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Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Rosebud Rock Crushing Plant Operator Enter into Consent Administrative Order

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and Quality Rock (“Quality”) entered into a January 24th Consent Administrative Order (“CAO”) addressing an alleged violation of an air permit. See LIS No. 22-011.

The CAO provides that Quality owns and operates a rock crushing plant (“Plant”) in Rosebud, Arkansas.

The Plant is stated to be operated pursuant to General Air Permit for Minor Source Rock Crushing Facilities 1916-AGP-000 (“Permit”). Further, the Plant is stated to be subject to the provisions of 40 C.F.R. Part 60, Subpart 000 – Standards of Performance for Nonmetallic Mineral Processing Plants (“Subpart 000”).

DEQ personnel are stated to have conducted an inspection of the Plant on May 12, 2021. The inspection is stated to have covered the reporting period of February 1, 2019, through April 30, 2021.

The CAO provides that records reviewed during the inspection indicated that the Plant failed to maintain records of the monthly inspections of the water spray nozzles used in wet suppression to control emissions from the Plant. Further, it is stated that the Plant could not provide maintenance records for the water spray nozzles for the entire reporting period covered by the inspection. This is alleged to be a failure of Specific Condition 34 of the Permit and Subpart 000.

Quality submitted to DEQ a template for the water spray nozzle maintenance logs on June 9, 2021.

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

The CAO requires that to demonstrate compliance with Specific Condition 34 of the Permit, Quality shall submit to DEQ the monthly water spray nozzle maintenance records referenced in Paragraph 9 of the Findings of Fact. Such records shall be submitted for three consecutive months beginning with the month following the effective date of the CAO. The records are required to be submitted by the 15th day of the following month for which they pertain.

A civil penalty of \$1,200 is assessed.

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

