

# Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Miller County Sand Plant Enter into Consent Administrative Order



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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and Performance Proppants, LLC (“PPL”) entered into a January 8th Consent Administrative Order (“CAO”) addressing alleged violations of an air permit. See LIS No. 24-010.

PPL is stated to operate a sand plant (“Facility”) in Miller County, Arkansas.

The Facility is stated to operate pursuant to an air permit that was issued on January 31, 2022.

DEQ personnel are stated to have performed a routine compliance inspection of the Facility on January 11, 2023.

PPL is stated to have provided during the inspection to weekly reports for operations and efficiency that included average dryer rates. A review of the reports is stated to have revealed throughputs at SN-09B of 152.9 tons per hour and 160.4 tons per hour. This is stated to have exceeded the established limit of 137.84 tons per hour, violating Specific Condition 7 and Specific Condition 8 of the permit.

PPL responded in correspondence dated February 23, 2023, stating:

1. Respondent stated that it had submitted a permit modification application to request for a Specific Condition which limits the dryer throughputs at the level established during the stack tests from 2020.
2. Respondent stated that it would retest dryers A and B in the near future and plans to operate the dryers at the target throughput which is at least 90% of the maximum capacity of 200 TPH during the test.
3. Respondent stated that it intends to obtain a General Provision 20 authorization for the pre-test activities and during the test.
4. Respondent provided TPH records for Dryers A, B, and C (SN-09A, SN-09B, and SN-09C) covering August 1, 2022, through February 20, 2023.

A review of the TPH records by DEQ personnel is stated to have indicated that the records were incomplete. Further, PPL requested in February 24, 2023, correspondence a General Provision #20 Temporary Production Increase for an engineering study and a stack test of Dryers A and B.

The engineering test would be conducted during the week of March 13, 2023. A stack test would be performed within thirty (30) days after the results of the engineering tests were finalized.

PPL submitted a test protocol for testing at SN-09B scheduled for June 26 and June 28, 2023. A test report was submitted on July 10, 2023, for testing conducted on June 26 and 28, 2023.

DEQ evaluated the test report and determined that PPL was in compliance at SN-09B.

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

A civil penalty of \$2,880 is assessed.

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