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Self-Disclosure/Air Enforcement: Arkansas Department of Environment Quality and West Memphis, Arkansas, Barge Loading Facility Enter into Consent Administrative Order

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The Arkansas Department of Environmental Quality ("ADEQ") and Consolidated Grain and Barge Co. ("Consolidated") entered into a May 29th Consent Administrative Order ("CAO") to address an alleged violation of an air permit. See LIS No. 19-055.

The CAO provides that Consolidated owns and operates a barge loading facility ("Facility") in West Memphis, Arkansas.

Consolidated, in a January 22nd letter to ADEQ, is stated to have requested consideration under the agency's Environmental Self-Disclosure Incentive Policy ("Policy") for certain non-compliance issues.

The Facility is stated to hold an Air Permit 2215-A ("Permit"). Specific Conditions 1 and 2 of the Permit are stated to limit annual PM10 and PM emissions at SN-05 (Grain Dryer #1) and SN-06 (Grain Dryer #2) to 4.7 tpy and 18.5 tpy, respectively. The annual emission limits are stated to be specific to grain drying. This equates to a total of 6 million bushels of grain drying.

The CAO also provides that on January 3, 2019, during a review of monthly air emissions tracking data, Consolidated recorded an annual throughput of 7.2 MBu of grain drying for December 2018. This is stated to have resulted in an exceedance of annual emission limits for PM10 and PM at SN-05 and SN-06. Violations of Specific Conditions 1 and 2 of the Permit are stated to have occurred.

Consolidated is stated to have identified in its January 22nd letter to ADEQ the source of the non-compliance. It was described as an anomaly that requires no further action.

ADEQ in an April 25th letter informed Consolidated that:

. . . it had completed its review of Respondent's self-disclosure and found that it met all of the conditions of the Policy.

ADEQ notes that it may mitigate up to 100 percent of the gravity-based component of any civil administrative penalty in a CAO regarding the self-disclosed violations.

Consolidated is stated to neither admit nor deny the factual and legal allegations contained in the CAO.

The CAO is stated to address all violations referenced in the Findings of Fact.

The CAO assesses no penalties.

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