

Air Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Ashley County Cotton Gin Enter into Consent Administrative Order



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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and Portland Gin & Warehouse, Inc. (“PGWI”) entered into a March 11th Consent Administrative Order (“CAO”) addressing an alleged violation of Arkansas Pollution Control and Ecology Commission Regulation 18. See LIS No. 21-022.

The CAO provides that PGWI owns and operates a cotton gin (“Gin”) located in Ashley County, Arkansas.

DEQ is stated to have conducted a compliance inspection of the Gin on October 20, 2020. The inspection is stated to have covered the reporting period of September 2015 through September 2020.

Records reviewed during the inspection are stated to have indicated that PGWI operated the facility without a permit from September 2015 through May 22, 2020. This allegedly violates Arkansas Pollution Control and Ecology Commission Regulations 18.301(A) and 18.310(B).

PGWI is stated to have responded to a DEQ query regarding the inspection. The company stated that it was:

. . . unaware of the need of a permit until February 2020 upon seeing a reminder from the Southern Cotton Ginners Association for gins to renew their applications and . . . [it] went through the process of applying for a permit and received it on May 22, 2020.

PGWI submitted a permit application on May 4, 2020, requesting coverage under the General Air Permit for Minor Source Cotton Gins. A permit tracking number was subsequently issued to PGWI.

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

A civil penalty of \$2,000 is assessed which could have been reduced by one-half if the CAO was returned to DEQ by March 10th.

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