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Air Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Jefferson County Cottonseed Oil Mill Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and Planters Cotton Oil Mill, Inc. (“Planters”) entered into an October 8th Consent Administrative Order (“CAO”) addressing alleged violations of an air permit (“Permit”). See LIS No. 20-176.

Planters is stated to own and operate a cooperative cottonseed oil mill (“Mill”) in Jefferson County, Arkansas.

The air permit denominated in the CAO is 1427-AOP-R16.

DEQ is stated to have conducted a compliance inspection of the Mill for the reporting period of August 1, 2017 through July 31, 2019.

The CAO indicates that Planters failed to provide information appropriate to demonstrate compliance with Specific Conditions 54 and 57, Specific Conditions 107 and 109, and Plantwide Condition 13 of the Permit. It is further provided that:

... the revised Annual Compliance Certification (“ACC”) reports received after the incomplete ACC report that was submitted on August 6, 2019, satisfied the noncompliance ACC reporting issues associated with Specific Condition 114 and General Provision 21 of the Permit.

Planters is stated to have provided in January 29, 2020, correspondence certain mitigating factors in regards to the noncompliance issues.

The CAO provides that the DEQ inspection indicated that tune-ups on SN-44 and SN-45 were conducted approximately five months past their due date. Planters stated that the tune-ups were performed immediately after discovery and no major issues were noted in the tune-up report. Further, the boilers were tuned-up in April 2019, and again in October 2019.

The CAO also provides that certain required maintenance inspections were not undertaken in a timely manner. Planters responded that the required maintenance inspections were conducted in June 2018 and subsequently in 2019. The Permit deviation is stated to have been reported in the revised ACC reports submitted on January 29, 2020.

DEQ is stated to have indicated that there was a failure to meet the compliance ratio of equal to or less than 1.00 for the months of May, June, and July of 2019 in violation of Plantwide Condition 13. This condition is derived from the Hazardous Air Pollution Emission requirements. Planters responded that these issues should be addressed through the CAO.

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

The CAO requires that within 15 days of its effective date that Planters submit a Compliance Action Plan to DEQ for approval to address the continued exceedances of the compliance ratio as referenced in Paragraphs 20 and 21. The plan is required to describe the issues contributing to the higher actual solvent losses and their affect on the compliance ratio exceedances.

A civil penalty of \$7,740 is assessed.

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