

Air Enforcement: Arkansas Department of Environmental Quality and Mississippi County, Arkansas Terminal Grain Elevator Enter into Consent Administration Order



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The Arkansas Department of Environmental Quality (“ADEQ”) and Poinsett Rice & Grain, Inc. (“PRGI”) entered into a September 8th Consent Administrative Order (“CAO”) addressing alleged violations of an air permit. See LIS 17-061.

The CAO provides that PRGI owns and operates a terminal grain elevator (“Elevator”) in Mississippi County, Arkansas.

ADEQ is stated to have issued Air Permit 1207-AR-3 to PRGI on August 31st, 2005.

Agency personnel are stated to have conducted a compliance inspection of the PRGI terminal for the reporting period of January 2015 – February 2016 on April 1, 2016.

The inspection allegedly indicated that PRGI had begun construction, constructed, and/or operated ten sources of regulated emissions without first evaluating and submitting such activities to ADEQ for addition to the elevator’s air permit. The ten sources allegedly include:

- Existing warehouse #1
- Existing warehouse #2
- Barge offloading conveyor
- Stained rice bin with loadout #1
- Stained rice bin with loadout #2
- 55,000 bushel bin #1
- 55,000 bushel bin #2
- Grain dryer
- Grain bin #1
- Grain bin #2

The addition of the sources are alleged to violate General Condition 16 of the permit.

ADEQ is stated to have informed PRGI of the alleged compliance issues in a letter dated April 19, 2016. The company is stated to have responded in an email dated May 11, 2016, noting that it had begun the process to modify the current air permit to include all new sources and emissions. Such efforts are stated

to have included on June 23, 2016, a permit application for the purpose of including the unpermitted sources identified during the inspection.

The permit application is stated to have been deemed administratively complete and the agency issued PRGI Air Permit 1207-AR-4 on March 31, 2017. The modified permit incorporates the ten sources identified during the April 1, 2016 inspection.

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

The CAO assesses a civil penalty of \$2,500 which could be reduced by 50 percent if the CAO was signed and returned to the agency by September 15th.

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