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Air Enforcement: Arkansas Department of Energy & Environment – Division of Environmental Quality and Hempstead County Commercial Bakery Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and Southern Bakeries, LLC (“Southern”) entered into a September 12th Consent Administrative Order (“CAO”) addressing alleged violations of an air permit. See LIS NO. 22-097.

The CAO provides that Southern owns and operates a commercial bakery (“Facility”) in Hope, Arkansas.

The Facility operates pursuant to an air permit (“Permit”).

DEQ personnel are stated to have conducted a compliance inspection on December 9, 2019, at the Facility. The inspection is stated to have indicated that the Facility failed to submit two timely semi-annual monitoring (“SAM”) reports. The alleged failures are stated to violate General Provision 7 of Permit R6.

The inspection is stated to also have indicated that Southern failed to submit a timely annual compliance certification (“ACC”). This allegedly violates General Provision 21 of Permit R6.

DEQ is stated to have conducted a compliance inspection of the Southern Facility on April 19th. The inspection review period was December 1, 2019, through April 30, 2022.

Southern is alleged to have failed to submit a timely SAM report during the inspection review period. This is stated to violate General Provision 7 of Permit R7. In addition, Southern is stated to have failed to submit a timely annual compliance certification report during the inspection review period, violating General Provision 21 of Permit R7.

Southern provided a written response to DEQ on July 15th indicating that the cause of the late SAM and ACC was due to the sudden departure of the individual tasked with preparing and submitting these reports. The air permit report tasks have been reassigned and that formal checks and balances have been implemented to ensure multiple individuals have oversight to ensure timely submissions of reports in the future.

The CAO requires that within 15 calendar days of the effective date of the document Southern submit a Compliance Action Plan (“Plan”) subject to DEQ approval to address the continued late submittal of the referenced reports. The Plan is required to describe the:

- Issues contributing to the problem

- Corrective actions to be taken
- Implementation of the Plan

Such requirements are required to be met upon issuance of a letter by DEQ approving the Plan.

A civil penalty of \$7,200 is assessed.

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