



A CRH COMPANY

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October 27, 2020

Mr. Aaron Black, Director
Arkansas Department of Energy and Environment
Compliance Division of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

Re: Self-Report Disclosure – Ash Grove Cement, Foreman, AR
NPDES Permit Number AR0042846
AFIN: 41-00001

Dear Ms. Keogh,

Ash Grove Cement Company, a Division of CRH (Ash Grove), is submitting this letter to notify the DEQ of an issue recently discovered in our NPDES Permit issued November 22, 2017, with an expiration date of December 31, 2022. The purpose of this letter is to provide Voluntary Disclosure Notification of potential violations of our NPDES Permit. Over the last couple of months, Ash Grove has notified the DEQ of some exceedances regarding Outfall # 3 regarding Fecal Coliform. We have previously reported that basically, these exceedances resulted from COVID-19 related shift reassignments required to establish "Social Distancing" measures. We have restructured our Work Order System and retained a local consultant; GBMc to mitigate this issue. Our submittals show the company has identified the problem, put repairs in place and made changes to our Work Order system to stop future occurrences.

While resolving this issue, multiple reviews of our permit requirements under the company's Environmental Management Systems uncovered disparities in different permit sections. Under Part IA Page 3, the frequency for sampling Dissolved Oxygen (DO) is once/week. While under the Statement of Basis Page 13, the frequency for sampling Dissolved Oxygen is once/month. The previous 5-year permit for the facility in force from 2012 to 2017 only required monthly sampling, and there was no mention in the Significant Change portion of the permit renewal that called out the change in frequency. The facility did not take weekly DO samples, taking them monthly, instead.

Therefore, it is not clear if this change was intentional by the DEQ or possibly a typo/oversight. Conducting weekly DO sampling could be considered less stringent because the company submits the monthly average result in the Discharge Monitoring Reports (DMR's) report. A slight exceedance in DO could be averaged out and not reported on the monthly DMR.

Since the "Statement of Basis" portion of the permit is secondary to the actual compliance requirement, Ash Grove will begin weekly DO sampling at Outfall #3 and submit the average of those results on our Monthly DMR's. It may be important to point out that at no time has there been an exceedance for DO since ADEQ issued the permit renewal in 2017.

Discovery of the discrepancy in sample frequency is subject to the ADEQ voluntary disclosure policy as I summarize below.

1. Systematic Discovery through an Environmental Audit or an Environmental Management System

As a matter of practice, to identify potential water/compliance concerns, Ash Grove periodically reviews both its permitting processes and other non-regulated environmental issues. During such a review, Ash Grove personnel identified the possibility of a sample frequency discrepancy. Further research led Ash Grove management and environmental personnel to conclude there is a possibility that the Foreman Facility was sampling at the wrong frequency (i.e., monthly instead of weekly). The retention of GBMc was intended to assist Ash Grove in identifying any measures needed to correct potential violations.

2. Voluntary Discovery

The practice of seeking, to the extent possible, full compliance with applicable regulations. The discovery efforts leading to discovering the potential non-compliance were in no way required by a regulatory provision, order, or other governmental mandates. If Ash Grove personnel had not raised the issue, no one would raise it in all likelihood.

3. Prompt Disclosure

Please note that Ash Grove is not sure what ADEQ intended as the permit's sampling frequency, and if any, violations may have occurred. Nevertheless, Ash Grove believes it is prudent to begin immediately sampling at the weekly frequency until ADEQ can clarify. Ash Grove feels the increased frequency reduces the permit's stringency and would prefer to continue taking one sample each month.

4. Discovery Must Be Made Independently

The potential violations were not the result of an ADEQ or other agency inspection.

5. Correction and Remediation

Ash Grove would like to address this issue as expeditiously as possible. We would be available to work with ADEQ Water Division personnel shortly to discuss this issue, including the possibility of entering into a Consent Administrative Order ("CAO") that would allow the Foreman Facility to sample monthly.

6. Prevent Recurrence

Ash Grove has begun to sample weekly, and the new sample frequency will rectify the deviation from the permit. To prevent future recurrence, Ash Grove will add the new frequency to our Environmental Management Practices.

7. No Repeat Violations

Ash Grove does not believe that these potential violations constitute an additional occurrence of a previous violation by the Foreman plant.

8. Cooperation

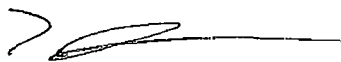
Ash Grove is voluntarily reporting these issues to ADEQ and has proposed a path forward to address the incident expeditiously.

B. No Economic Benefit

Finally, based on a current understanding of the situation, Ash Grove concludes that if ADEQ alleges a non-compliance due to the change in the sampling frequency, Ash Grove would not have received any economic benefit from the potential emissions of additional pollutants. If the Foreman Facility had not used the permits statement of basis to set the sampling frequency, the company would have addressed the question during the permit public comment period.

We thank the DEQ for the opportunity to clarify this issue and look forward to your guidance in the future.

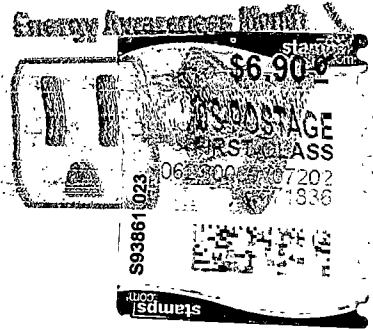
Sincerely,



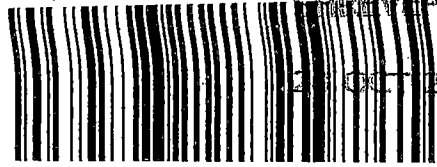
Ted Jennings
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cc: Stu Tomlinson
Walter Wright
Scott Nielson
Craig McMahon
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