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## Air Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Jefferson County Military Manufacturing/Depo Installation Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and the United States Army, Pine Bluff Arsenal (“U.S. Army”) entered into a June 28th Consent Administrative Order (“CAO”) addressing an alleged violation of an air permit. See LIS No. 21-064.

The CAO provides that the U.S. Army owns and operates a military manufacturing and depo installation (“Installation”) located in Jefferson County, Arkansas.

The Installation was stated to have been issued an air permit (1113-AOP-R19) (“Permit”) on April 14, 2020.

The U.S. Army in a letter dated September 22, 2020, requested consideration under DEQ’s Environmental Self-Disclosure Incentive Policy (“Policy”) for alleged non-compliance issues associated with failing to maintain preventative maintenance records for an emergency generator located at building 13-020. Such non-compliance issues are stated to have been discovered during a third-party audit conducted on September 2, 2020.

The third-party audit is stated to have indicated that between February 2016 and September 2020 the U.S. Army failed to maintain preventative maintenance records for an emergency generator at Location 13-020. Such alleged failure is stated to have violated Specific Condition EMGEN-3 of the Permit. The U.S. Army provided that it immediately performed an annual inspection of the generator at building 13-020. It also stated that all required annual maintenance on the generator was conducted on the same day to correct and address the non-compliance issue.

DEQ informed the U.S. Army in correspondence dated January 11th that it had completed its review of the self-disclosure and determined that it met all conditions of the Policy. Therefore, DEQ determined that it could mitigate up to 100% of the gravity-based component of any civil administrative penalty in a CAO regarding the self-disclosed violations.

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

