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Air Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Independence County Silica Sand Processing Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and Select Sands America Corp. (“Select Sands”) entered into a July 22nd Consent Administrative Order (“CAO”) addressing an alleged violation of an air permit. See LIS No. 21-074.

The CAO provides that Select Sands owns and operates a facility (“Facility”) processing industrial silica sand in Independence County, Arkansas.

The Facility is stated to be operated pursuant to Air Permit 2413-A (“Permit”).

Select Sands is stated to have submitted a Stack Testing Compliance Test Protocol Form for testing to be performed on January 28th. Such test referenced the Natural Gas-fired Rotary Dryer with Fabric Filter (SN-02) for particulate matter (“PM”).

On March 10th Select Sands is stated to have submitted a Stack Testing Compliance Test Protocol Form for retesting on March 23rd at SN-02. Further, on March 22, the test results for emission testing conducted at the Natural Gas-Fired Rotary Dryer with Fabric Filter (SN-01) were submitted for PM.

The CAO provides that the test results indicated that during the emissions testing the Facility exceeded the permitted emissions rate limit for PM at SN-01. This is alleged to violate Specific Condition 2 of the Permit.

The re-test results for SN-01, which were submitted on April 8th, indicated that the source was in compliance with the emission rate during the period of retesting.

Select Sands informed DEQ that all prior references to emissions testing at SN-02 were made in error. Select Sands is stated to have only conducted testing at SN-01. The company subsequently submitted a corrected copy of the test results on May 12th for the testing conducted on March 23rd. This corrected report is stated to have listed the source tested as SN-01 instead of SN-02.

Select Sands is stated to neither admit nor deny the factual and legal allegations contained in the CAO.

A civil penalty of \$1,760 is assessed, which could have been reduced to \$880 if the CAO was signed and returned to DEQ prior to 4:00 o'clock on July 21st.

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