

# Air Enforcement: Alabama Department of Environmental Management and Escambia County Natural Gas Processing Plant Enter into Consent Order



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The Alabama Department of Environmental Management (“ADEM”) and Escambia Operating Co., LLC (“EOC”) entered into a September 6th Consent Order (“CO”) addressing an alleged violation of an air permit.

The CO provides that EOC operates an oil and gas production facility and natural gas processing plant (“Facility”) in Escambia County, Alabama.

The Facility is stated to operate pursuant to the authority of a Major Source Operating Permit (“Permit”). The Permit is stated to include requirements for the main process flare (“Flare”) located at the Facility.

ADEM is stated to have conducted an inspection of the Facility on March 29th.

ADEM personnel are stated to have noted intermittent visible emissions coming from the Flare for greater than five minutes. Visible emissions from the Flare are also stated to have been observed intermittently through the ADEM’s inspection of the Facility.

An inquiry is stated to have been made about the visible emissions coming from the Flare. EOC personnel are stated to have informed ADEM that the visible emissions were the result of maintenance being conducted to repair the vapor recovery compressor (“VRC”). The VRC is part of the vapor recovery unit and is used to control waste vapors from the condensate stabilization plant overhead vapor collection and the amine treating plant flash vapor collection.

ADEM personnel are stated to have asked if Facility personnel had determined the duration of visible emissions according to Method 22 of 40 CFR Part 60, Appendix A as required by the air Permit. Facility personnel indicated they believed visible emissions did not last for greater than five minutes. They were also under the impression that a Method 22 and a record of visible emissions was only required if the opacity was greater than forty percent.

ADEM personnel advised Facility personnel that anytime visible emissions are observed from a smokeless flare, a Method 22 observation is required to be conducted to determine the duration of the visible emissions from the flare. Facility personnel were advised to maintain a record of the results of each Method 22 observation.

ADEM issued a Notice of Violation (“NOV”) to EOC for failure to maintain visible emissions below the emission standards and failure to maintain a record of the deviation noted by ADEM during the inspection.

ADEM received on June 2nd from EOC a response to the NOV.

In response, EOC stated that:

. . . the VRC had been down for 51 days prior to the inspection. The Permittee had not previously notified the Department of the breakdown or the expected duration of the breakdown. According to the Permittee, during the period the VRC was down, visible emissions were observed from the FL02 flare; however, the Permittee contends that visible emissions did not occur for greater than five minutes in any consecutive two-hour period.

EOC neither admits nor denies the ADEM contentions.

The CO assesses a civil penalty of \$40,000.

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