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Supplemental Environmental Project/Air Enforcement: Mississippi Commission of Environmental Quality and Burnsville Silicon Manufacturing Plant Enter into Agreed Order

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The Mississippi Commission on Environmental Quality (“MCEQ”) and Mississippi Silicon LLC (“MS”) entered into an August 27th Agreed Order (“AO”) addressing alleged violations of an Air Permit. See Order No. 7349 24.

The AO provides that MS operates a silicone manufacturing facility (“Facility”) in Burnsville, Mississippi.

The Facility holds an Air Construction Permit No. 2640-00060.

A Compliance Evaluation Inspection (“CEI”) at the Facility is stated to have identified the following violations:

- Removal of panels from the sides of the furnace building, allowing emissions to exit the building in violation of Condition 1.4.
- Failure to demonstrate compliance with the Facility-wide Hazardous Air Pollutant (“HAP”) at emission point AA-000.
- Failure to report compliance with the Facility-wide single and combined HAP limitations on the Facility’s semi-annual Monitoring Reports.
- Exceeding the limestone throughput rate limitation of 183 tons per year.
- Failure to install a continuous pressure drop monitor at each bag house.
- Exceeding the 3-hour rolling average nitrogen oxides emission limitation of 45.0 pounds per ton of silicone produced at emission point AA-201.
- Exceedance of the Carbon Monoxide emissions limitation in violation of Condition III.23.
- Exceedance of the Sulfur Dioxide emissions limitation in violation of Condition III.25.
- Exceedance of the 3% opacity limitation at emission point AA-201.

The AO also states that it was asserted that emissions from the submerged arc furnaces are bypassing Particulate Matter control equipment and bypassing Nox, CO, SO₂, and Opacity Monitoring Equipment. This allegation therefore identified alleged related violations.

A subsequent CEI is stated to have identified the following violations:

- Failure to timely perform Relative Accuracy Test Audits on the CEM systems required to be installed on emission point AA-201.
- Failure to submit annual certifications of compliance for MACT subpart YYYYYY for years 2017, 2018, and 2019.

The AO assesses a civil penalty of \$500,000.00. However, \$100,000.00 of the amount is allocated for a Supplemental Environmental Project for the Mississippi Diesel School Bus Replacement Program.

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