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Air Enforcement: Arkansas Department of Environmental Quality and Ashdown, Arkansas Calcium Carbonate Plant Enter into Consent Administrative Order

Arkansas Environmental, Energy, and Water Law Blog

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The Arkansas Department of Environmental Quality (“ADEQ”) and Specialty Minerals, Inc. (“SMI”) entered into a January 10th Consent Administrative Order (“CAO”) addressing alleged air permit violations.

SMI is stated to own and operate a precipitated calcium carbonate plant in Ashdown, Arkansas.

An Air Operating Permit 2337-AOP-R0 (“Permit”) was issued to the plant in January, 2015.

ADEQ is stated to have conducted a routine compliance inspection of the plant on April 26, 2016. The CAO identifies violations which were allegedly identified including:

- Records provided by SMI indicate that grab samples for conductivity were not analyzed or recorded for the weeks of June 14, 2015, June 21, 2015, April 10, 2016 and April 17, 2016 (allegedly violating Specific Condition 4(c) of the permit.
- Records provided by SMI indicate that no weekly opacity observations were conducted on June 14, 2015 and June 21, 2015 (allegedly violating Specific Condition 8 of the permit).
- SMI’s annual compliance certification allegedly did not address all General Provisions contained in the permit nor did it include the previously mentioned deviations for Specific Conditions 4 and 8. (The document was resubmitted on May 26, 2016.)

SMI is stated to have replied to ADEQ’s inspection findings with corrective measures to prevent recurrence of the previously referenced alleged violations.

The CAO also states that SMI detected a total dissolved solids (“TDS”) concentration of 2,210 parts per million at the Slaker #3 Cooling Tower, which exceeds the permitted limit of 2,000 ppm. The plant notified ADEQ of the TDS concentration exceedance. The alleged exceedance violates Specific Condition 4(a) of the permit.

The CAO requires that within 45 days of the CAO SMI submit a Compliance Plan and Implementation Schedule addressing all issues of noncompliance noted in the Findings of Fact. The agency is provided the opportunity to review the plan and submit to SMI a written request for additional information to determine if the proposed procedures adequately the instances of noncompliance as outlined by this plan. SMI must then submit a response to any such request made by ADEQ within 15 calendar days.

All corrective measures implemented pursuant to the previous requirement must be completed within 90 calendar days of acceptance of the plan by the agency.

The CAO assesses a civil penalty of \$3,700.

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