

# Air Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Lowell Police Department Enter into Consent Administrative Order



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

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The Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) and the Lowell, Arkansas Police Department (“Department”) entered into a Consent Administrative Order (“CAO”) addressing an alleged violation of a general air permit. See LIS No. 24-070.

The Department is stated to own and operate an incinerator in Benton County, Arkansas.

The general air permit referenced in the CAO is denominated:

*General Air Permit for Minor Source Animal/Human Remains Incinerator Facilities 1976-AGP-000 (“Permit”).*

The Department was provided authority to operate the facility under the Permit.

DEQ personnel are stated to have conducted a compliance inspection of the facility on March 6, 2023. The inspection is stated to have covered the reporting period of February 2022 through January 2023.

The inspection is stated to have determined that the Department failed to maintain records of the start time, stop time, date, weight of each charge burned in each unit, and the secondary chamber’s start-and-mid-cycle temperature each time a unit is in operation for the entire reporting period covered by the inspection. This is alleged to violation Specific Condition 9 of the Permit.

The inspection is also stated to have determined that the Department failed to maintain the monthly and 12-month rolling totals of the charging rates of the incinerator for the entire reporting period, violating Specific Condition 10 of the Permit. Further, it was stated to have been determined that the Department failed to maintain weekly visible emission records for the entire reporting period, violating Specific Condition 12 of the Permit.

The Department neither admits nor denies the factual and legal allegations contained in the CAO. The CAO requires that the Department submit the monthly records and 12-month rolling totals required by Specific Conditions 9, 10, and 12 of the Permit. Such records are required to be submitted for 3 consecutive months.

A civil penalty of \$3,100.00 is assessed with \$2,325.00 held in abeyance conditional on the Department maintaining compliance to Specific Conditions 9, 10, and 12 of the Permit, demonstrated through the monthly records referenced in paragraph 1 of the CAO.

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