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Air Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Lonoke County Rice Plant/Grain Export Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and Federal Drier and Storage Company (“FDSC”) entered into a July 23rd Consent Administrative Order (“CAO”) addressing alleged violations of an air permit. See LIS No. 20-161.

The CAO provides that FDSC owns and operates a rice plant and grain export facility (“Facility”) in Lonoke County, Arkansas.

The Facility is stated to operate pursuant to an air permit (“Permit”).

A DEQ inspection was stated to have been undertaken at the Facility on August 16, 2019. The inspection addressed a reporting period for November 2016 through July 2019.

The inspection is stated to have determined that the Facility failed to perform emissions testing for opacity on or after the 60th day of achieving the maximum production rate, but no later than 180 days after initial startup as specified by Permit Specific Conditions 11 and 13 and 40 C.F.R. 60 Subpart DD for certain sources.

FDSC is stated to have submitted to DEQ a protocol to conduct emissions testing on September 11 – September 13 at certain specified sources. Results were submitted to DEQ on September 19, 2019.

DEQ personnel are stated to have completed an evaluation on September 24, 2019, of the emission test results that had been submitted. Such evaluation is stated to have determined that the Facility passed the opacity emission rate limits by Specific Conditions 11 and 13 and Subpart DD.

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

A civil penalty of \$11,520 is assessed which could have been reduced to \$5,760 if the CAO was signed and returned to DEQ by August 1st.

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