

Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Ozark Rock Crushing Facility Enter into Consent Administrative Order



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The Arkansas Department of Energy & Environment - Division of Environmental Quality ("DEQ") and Stapp Quarries, LLC ("Stapp") entered into a February 28th Consent Administrative Order ("CAO") addressing an alleged violation of an air permit. See Lis No. 24-027.

The CAO provides that Stapp owns and operates a rock crushing facility ("Facility ") in Ozark, Arkansas.

The Facility is stated to operate pursuant to a General Air Permit for Rock Crushing Facilities ("Air Permit").

DEQ is stated to have received a complaint against the Stapp Facility on August 2, 2023, stating a rock crusher was in operation at the Facility without proper permitting. DEQ personnel are stated to have conducted a complaint investigation at the Facility.

The investigation is stated to have identified a diesel-powered rock crusher in operation. The rock crusher is stated to have been unpermitted at the time of the investigation, violating Arkansas Pollution Control & Ecology Commission Rule 18.901.

Stapp submitted an application for an Air Permit for the rock crusher on September 5, 2023. Stapp was issued a General Air Permit for the rock crusher on September 25, 2023.

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

A civil penalty of \$2,200.00 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 January 18th.

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