

Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Doddridge Sand Plant Enter into Consent Administrative Order



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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and Performance Proppants, LLC, (“PPL”) entered into a March 10th Consent Administrative Order (“CAO”) addressing an alleged violation of an air permit. See LIS No. 22-023.

The CAO provides that PPL owns and operates a sand plant (“Plant”) in Doddridge, Arkansas.

The Plant is stated to hold an air permit (2400-AR-3) (“Permit”).

Engineering Compliance and Construction, Inc. (“ECCI”) is stated to have submitted on November 18, 2021, a significant modification permit application on behalf of PPL. The application is stated to have requested the replacement of a 1,000 gallon gasoline storage tank (SN-22) with a 2,000 gallon gasoline storage tank (replacement tank) and an increased throughput limit for the replacement tank.

DEQ deemed the permit application administratively complete on November 22, 2021.

The CAO provides that on December 6, 2021, as part of the permit application review, DEQ personnel contacted ECCI regarding the reported date of October 27, 2021, as the date that the replacement tank was constructed and put into operation. ECCI is stated to have confirmed on December 6, 2021, that the replacement tank was constructed and put to use on October 27, 2021, before the permit application was submitted on November 18, 2021.

Regulation 18.301 is cited which requires stationary sources to be permitted prior to installation and operation.

DEQ issued Air Permit 2400-AR-4 on January 31, 2022, containing the changes PPL requested in the permit application that was submitted on November 18, 2021.

The CAO provides that PPL neither admits nor denies the factual and legal allegations contained in the CAO.

A civil penalty of \$1,440 is assessed.

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