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Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Pine Bluff Rice Milling Facility Enter into Consent Administrative Order

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The Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”) and Western Foods Delta Region (“Western”) entered into a March 26th Consent Administrative Order (“CAO”) addressing alleged violations of an air permit. See LIS No. 24-058.

The CAO provides that Western owns and operates a rice milling facility (“Facility”) in Pine Bluff, Arkansas.

The Facility operates pursuant to an air permit.

DEQ personnel are stated to have conducted a routine compliance inspection at the Facility on August 15, 2023, with a reporting period of June 1028 through July 2023.

The inspection is stated to have determined that the Facility failed to conduct performance testing at certain emission sources. The sources are stated to have been required to have been tested within 180 days of startup or by November 30, 2018, and such alleged failure violates Specific Condition 12 of the air permit and Subpart DD.

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

The CAO requires the following:

- Within 15 calendar days of the effective date of the CAO Western shall submit a test protocol for performance testing at certain specified emission sources
- Within 30 calendar days of the effective date of the CAO Western shall conduct performance testing at certain specified sources
- Within 60 calendar days of the effective date of the CAO Western shall submit performance test results for the specified emission sources

The CAO assesses a civil penalty of \$10,560 which could have been reduced by one-half if the document was signed and returned to DEQ by April 4th.

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