



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

What to Expect During an Air Inspection: Heinz Braun (Arkansas Department of Energy & Environment - Division of Environmental Quality) Arkansas Environmental Federation Air Seminar Presentation

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Mr. Heinz Braun undertook a presentation at the May 9, 2024, Arkansas Environmental Federation Air Seminar titled:

What to Expect During an Air Inspection ("Presentation")

Heinz serves as the Compliance Manager in the Arkansas Department of Energy & Environment – Division of Environmental Quality Office of Air.

The Arkansas Department of Energy & Environment – Division of Environmental Quality ("DEQ") has been delegated authority to implement and enforce the various federal Clean Air Act programs. Further, DEQ is vested with the statutory authority to conduct inspections to ensure compliance with any law charged to the authority of the Department.

Authorized DEQ employees may conduct administrative inspections whenever information which supports reasonable cause to believe that a violation of any laws within DEQ authority is being or has been violated. DEQ, of course, also has the statutory authority to undertake enforcement when violations are identified.

Heinz's Presentation initially addressed "First Steps," which include:

- Read Your Permit
- Conduct an Internal Audit
- Check for Latest Permit

The location of records requirements was identified, which include:

- Specific Conditions
- Plant-Wide Conditions
- General Provisions (Conditions)
- Federal Regulations

Descriptions of each of these sources were provided.

The discussion of the three levels of expertise associated with visible emissions were noted:

- Familiar With
- Trained
- Certified

“Insignificant Activities” was discussed noting this considers:

- Size
- Emission Rate
- Production Rate
- Activity Rate

The Presentation stated that twelve-month rolling totals records must:

. . . contain the monthly total and the twelve-month rolling total for each month’s data.

Ways to avoid common problems with recordkeeping were noted, which include:

- Ensure someone other than facility environmental contact has access to required records (noting inspections are typically unannounced)
- Tailor records to permit requirements
- Keep records simple and concise
- Avoid including information not pertinent to permit requirements

Inspection issues addressed also include:

- Plant Process Inspection
- Inspection Questions Cyclones
- Inspection Questions Scrubbers
- Inspection Questions
- Inspection Questions Fugitives
- Inspection Questions Unpermitted Sources
- Conditions vs. Provisions
- Plantwide Conditions Title V Only
- General Provisions/Conditions
- General Provisions/Title V
- Compliance Certification (Also known as General Provision 21)
- Upset Condition Reporting

The receipt of a “30-day” letter from DEQ was discussed.

Four steps in addressing that letter were noted:

- Submit to DEQ other information to consider
- Submit corrective action plan to DEQ
- Due to DEQ office thirty days from the date of the letter
- DEQ inspector reviews response, makes recommendation to enforcement staff (enforcement may be formal or informal)

The two types of enforcement options were noted, which include:

- Informal
- Minor problems (records, deadlines, etc.)
- No penalty unless a repeated occurrence
- Formal
- More serious problems
- Continued and repeated minor problems

- Penalty money or equivalent environmental assistance plan

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