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Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Pope County Gasoline Bulk Plant Operator Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment - Division of Environmental Quality ("DEQ") and Max Taylor Oil Company, Inc. ("MTOC") entered into a July 6th Consent Administrative Order ("CAO") addressing an alleged violation of a General Air Permit. See LIS No. 22-077.

The CAO provides that MTOC owns and operates a gasoline bulk plant ("Facility") in Pope County, Arkansas.

The Facility is stated to operate pursuant to a General Air Permit for Minor Source Gasoline Bulk Plants 2243-AGP-000 ("Permit").

DEQ personnel are stated to have conducted a compliance inspection of the Facility on December 1, 2021. Such inspection is stated to have covered the reporting period of October 2017 through October 2021.

MTOC is stated to have been determined to have failed to submit a Notice of Intent ("NOI") for coverage under the Permit by September 1, 2020, (i.e., the date to renew coverage). As a result, the CAO states the permit was voided on November 9, 2020.

MTOC submitted a new NOI for coverage under the Permit on December 28, 2020 and was granted coverage under a subsequent General Permit on January 4, 2021. Consequently, MTOC is stated to have operated the Facility without coverage under the Permit from November 10, 2020, through January 3, 2021, violating Arkansas Pollution Control & Ecology Commission rules 18.301(A) and 18.310(B).

In response to a DEQ query, MTOC is stated to have responded on January 20th that the company unintentionally failed to submit the air permit renewal NOI due to disturbances in the daily business operations caused by the COVID-19 Health Emergency. Further, the company stated that once the deficiency was brought to their attention, it immediately contacted ESGI to complete the air permit renewal NOI.

The company states:

ESGI began the application as soon as possible and submitted it on December 28, 2020. As mentioned in the Cover Letter to the renewal NOI, Max Taylor Oil experienced COVID-19 infections and many were unable to work due to exposures to COVID-19 and the subsequent CDC recommended quarantines. Max Taylor Oil does not anticipate this being an issue in the future, as 2020 was an unusual time navigating the COVID-19 Health Emergency.

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

A civil penalty of \$1,920 is assessed, which could have been reduced to one-half if the document was signed and returned to DEQ by July 3, 2022.

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