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Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Maumelle Infant Care Product Manufacturing Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and Kimberly-Clark Corporation (“Kimberly-Clark”) entered into a December 13th Consent Administrative Order (“CAO”) addressing alleged violations of an air permit. See LIS No. 21-132.

The CAO provides that Kimberly-Clark owns and operates an infant care product manufacturing facility (“Facility”) in Maumelle, Arkansas.

The Facility is stated to hold an air permit (“Permit”).

Specific Condition 1 of the Permit is stated to prohibit the Facility exceeding the permitted Volatile Organic Compounds (“VOC”) emission rate limits of 0.80 lbs/hr and 3.20 tpy at the Nonwovens Process. Further, Specific Conditions 1 and 2 of the Permit prohibit the Facility from exceeding permitted PM10 emission rate limits of 0.40 lbs/hr and 0.50 tpy at SN-26 and permitted PM10 emission rate limits of 0.40 lbs/hr and 1.80 tpy at the Stripper Fans.

The Facility is stated to have submitted to DEQ test results for testing conducted at SN-26 and SN-29 on May 25th. The Facility provided that PM10 emission rate limits were exceeded at SN-26 and VOC emission rate limits were exceeded at SN-26 and SN-29.

The CAO further provides that:

A review of the test results indicated that Respondent exceeded the PM10 and VOC permitted emission rate limits at SN-26 during the testing. The average PM10 emission rate recorded at SN-26 was 0.13 lbs/hr and 0.57 tpy, exceeding the permitted emission rate limits of 0.10 lbs/hr and 0.50 tpy. The average VOC emission rate recorded at SN-26 was 1.06 lbs/hr and 4.64 tpy, exceeding the permitted emission rate limits of 0.80 lbs/hr and 3.20 tpy. Such act violates Specific Condition 1 of the Permit and therefore violates Ark. Code Ann. § 8-4-217(a)(3) as referenced by Ark. Code Ann. § 8-4-304.

The Facility stated in a letter accompanying the test report on August 31st that it will submit a de minimis permit request to increase the PM10 and VOC emission rate limits at SN-26 and to increase the VOC emission rate limit for SN-29.

Kimberly-Clark neither admits nor denies the factual and legal allegations contained in the CAO.

The CAO requires that within 30 calendar days of its effective date that the Facility shall, if it has not done so prior to the execution date of this document, either:

- Submit a permit modification application to DEQ to address the PM10 and VOC emission rate limit exceedances at SN-26 and to include VOC emission rate limits for SN-29 in the Permit, or
- Conduct emissions testing at SN-26 for PM10 and VOC to ensure compliance with the currently permitted limits and submit a permit modification application to include VOC emission rate limits for SN-29 in the Permit.

A civil penalty of \$4,400 is assessed which could have been reduced by one-half if the document was signed and returned to DEQ by December 23rd.

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