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Air Enforcement: Alabama Department of Environmental Management and Shelby County, Alabama Lime Manufacturing Facility Enter into a Consent Order Addressing Alleged Violations

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The Alabama Environmental Department of Environmental Management ("ADEM") and Lhoist North America of Alabama, LLC ("LNAA") entered into a Consent Order ("CO") addressing alleged violations of certain air regulations.

The CO states that LNAA operates a lime manufacturing facility ("Facility") in Shelby County, Alabama.

The facility is stated to operate four rotary lime kilns under the authority of a Major Source Operating Permit ("Permit").

The Permit contains a provision (referencing the Calcining Process Emissions Standards Section) which states:

In accordance with 40 CFR 63, Subpart AAAAA, "Emissions Limitations", affected sources shall comply with the following: (a) Each applicable emissions limit specified in Table 1 of Subpart AAAAA. Table 1 of Subpart AAAAA, "Emissions Limits", is provided in Appendix A [of Permit]". For lime kilns that have a wet scrubber installed and operated before January 5, 2004, Table 1 in Appendix A of the MSOP states "PM emissions must not exceed 0.60 lb/tsf.

The CO states that a particulate matter emissions test of Kiln No. 1 (conducted in accordance with method 5 of 40 CFR 60, Appendix A) generated a report that was submitted to ADEM. The report allegedly indicated a measured PM emissions rate of 0.720 lb/tsf that exceeded the permitted PM emissions limit.

LNAA also allegedly performed a PM emissions test on Kiln No. 2 in accordance with the same method and generated a report submitted to ADEM which measured a PM emissions rate of 1.468 lb/tsf, which exceeded the permitted PM emissions limit.

ADEM issued a Notice of Violation referencing the PM exceedances.

ADEM received a response to the Notice of Violation addressing:

- The cause of the exceedances
- Monitoring parameters of the scrubbers during testing

- Actions taken once LNAA became aware of the exceedances
- Actions to be taken to assure future compliance of the permitted PM emission limits

LNAA neither admits nor denies ADEM's contentions.

LNAA agrees to pay a civil penalty in the amount of \$130,000.

LNAA also agrees to perform PM emission tests of Kiln 1 and Kiln 2 of the facility in accordance in Method 5 of 40 CFR 60, Appendix A until two consecutive quarterly tests show PM emissions at or below 0.45 lb/tsf (75% of the permitted limit) or until eight consecutive quarterly tests show PM emissions at or below 0.60 lb/tsf (the permitted limit), whereupon the frequency of such PM emission tests shall revert to the annual frequency required under the Permit without further action by ADEM. The CO also provides that LNAA may seek written approval of ADEM to reduce the frequency of such PM emission testing at Kiln 1 and/or Kiln 2 after eight quarterly tests.

LNAA also agrees to pay ADEM a stipulated civil penalty in the amount of \$50,000 for each and any PM emission test conducted at Kiln 1 or Kiln 2 of the facility in accordance with Method 5 of 40 CFR, Appendix A which shows PM emissions in excess of the permitted (0.60 lb/tsf) for so long as the subject kiln is still required to be tested on a quarterly basis pursuant to Paragraph B of the CO's Order.

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