

FINDINGS:

Frit Industries, Inc. (Frit) operates a fertilizer production complex at Walnut Ridge. Frit is subject to the State Implementation Plan (SIP). Frit's granular plant, which is a part of the aforesaid operation, is apparently in violation of the emissions limitations contained in the SIP. Additionally, the zinc sulphate plant, which is also a part of the aforesaid operation, was built and preliminary operations commenced without receiving a permit from the Commission with reference to its emissions into the atmosphere although a water permit has been issued for the operation.

At the direction of the staff, Frit closed the zinc sulphate plant, effective at the close of business on August 19, 1977. Frit has further agreed to take certain steps, consisting of stepped-up maintenance, alterations in processing schedule, and testing, to bring the granular plant into compliance.

Frit has consented to the imposition and payment of a civil penalty of \$5,000.00, with a credit thereon of \$3,600.00 for the cost of the shutdown, or a total civil penalty of \$1,400.00. Frit has recognized and acknowledged that imposition and payment of this penalty provides no assurance that actions will not be taken by other agencies, notably the Environmental Protection Agency, with reference to Frit's violation of the Air and Water Pollution Control Act, the Air Pollution Control Code and the SIP.

Finally, Frit has agreed that, should it be granted a conditional permit for the zinc sulphate plant, it will operate under said permit only on a limited basis, primarily for testing purposes, until a regular permit should be granted.

COMMISSIONERS

*[Handwritten signatures and initials]*

Ralph A. Dumas  
CHAIRMAN

SUBMITTED BY Jarrell E. Southall

DATE PASSED 9/23/77

ORDER:

Frit Industries, Inc. is hereby granted a conditional permit for operation of its zinc sulphate plant, a copy of which permit is attached hereto and subject to all the conditions thereof, conditioned as the following:

- (1) Said permit shall not become final until and unless approved at a regular meeting of the Commission, and may be revoked by the Director at any time prior to final approval in his discretion for failure to observe the requirements and conditions hereof;
- (2) Frit will promptly take all reasonable steps to bring its granular plant into compliance with the SIP;
- (3) Frit will tender \$1,400.00 to the State of Arkansas as a civil penalty.

ACKNOWLEDGED AND ACCEPTED:

FRIT INDUSTRIES, INC.

BY

[Handwritten Signature]

COMMISSIONERS

[Handwritten Signature]  
[Handwritten Signature]  
[Handwritten Signature]

Ralph A. Dumas  
CHAIRMAN

SUBMITTED BY Jarrell E. Southall

DATE PASSED 9/23/77