

Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Midway Fiberglass Boat Manufacturer Enter into Consent Administrative Order



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

11/20/2023

The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and White River Marine Group, LLC (“White River”) entered into an October 19th Consent Administrative Order (“CAO”) addressing an alleged violation of an air permit. See LIS No. 23-086.

The CAO provides that White River owns and operates a facility (“Facility”) that manufactures fiberglass boats in Midway, Arkansas.

The CAO indicates that the White River Facility operates pursuant to an air permit. General Provision 3 of such permit states that White River must submit a complete application for permit renewal at least six months before its expiration.

White River is stated to have submitted an air permit renewal application on April 7th. Further, the CAO provides that the complete air permit renewal application was due on or before April 11th. The air permit will expire on October 11th.

DEQ’s review of the permit renewal application is stated to have determined that the application was administratively incomplete. Therefore, the CAO provides that White River failed to submit the complete permit renewal at least six months before permit expiration, violating General Provision 3 of the air permit.

DEQ personnel are stated to have requested additional information on April 17th. White River is stated to have failed to have provided the information by the requested date. Further, on May 15th, White River is stated to have submitted additional information for the application to be deemed administratively complete.

DEQ personnel are stated to have met with White River on May 31st to discuss the alleged violations. At the conclusion of the meeting, White River personnel are stated to have indicated that they understood and would cooperate with DEQ.

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

Until such time as DEQ issues a final permitting decision regarding the air permit application, the White River Facility is authorized to continue operating in accordance with all conditions and emission limits contained with the administratively complete renewal permit application submitted on May 15th.

A civil penalty of \$900 is assessed.

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