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Air Enforcement: Arkansas Department of Environmental Quality Issues Notice of Violation to Former Owner/Operator of Columbia County, Arkansas Air Curtain Incinerator

05/25/2017

The Arkansas Department of Environmental Quality (“ADEQ”) issued a May 9th Notice of Violation (“NOV”) to Crochet Equipment Company, Inc. (“Crochet”). See LIS No. 17-034.

The NOV states that Crochet formerly owned and operated an air curtain incinerator (“incinerator”) in Magnolia, Arkansas.

ADEQ is stated to have issued an Air Permit to Crochet on January 20, 2006. The company is stated to have had a 10-year contract with Columbia County in regards to the incinerator. This contract expired on June 30, 2016 at which point the County purchased the incinerator from Crochet. The referenced air permit was also transferred to the County.

A routine compliance inspection of the incinerator was stated to have been conducted on February 25th, 2016. The time period covered by the inspection is stated to be January 2015 through January 2016.

Specific Condition 8 of the air permit is stated to have required daily observations of opacity using EPA Reference Method 9. Further observations were stated to have been required after initial compliance test for opacity and then conducted on all days that SN-01 is operated. The initial compliance test was stated to have been conducted on February 15, 2011.

Crochet allegedly failed to provide records of daily observations of opacity at SN-01.

The NOV also addresses Specific Condition 11 of the permit and states:

... Respondent shall conduct an initial compliance test for opacity and then conduct tests no more than 12 calendar months following the date of the previous test. Respondent established an initial compliance date for opacity on February 15, 2011; therefore, test results should have been reported to ADEQ on or before the following dates: February 15, 2012, February 15, 2013, February 15, 2014, February 15, 2015, and February 15, 2016. On the date of inspection, Respondent failed to provide records to demonstrate compliance with annual opacity compliance testing at SN-01.

These alleged omissions are stated to violate specific Condition 11 of the Permit.

ADEQ is stated to have notified Crochet of the preliminary inspection findings. The company responded on April 8, 2016, noting certain corrective actions which included:

- Reiterate daily observation requirements;
- Scheduled EPA Method 9 training for Incinerator Operator and Landfill Supervisor by the end of April 2016;
- Conduct annual compliance test for opacity in accordance with Specific Condition 11;
- Submit annual compliance opacity test results to ADEQ.

The NOV references correspondence regarding EPA Reference Method 9 certifications. It also notes that the agency had not received a signed Consent Administrative Order from Crochet by a certain date.

A civil penalty of \$7,350 is proposed to be assessed.

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