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Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Huntsville Electronic Assembly Manufacturing Facility Enter into Consent Administrative Order

10/18/2023

The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and Ducommun Labarge Technologies, Inc. (“DLT”) entered into a September 26th Consent Administrative Order (“CAO”) addressing an alleged violation of the air regulations. See LIS No. 23-071.

The CAO provides that DLT owns and operates an electronic assembly manufacturing facility (“Facility”) in Huntsville, Arkansas.

DLT is stated to have submitted a registration application on October 25, 2022. A review of the application is stated to have indicated that DLT’s usage of a new Hazardous Air Pollutant (“HAP”) – n-Propyl Bromide.

DEQ is stated to have requested additional information regarding the submission of the October 2022 registration application. DLT is stated to have submitted the requested information.

DEQ personnel are stated to have determined that DLT needed to submit a minor source permit application rather than a registration application. DLT submitted the minor source permit application on February 21st. Further, DLT submitted a HAP emissions spreadsheet.

A review of the minor source permit application and the supplied HAP emissions spreadsheet is stated to have indicated the DLT exceeded the regulatory emission limit of two tons per year of any single HAP for pollutant n-Propyl Bromide. Such exceedance is stated to have required a permit to operate the Facility which DLT did not have. Therefore, the CAO alleges that DLT operated the Facility without a permit.

DLT is stated to have indicated that it found an alternative solvent that would reduce the HAPs emissions. Such alternative solvent is stated to have likely meant that it was below the level of minor source permitting and that it would implement this in its process by June 2023.

DEQ requested HAP emission records for the alternative solvent that would show total single HAP emissions below the minor source permitting level. DEQ is stated to have informed DLT that such records may determine that DLT does not require an air permit.

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

DLT is required to perform either Option A or B for n-Propyl Bromide emissions in accordance with Arkansas Pollution Control & Ecology Commission Rule 18.301.

The Options include:

Option A: Until such times as the permit becomes final, Respondent should operate in accordance with the application submitted on February 21, 2023.

Or

Option B: If Respondent withdraws the permit application submitted on February 21, 2023 due to a determination that total single HAP emissions are below 2 tpy, within sixty (60) calendar days of the effective date of this CAO, Respondent shall submit HAPs emissions records showing compliance with APC&EC Rule 18.301 for a period of six months.

If Option B is chosen, the records are required to be submitted to DEQ.

Within 15 calendar days of the effective date of the CAO, DLT is required to inform DEQ which option DLT chooses for the Order and Agreement in Paragraph 1.

A civil penalty of \$1,700 is assessed which could have been reduced to \$880 if the document was signed and returned to DEQ prior to 4:00 p.m. on October 11th.

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