

Air Enforcement: Arkansas Department of Environmental Quality and Grant County, Arkansas Lumber Mill Operator Enter into Consent Administrative Order



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The Arkansas Department of Environmental Quality (“ADEQ”) and H.G. Toler and Son Lumber Company, Inc. (“Toler”) entered into a June 28th Consent Administrative Order (“CAO”) addressing alleged violations of an air permit.

The CAO provides that Toler owns and operates a lumber mill (“Facility”) in Grant County, Arkansas.

The Facility is stated to hold Air Operating Permit 0193-AOP-R7 (“Permit”).

ADEQ is stated to have conducted a routine compliance inspection of the Facility on June 12th and July 10th 2017. The inspection involved a review of the Facility’s annual compliance certification ACC (“ACC”) and semi-annual monitoring SAM (“SAM”) report.

The CAO provides that the Permit requires the Facility to record daily observations from the Wood Waste Boiler with Cyclone (“SN-13”). It is alleged that Toler reported in the ACC that on December 28, 2016, it failed to record the opacity observations violating thereafter Specific Condition 4.

The CAO provides that the Permit requires the Facility to record weekly opacity observations from the Planer Mill Cyclone (“SN-04”), Shavings Bin Cyclone (“SN-05”), and Hog Fuel Bins (“SN-12”). Certain weeks are cited as having been noted in the ACC that opacity observations were failed to be recorded violating Specific Condition 29.

The CAO provides that the Permit requires the Facility to record weekly opacity observations from the Boiler House Fuel Cyclone (“SN-08”). The ACC is stated to have indicated that during certain weeks the opacity observations from such sources failed to be recorded violating Specific Condition 36.

The CAO provides that the Permit requires a biennial tune-up of SN-13 be conducted no more than 25 months after the previous tune-up. It is alleged that a review of the records indicated that on October 14, 2014, that an initial tune-up of SN-13 was completed. Further review of the records is stated to indicate that a biennial tune-up was completed on May 22, 2017, stated to be 31 months after the initial tune-up allegedly violating Specific Condition 19 of the Permit.

The ADEQ is stated to have provided Toler information requiring such inspections and alleged compliance issues to which a consultant responded on behalf of the company.

Toler neither admits nor denies the factual legal allegations contained in the CAO.

A civil penalty of \$5,000 is assessed.

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