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Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Searcy Plastic Package Manufacturing Facility Enter into Consent Administrative Order

11/06/2023

The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and The Bryce Company, LLC (“Bryce”) entered into an October 3rd Consent Administrative Order (“CAO”) addressing alleged violations of an air permit. See LIS No. 23-075.

The CAO provides that Bryce owns and operates a plastic package manufacturing facility (“Facility”) in Searcy, Arkansas.

The Facility operates pursuant to an air permit.

DEQ personnel are stated to have performed a routine compliance inspection of the Facility on August 25, 2022, for the reporting period of July 2020 through July 2022.

The inspection is stated to have determined that the Facility failed to submit an Annual Compliance Certification (“ACC”) covering April 1, 2020, through March 31, 2021. This is alleged to violate General Provision 21 of the permit.

The inspection is also stated to have determined that the Facility failed to maintain VOC records for various emission sources from April 2022 through July 2022. Further, it was stated to have been determined that the Facility failed to maintain proper records for additional emission sources. In addition, the Semi-Annual Monitoring (“SAM Report”) covering April 1, 2021, through March 31, 2022. This is stated to reveal an error in the year-to-date formula resulting in inaccurate VOC records. These alleged failures violate Specific Conditions 5, 16, 28 and General Provision 7 of the air permit.

The inspection is also stated to have determined that the Facility failed to report pressure differential deviations in the submitted SAM reports and ACC reports. Such alleged failures violate Specific Conditions 7, 8, 18, 19, 30, 31, and General Provisions 7, 8, and 21 of the permit.

The Facility is stated to have been determined to have failed to maintain certain through-put records during the reporting period for various cited emission sources, violating Specific Conditions 47, 50, 53, 56, 59, and General Provision 7 of the permit. In addition, the Facility is stated to have failed to maintain

operating hour records for the existing CI Emergency Generator for a total of 24 months. This is alleged to violate Specific Conditions 64 and General Provision 7 of the air permit. Further, the inspection is stated to have determined that the Facility installed five unauthorized sources at the Facility, violating General Provision 23 of the permit.

The Facility is stated to have failed to test Eight Color Press 1 within 180 days of initial startup, violating Plantwide Condition 3 of the Permit. In addition, the Facility is stated to have failed to maintain the Natural Gas Usage records from March 2022 through July 2022 for five months during the reporting period, violating Plantwide Condition 9 of the permit. Also, the inspection is stated to have determined that the Facility failed to notify DEQ of VOC or HAP testing, failed to conduct VOC or HAP testing, and failed to provide a VOC or HAP monthly spreadsheet showing monthly emission reductions, violating Plantwide Condition 10 of the permit.

The Facility provided certain records through correspondence on October 24, 2022, that DEQ requested. The correspondence is stated to have indicated that:

- Tank throughput records, natural gas usage records, and emergency generator usage log demonstrated compliance with certain specified conditions and Plantwide Condition 9, therefore satisfying certain paragraphs of the CAO's Findings of Fact.
- The monthly VOC emissions are stated to have not been demonstrated compliance with Specific Conditions 5, 16, and 28.
- Testing for SN-46 occurred on November 22nd and such test was passed, satisfying the testing for SN-47 required by Plantwide Condition 3 and satisfying paragraph 32 in the CAO.

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

The CAO requires that within 30 calendar days of its effective date that Bryce submit VOC records showing compliance with Specific Conditions 5, 16, and 28. The records are required to be submitted monthly for a period of six months.

A civil penalty of \$27,240 is assessed.

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