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Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Huntsville Charcoal Production Plant Enter into Consent Administrative Order

01/18/2024

The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and Royal Oak Enterprises, LLC (“Royal Oak”) entered into a December 11th Consent Administrative Order (“CAO”) addressing alleged violations of an air permit. See LIS No. 23-099.

The CAO provides that Royal Oak owns and operates a charcoal production plant (“Facility”) in Huntsville, Arkansas.

The Facility operates pursuant to an air permit.

DEQ personnel are stated to have performed an investigation at the Facility on December 29, 2022. Further, DEQ personnel are stated to have observed a considerable amount of smoke coming from the stack of Charcoal Kilns 1A-10A w/Thermal Oxidizer (“SN-15”).

Royal Oak stated that SN-15 was in start-up mode and the kilns were fired/lit in series. A chart in the CAO provides kiln number, start-up date, and approximate start-up time.

The afterburner for SN-15 is stated to have been observed at 407 degrees Fahrenheit at 12:40 PM. The tracking of the afterburner/thermal oxidizer temperature by the Facility’s operator is stated to indicate a slow climb in temperature after the lighting of Kiln 3.

The CAO further provides that Royal Oaks stated that:

. . . it typically requires four (4) kilns to be online for the afterburner/thermal oxidizer to reach the 1400 degrees Fahrenheit set point. Kilns are fired/lit in a predetermined sequence as they are loaded until all kilns are in production. Subsequently, kilns are taken offline as they bum down.

DEQ compliance personnel are stated to have determined that the addition of propane to the afterburner should take place with the startup of the first kiln and subsequent kilns to maintain a stack opacity within the air permit limit.

DEQ personnel are stated to also have determined that the Facility ignited three kilns prior to reaching the afterburner/thermal oxidizer minimum temperature of 1,200 degrees Fahrenheit. The Facility is stated to have not used propane as the auxiliary fuel to the afterburner/thermal oxidizer. This is alleged to violate Specific Conditions 8, 9, and 10 of the air permit.

DEQ personnel requested that Royal Oak provide a written response detailing startup procedures and associated afterburner/thermal oxidizer operating scenarios.

The company provided a written response including the startup procedure.

Pursuant to a conference call on March 10th, Royal Oak agreed to submit a permit modification application to address and clarify the startup procedures and associated temperatures as they apply to the operation of the kiln afterburners. A startup, shutdown, and malfunction plan was provided by Royal Oak in correspondence dated April 28th. DEQ personnel responded that the startup, shutdown, and malfunction plan should be included as part of the permit modification application.

DEQ determined that an administrative amendment could be not processed and that permit modification application must be submitted.

Royal Oak neither admits nor denies the factual and legal allegations in the CAO.

The CAO requires that within 30 calendar days of its effective date that Royal Oak submit a permit modification application to address the alleged violations.

A civil penalty of \$3,600 is assessed which could have been reduced to one-half if the CAO was signed and returned to DEQ prior to 4:00 p.m. on December 6th.

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