



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

Air Enforcement: Alabama Department of Environmental Management and Clarke County, Alabama Hardwood Veneer Production Facility Enter into Consent Order

Arkansas Environmental, Energy, and Water Law Blog

03/02/2017

The CO describes the issuance of air permits for certain equipment including natural gas-fired hardwood veneer dryers over a period of time.

ADEM is stated to have conducted an inspection of the facility on July 28, 2016. Four hardwood natural gas-fired veneer dryers were identified as operating at the facility. The CO states that ADEM had only been notified of the initial two dryers.

ADEM issued a Notice of Violation (“NOV”) for the installation and operation of two natural gas-fired hardwood dryers in violation of Admin. Code r. 335-3-14-.01(a), and an inability to demonstrate compliance with the Area Source Boiler MACT. Browder submitted a response to the NOV which provided installation dates for veneer dryer numbers 3 and 4 along with an application for their installation and operation. The facility was further stated to have a compliance program in place for its boiler.

ADEM is stated to have issued a follow-up letter requesting additional information from Browder including:

- Confirmation of installation dates for the dryers
- Specific compliance documents related to Area Source
- Boiler MACT compliance
- Additional specific information regarding emission factors for the dryers and facility as a whole

ADEM provided Browder on October 28, 2016 the additional information addressing the concerns and questions raised in the NOV. Installation dates for veneer dryers number 3 and 4 were stated to be confirmed and that required MACT notifications along with a revised application for veneer dryers containing emission calculations will be provided. Information was also provided regarding the replacement of the permitted boiler with the higher capacity boiler on March 9, 2010.

The facility is stated to have submitted an Initial Notification of Applicability as required by 40 CFR §63.11225 of the Area Source Boiler MACT and a compliance date prescribed by the MACT was identified. Further, on December 8, 2016 Browder completed the one-time Interview Assessment required by Table 2 of the Area Source Boiler MACT. A Notification Compliance Status using the compliance emission data

reporting interface was submitted on the EPA website. The compliance date prescribed by the MACT was identified as March 21, 2014.

Browder neither admits nor denies ADEM's contentions.

The Consent Order assesses a civil penalty in the amount of \$12,000.

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