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Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Siloam Springs Rubber Belt Manufacturing Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and Gates Corporation (“Gates”) entered into a June 19th Consent Administrative Order (“CAO”) addressing an alleged violation of an air permit. See LIS No. 23-049.

The CAO provides that Gates owns and operates a rubber belt manufacturing facility (“Facility”) located in Siloam Springs, Arkansas.

The Facility is stated to operate pursuant to an air permit.

Gates is stated to have requested that an environmental consulting company conduct an environmental compliance audit of the Facility. Further, in a letter dated October 12, 2022, Gates is stated to have requested consideration under DEQ’s Environmental Self-Disclosure Incentive Policy (“Policy”) of the disclosure of the non-compliance issues associated with the existing air permit.

The self-disclosure letter is stated to have indicated that during the audit, Gates discovered 11 unpermitted sources, daily gaps in recordkeeping, outdated permit conditions, and missing records.

The unpermitted sources are stated to have included:

- One 80 gallon diesel tank
- One 300 gallon diesel tank
- One bag Warmer (Natural gas combustion source)
- Five belt grinders with cyclones and smoke hog units
- One Prececo Parts Washer
- One parts washer located in the machine shop
- One mobile welder

These unpermitted sources are alleged to violate General Condition 16 of the air permit.

The CAO provides that a review of the October 2022 disclosure letter found that Gates failed to maintain permit recordkeeping requirements from March 2022 through July 2022 for Specific Conditions 12, 14, 16,

18, 20, 22, and 24, violating certain conditions of the air permit. Such failures are also stated to have inhibited DEQ's ability to determine compliance with certain specified conditions.

Gates is stated to have indicated that the environmental consulting firm in the October 2022 disclosure letter recommended that the company develop and update an air compliance recordkeeping spreadsheet. The disclosure letter also indicated that Gates failed to submit an initial notification for certain natural gas boilers, violating Specific Condition 24 of the permit. It was recommended that Gates submit the NSPS Dc Initial Notification as soon as possible.

The Facility is also stated to be subject to the provisions of 40 C.F.R. Part 63, Subpart ZZZZ addressing stationary Reciprocating Internal Combustion Engines. The disclosure letter is stated to have indicated that Gates failed to maintain a maintenance plan for an Emergency Generator and Emergency Fire Pump Diesel Engine, violating Specific Condition 28 of the permit.

Gates indicated that it was recommended that the company contact the engine manufacturer to:

- Obtain a maintenance plan
- Develop an engine maintenance spreadsheet
- Assign personnel to keep the engine maintenance log

A review of the October 2022 disclosure letter is also stated to have indicated that Gates failed to maintain an engine maintenance log for SN-16 and SN-17, violating Specific Condition 38 of the permit. As a result, the environmental consultant recommended that Gates submit the initial notification for SN-18 and SN-19 as soon as possible and undertake the following:

- Contact the engine manufacturer to obtain a maintenance plan for SN-16 and SN-17
- Assign personnel to keep the engine maintenance log

Gates is stated to have submitted a permit modification application to DEQ to include the 11 unpermitted sources which was deemed administratively complete on December 20, 2022.

DEQ in correspondence dated February 6th informed Gates that it had met all eight conditions of the Policy and, therefore, is entitled to a reduction of the gravity-based component of any administrative penalty in a CAO regarding the self-disclosed violations.

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

The CAO requires that Gates demonstrate compliance with Specific Conditions 12, 14, 16, 18, 20, 22, and 24 of the permit and submit the monthly and 12-month rolling total records referenced in paragraph 17. Further, within 30 calendar days of the effective date of the CAO Gates is required to submit the following documentation to DEQ:

- A copy of the initial notification for SN-18 and SN-19 that were submitted to the Environmental Protection Agency.
- A copy of the maintenance plan for SN-16 and SN-17.
- A copy of the engine maintenance log.

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