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# Air Enforcement: Arkansas Department of Environmental Quality and Yell County, Arkansas Protein Conversion Facility Enter into Consent Administrative Order Addressing Alleged Violations

## Arkansas Environmental, Energy, and Water Law Blog

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The Arkansas Department of Environmental Quality ("ADEQ") and Pet Solutions, LLC ("PS") entered into a September 8<sup>th</sup> Consent Administrative Order ("CAO") addressing alleged air violations. See LIS No. 16-069.

PS is stated to own and operate a protein conversion facility located in Danville, Arkansas.

The CAO states that the facility was issued an Air Permit (2058-AR-9) on September 19, 2014. The CAO further provides that ADEQ personnel conducted a partial compliance inspection of the PS facility on January 26, 2016. The compliance inspections findings are stated to include:

Respondent has a continuous monitoring system that logs both ORP and gas inlet temperature readings for two Haarslev Scrubbers with 100,000 CFM fans (SN-12A & SN-12B). Respondent periodically checks the automated logging system to ensure that data is being recorded. In addition, Respondent uploads and saves the data on a monthly basis to a database as a backup. The database is printed on a monthly basis and those records also are maintained at the facility. Respondent's automated logging system for recording temperature "crashed" and automatically reset on or about January 25. This computer crash and reset caused the loss of data from the last time that the temperature data was saved to the database, i.e., December 31, 2015. As a result, it was discovered that Respondent failed to maintain records of the gas inlet temperature for SN-12A and SN-12B as required by Specific Condition 35 of the Permit from January 1, 2016 through January 31, 2016. Such failures violate Specific Conditions 34b and 35 of the Permit and therefore violate Ark. Code Ann. § 8-4-217(a)(3) as referenced by Ark. Code Ann. § 8-4-304.

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

The CAO requires that within 30 days of the effective date of the CAO PS:

- shall submit prior routine preventative maintenance inspection records of the electronic monitoring system from April 2016 to current date
- shall submit the routine preventative maintenance inspections records of the electronic monitoring system monthly for three months following the execution of the CAO

A civil penalty of \$700 is assessed.

[A copy of the CAO can be downloaded here.](#)