

Air Enforcement: Arkansas Department of Environmental Quality and Malvern, Arkansas, Brick Manufacturing Facility Enter into Consent Administrative Order



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12/28/2018

The Arkansas Department of Environmental Quality (“ADEQ”) and Acme Brick Company (“ABC”) entered into a December 18th Consent Administrative Order (“CAO”) addressing alleged violations of an air permit. See LIS No. 18-100.

The CAO provides that ABC owns a brick manufacturing facility (“Facility”) in Malvern, Arkansas.

The Facility is stated to hold an Air Permit 1343-AR-4 (“Permit”).

ABC is stated to have submitted an Upset Condition Reporting Form on May 11th detailing an equipment malfunction at its Tunnel Kiln with Dry Scrubber (SN-06). The report is stated to provide that:

... on May 10, 2018, visible emissions from SN-06 alerted Respondent to a potential problem. An investigation of SN-06 revealed that a large percentage of the bag filters were damaged. This malfunction resulted in exceedances of the Permit emission rate limits for hydrogen fluoride (HF) and hydrochloric acid (HCL). Calculated emission rates were included in the report, but a final accounting of the degree of the exceedances would be made upon the correction of the malfunction.

ABC is stated to have described certain actions that were taken to correct the malfunction which included placing an immediate order for new bag filters. Further, ABC provided correspondence on June 1st noting that a vendor was onsite conducting a root cause analysis.

The CAO also provides that on July 18, 2018, ABC submitted an updated Upset Condition Reporting Form in which it was reported:

... that the malfunction was corrected on July 15, 2018. The included final calculated emission rates for the duration of the malfunction were at rates that exceed the Permit emission rate limits for HF and HCL. Such acts violate Specific Condition 2 of the Permit. . .

The CAO assesses a civil penalty of \$5,400 which could have been reduced to \$2,700 if the document was returned to ADEQ by December 1st.

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