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## Air Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Pulaski County Steel Pipe Manufacturing Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and Welspun Tubular, LLC, (“Welspun”) entered into an August 25th Consent Administrator Order (“CAO”) addressing alleged violations of an air permit. See LIS No. 20-168.

The CAO provides that Welspun owns and operates a steel pipe manufacturing facility in Pulaski County, Arkansas.

Welspun is stated to have discovered on November 1, 2018, exceedances of the 9.5 ton per year (“TPY”) limit for a single Hazardous Air Pollutant (“HAP”) at the Internal Coating Operation.

Welspun notified DEQ personnel by letter January 8, 2019, that it was unknowingly using a paint containing HAPs at the facility and, as a result, it caused exceedances of the 12-month rolling total TPY emission rate limit for a single HAP at SN-12. Welspun stated that to correct the noncompliance it contacted the paint manufacturer and began the process of acquiring a reformulated paint with a lower HAP.

Welspun uses the new formula as a replacement.

DEQ personnel on August 6, 2019, are stated to have conducted a compliance inspection of the Welspun facility. The inspection is stated to have covered the reporting period July 2018 through June 2019. A record review was also undertaken.

The CAO provides that during the inspection it was discovered that Welspun exceeded the 9.5 TPY limit for a single HAP at SN-12. The records are stated to have indicated that the facility exceeded the 12-month rolling total emission rate limit for Xylene for 10 months from October 2018 through July 2019.

This alleged violates Specific Condition 2 of the permit.

DEQ informed Welspun of the compliance issues and the company responded in an August 15, 2019, letter. It stated that the facility had exceeded the single HAP TPY emission rate limit at SN-12 because the company believed that the paint being used did not contain HAPs. The paint was subsequently

determined to contain HAP Xylene. A new reformulated paint containing a very small amount of HAP Formaldehyde was developed and is currently being used.

Welspun, pursuant to a November 4, 2019, letter requested consideration under DEQ's Environmental Self-Disclosure Incentive Policy for its 2019 disclosure of the non-compliance issues associated with the previously referenced exceedances. DEQ is stated to have informed Welspun that it had not met all eight conditions of the policy and was not entitled to a reduction in the civil administrative penalty.

The CAO assesses a civil penalty of \$9,600 which could have been reduced to \$4,800 if the document was signed and returned to DEQ on August 29th. Thirty-five percent of the civil penalty shall be used to fund a Supplemental Environmental Project ("SEP") to be approved by the DEQ Director. However, if the CAO was returned by August 29th, \$1,680 may be used to fund the SEP and \$3,120 would be conveyed to DEQ.

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