

# Air Enforcement: Arkansas Department of Environmental Quality and Drew County, Arkansas Boat Manufacturer Enter into Consent Administrative Order



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The Arkansas Department of Environmental Quality (“ADEQ”) and SeaArk, LLC, (“SeaArk”) entered into a July 2nd Consent Administrative Order (“CAO”) addressing alleged violations of an air permit. See LIS No. 18-058.

The CAO provides that SeaArk owns and operates an aluminum boat manufacturing facility (“Facility”) in Drew County, Arkansas.

The Facility holds an air permit.

ADEQ personnel are stated to have conducted a routine compliance inspection of the Facility on October 12, 2017, for the reporting period of September 2016 through August 2017.

The Facility’s air permit is stated to contain a Specific Condition 6 which specifies the VOC content limits for products used at each of its emission sources. The CAO provides that the compliance inspection indicated SeaArk used products that contained VOC in excess of the specified limits at sources SN-02 through SN-08, SN-10, and SN-11 during the reporting period. These acts are alleged to violate Specific Condition 6 of the permit.

Specific 8 of the permit is stated to specify the material throughput limits allowed at each of the Facility’s sources. The CAO provides that the compliance inspection indicated that SeaArk exceeded the specified material throughput limits at sources SN-02 through SN-09 during the reporting period. These acts allegedly violated Specific Condition 8 of the permit.

ADEQ is stated to have informed SeaArk of the compliance issues in correspondence dated November 8, 2017, regarding the October 12, 2017, inspection. SeaArk responded in correspondence dated December 12, 2017, it would be submitting a permit modification application to address the inspection findings.

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

The CAO provides SeaArk two options addressing the relevant issues.

Option A requires the submittal of a written letter of assurance to the ADEQ Office of Air Quality Enforcement Section within 30 calendar days of the effective date of the CAO that the Facility is in

compliance with the limits of Specific Condition 6 and Specific Condition 8 of the permit are achievable and can be maintained.

Option B requires the submittal, within 30 calendar days of the effective date of the CAO, of a permit modification application requesting that the limits of Specific Condition 7 and/or Specific Condition 8 of the permit be changed to levels that SeaArk can achieve and maintain.

A civil penalty of \$41,840 is assessed which could be reduced to \$20,925 if the CAO was executed and returned to ADEQ prior to 4:00 p.m. on July 1st.

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