice of Non-Compliance stating the violations and initiating formal enforcement.
8. On April 28, 2025, Respondent submitted a permit modification application to DEQ to remove the alternative operating scenario (SN-01B) from the existing Indirect Calciner #1 (SN-01A).
9. On February 23, 2026, DEQ issued Respondent Permit 2475-AR-2. SN-01B was removed

and SN-01A was changed to Indirect Calciner #1 (8.5 MMBtu/hr) + Offgas Recycle (SN-01).

10. List of Violations:

(a) Failure to stack test. (8 CAR § 41-602)

General Condition 7 of the Permit requires Respondent to test any equipment scheduled for testing within 60 days of achieving the max production rate on newly constructed or modified equipment or no later than 180 days after initial start up of the permitted source.

Specific Conditions 16 and 17 of the Permit require the permittee to perform stack testing for several criteria pollutants for both SN-01A and SN-01B in accordance with General Condition 7.

DEQ personnel observed the calciner in operation in January 2024, and the initial Permit 2475-A was issued to Respondent on February 13, 2024. At the very latest, the deadline for Respondent to conduct the emissions testing at SN-01A and SN-01B was August 12, 2024—180 days after the issuance of the Permit. Respondent failed to conduct emissions testing at SN-01A and SN-01B within 180 days of startup, or even within 180 days of the issuance of the Permit 2475-A. Failing to conduct this emissions testing is a violation of Specific Conditions 16 and 17 of the Permit and General Condition 7 of the Permit.

ORDER AND AGREEMENT

WHEREFORE, the parties stipulate and agree as follows:

1. Within (30) calendar days of the effective date of this CAO, Respondent shall submit a test

protocol for testing at SN-01. Within (45) calendar days of the effective date of this CAO, Respondent shall conduct emissions testing at SN-01. Within (105) calendar days of the effective date of this CAO, Respondent shall submit the emissions test results for SN-01 to DEQ.

2. In compromise and full settlement of the violations specified in the FINDINGS OF FACT, Respondent agrees to pay a civil penalty of EIGHT THOUSAND FOUR HUNDRED DOLLARS (\$8,400.00), or one-half of the penalty, FOUR THOUSAND TWO HUNDRED DOLLARS (\$4,200.00) if this CAO is signed and returned to DEQ, 5301 Northshore Drive, North Little Rock, Arkansas 72118-5317, within twenty (20) calendar days of receipt of this CAO. Ten percent (10%) of the civil 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.

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.

It is so ordered.

Consent Administrative Order - Approval Form

version 1.8

(Submission #: HQQ-KSYR-XHKH9, version 1)

Digitally signed by:
SEEK Prod - Internal
Date: 2026.08.14 14:13:59 -05:00
Reason: Copy Of Record
Location: State of Arkansas

Details

Submission ID HQQ-KSYR-XHKH9

Form Input

Consent Administrative Order

Case Number
CAO-25-0005

Consent Administrative Order Attachment
ENF - CAO.pdf - 08/06/2026 10:31 AM
Comment
NONE PROVIDED

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 Jack Carmical on 08/13/2026 at 2:02 PM
3X9LIAPiJow6HbQRiATOpkqThjdoNvurXLvoC9smj4M/KNkpcyZwaDjp7hCyspOpqLLhZEFYmQ95KC69E/92kg==

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 08/14/2026 at 2:12 PM
Qlk5KiCfeL0cCYFSyVrP3Xp9M6of6vzz6+HvO91Kk/KRh0R0IqfkM4iUHgW2RrZUWgkEbeUpLnrgBP9dWwDchQ==