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Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Morrilton Energy Recovery Wheel Manufacturing Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and SEMCO, LLC (“SEMCO”) entered into an October 27th Consent Administrative Order (“CAO”) addressing alleged violations of an air permit. See LIS No. 22-107.

The CAO provides that SEMCO owns and operates an energy recovery wheel manufacturing facility (“Facility”) in Morrilton, Arkansas. The Facility operates pursuant to an air permit (“Permit”).

DEQ personnel are stated to have conducted a compliance inspection of the Facility on April 14th. The inspection is stated to have covered the reporting period of February 2017 through February 2022.

The inspection is stated to have determined that SEMCO failed to maintain the monthly records and 12-month rolling totals from February 2017 through February 2022 that demonstrate compliance with the Hazardous Air Pollutant (“HAP”) limits in Specific Conditions 2 and 5 of the Permit.

The inspection is also stated to have determined that SEMCO failed to maintain monthly records and 12-month rolling totals that demonstrate compliance with the VOC emission rate limits in Specific Condition 1 of the Permit and failed to maintain monthly records and 12-month rolling totals that demonstrate compliance with usage limits in Specific Condition 7 of the Permit from February 2017 through February 2022.

The inspection also is stated to have determined that SEMCO failed to maintain monthly records and 12-month rolling totals that demonstrate compliance with the VOC emission rate limits in Specific Conditions 9, 10, and 11 of the Permit from February 2017 through February 2022.

DEQ is stated to have informed SEMCO of the compliance issues to which the company submitted 16 documents in response. The CAO indicates a review of the documents determined that, due to improper calculations, lack of clear formatting, and lack of unit labeling, the documents did not demonstrate compliance with the Permit.

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

The CAO requires that to determine compliance with Specific Conditions 6, 8, and 12 of the Permit, SEMCO shall submit the monthly records and 12-month rolling totals required by Specific Conditions 6, 8, and 12 of the Permit. The reports are required to be submitted for six consecutive months beginning with the month following the effective date of the CAO.

A civil penalty of \$14,400 is assessed, which could have been reduced to one-half if the document was signed and returned to DEQ prior to 4:00 p.m. on October 23rd.

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