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Air Enforcement: Arkansas Department of Environmental Quality and Greene County, Arkansas Trailer Manufacturer Enter into Consent Administrative Order

Arkansas Environmental, Energy, and Water Law Blog

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The Arkansas Department of Environmental Quality (“ADEQ”) and KNL Holdings, LLC (“KNL”) entered into a Consent Administrative Order (“CAO”) addressing alleged air violations. See LIS No. 17-009.

The CAO provides that KNL owns and operates a facility that manufactures metal trailers, storage bins, and trailer dumpers located in Paragould, Arkansas.

The facility was issued an air permit on June 8th, 2005.

ADEQ is stated to have conducted a routine compliance inspection of KNL’s Paragould facility on July 20, 2016. Records obtained at the time of the inspection for the reporting period July 2015 through June 2016 are alleged to indicate a usage exceedance of paints. The permitted annual limit per rolling 12-month total is stated to be 9,000 gallons.

KNL allegedly exceeded the permitted annual paint usage limit in March 2016, April 2016, May 2016, and June 2016. A table in the CAO is stated to identify month, year, permitted limit, rolling 12-month total in exceedance.

In response to a July 27, 2016 letter from ADEQ identifying the preliminary inspection findings KNL is stated to have referenced additional paint usage due to an increase in business. Further, KNL responded that a permit modification application would be submitted to increase the annual paint usage limit.

The CAO requires that KNL submit to ADEQ within 30 days of the effective date of the document an administratively complete air permit modification application to address the total paint usage addressed in paragraph 6 of the Findings of Fact of the CAO. KNL is provided the opportunity to obtain written approval from ADEQ for the authority to operate in accordance with the emissions, usage, and throughput limits proposed in the application (until such time as ADEQ issues a final permitting decision on the application). The company is required to maintain all records necessary to demonstrate compliance with the throughput, usage, and emission rates contained in the previously referenced application. Such records are required to be maintained on-site and made available to ADEQ upon request.

The CAO assesses a civil penalty of \$4,800 or one-half of the penalty if the document is signed and returned to ADEQ prior to 4:00 p.m. on February 18th.

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