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Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Blytheville Carbon Processing/Packaging Company Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment - Division of Environmental Quality ("DEQ") and Carb-Rite Company, Inc. ("CRC") entered into a February 28th Consent Administrative Order ("CAO") addressing violations of an air permit. See LIS No. 23-022.

The CAO provides that CRC owns and operates a carbon processing and packaging company ("Facility") for the steel and foundry industry in Blytheville, Arkansas.

The Facility is stated to hold an air permit.

DEQ personnel are stated to have conducted an inspection of CRC's Facility on September 1, 2022, for the reporting period of May 11, 2017, through July 31, 2022. Such inspection is stated to have indicated that sources SN-02 and SN-03 were never constructed. Further, DEQ personnel are stated to have determined that the Facility first accepted and processed coal on May 11, 2017, which is stated to be the initial startup date. As a result, it is alleged that performance tests at SN-01, SN-04, SN-05, and SN-06 should have been conducted on or before November 7, 2017.

DEQ personnel are stated to have determined that CRC failed to notify DEQ in writing at least 30 days before the Facility accepted coal to process. This is alleged to violate Specific Condition 6 of the air permit.

The inspection is also stated to have indicated that CRC failed to conduct initial performance tests at SN-01, SN-04, SN-05, and Sn-06. Consequently, the Facility is stated to have failed to demonstrate compliance with the applicable emission standards of Specific Condition 8.

CRC confirmed to DEQ on October 6, 2021, that the processing of coal started upon approval of the air permit on May 11, 2017. The company also stated that a protocol had been submitted to complete the required capacity performance test on October 6, 2022. However, the CAO indicates that a records review failed to locate the referenced protocol. Nevertheless, DEQ received CRC's protocol on November 18, 2022, indicating testing at SN-01 through SN-06 would be conducted on December 14, 2022, for particulate matter and opacity.

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

Paragraph 1 of the Order and Agreement of the CAO provides that if CRC has not demonstrated compliance with the initial performance test at SN-01, SN-04, SN-05, and SN-06 as required by Specific Conditions 8 and 9 of the air permit on or before the execution date of this document, the Facility shall conduct such performance tests within 60 calendar days of the CAO's effective date. Further, within 60 calendar days of completing the initial performance tests referenced in Paragraph 1 of the Order and Agreement of the CAO, CRC shall submit a written report of results of the performance tests to DEQ.

A civil penalty of \$5, 400 is assessed which could have been reduced to one-half of the cited penalty if the CAO was signed and returned to DEQ prior to 4:00 o'clock on March 6th.

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